

SENATE—Tuesday, November 30, 1982

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. THURMOND).

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray.

Lord God of hosts, father of Abraham, Isaac, and Jacob, of our Lord Jesus Christ and the apostles, sovereign Lord of history—worthy art Thou to receive glory and honor and praise. Be present in this place today, as well as in the offices and homes of the Senators. Help us to be aware of Thy presence and of our accountability to Thee and to the people. Guide the leadership as the agenda for this session evolves—give discernment and agreement—deliver from the tyranny of the urgent so that the really important may be accomplished. May the Senators' achievements during this session vitiate the cynicism about the selfishness of politicians.

We pray for the President of the United States in his strategic visit with our Latin American friends. Keep him in health and strength, anoint him with Godly wisdom, prosper his efforts and enable his safe return home. In the name of Him who "upholds all things by the word of His power." Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

Mr. BAKER. I thank the Chair.

ORDER OF PROCEDURE

Mr. BAKER. Mr. President, I believe there is an order, is there not, for dispensing with the reading of the Journal, that no resolutions may come over under the rule, and that the call of the calendar shall be dispensed with.

The PRESIDENT pro tempore. The Senator is correct.

Mr. BAKER. The next order of business then, Mr. President, is the recognition of the two leaders under the standing order; is that correct?

The PRESIDENT pro tempore. The Senator is correct.

TELEVISED PROCEEDINGS

Mr. BAKER. Mr. President, 82 years ago today, just moments before his death, Oscar Wilde looked up from his bed at his room's wallpaper and remarked, "Well, one of us had to go."

I can assure my colleagues that I offer no such wisdom or insight this afternoon, but I would like to follow up on a series of conversations that took place on the Senate floor yesterday.

Shortly after my announcement that it was my intention to make time in this lameduck session for deliberation on a resolution calling for television and radio coverage of Senate proceedings, several Members indicated to me that they did not believe that we would have time to debate such an issue because there were more important issues to consider.

I wish to state today, as I did yesterday, that I am fully aware of the measures which the Senate must act on in the next few weeks, and that at no time would I ask the Senate to postpone a matter of importance to move to Senate Resolution 20. But on the other hand, I view the issue of televised proceedings as a most important issue that will affect citizens across the country by giving them the opportunity to observe the Senate in action. This resolution has been on the Senate agenda for close to 2 years, and it is both my hope and expectation that something will be able to be worked out to facilitate this provision in the next few weeks.

ORDER OF BUSINESS

Mr. BAKER. Mr. President, there are three special orders today in favor of the Senator from Pennsylvania (Mr. SPECTER), the Senator from Michigan (Mr. LEVIN), and the Senator from Georgia (Mr. MATTINGLY).

At the conclusion of their time there will be a period for the transaction of routine morning business to extend for not longer than 1 hour in which Senators may speak for not more than 5 minutes each.

At the close of morning business, whenever that may be, it is the present intention of the leadership on this side to ask the Senate to proceed to the consideration of S. 995, Calendar Order No. 511, antitrust contributions. It is my hope that we can do that by agreement; if not, it will be my intention to make a motion to that effect.

Mr. President, I have no further requirement for my time under the standing order, and I am prepared to yield time to any Senator seeking recognition.

I see no Senator on this side seeking recognition. I offer my remaining time to the minority leader if he has use for it.

Mr. ROBERT C. BYRD. Mr. President, I thank the distinguished majority leader and I accept his generous proposal. If he should wish any of the time back he may, of course, have it.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. LUGAR). The minority leader is recognized.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that I may introduce a resolution at this time as though in morning business and ask that it be printed in the RECORD and appropriately referred.

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

SENATE CONCURRENT RESOLUTION 128—RELATING TO MONETARY POLICY

Mr. ROBERT C. BYRD. Mr. President, I send to the desk a concurrent resolution and out of my own time ask that it be read by the clerk.

I will ask that this resolution be printed in the RECORD and appropriately referred.

The PRESIDING OFFICER. The resolution will be stated.

The assistant legislative clerk proceeded to read the concurrent resolution.

Mr. ROBERT C. BYRD. Mr. President, I modify the verbiage in the resolution to include the words "agricultural sector" in one of the "Whereas" clauses.

The PRESIDING OFFICER. The resolution is so modified.

The modified resolution is as follows:

S. CON. RES. 128

Whereas, The nation's economy is entering the seventeenth month of a severe recession, with few signs of recovery;

Whereas, Nearly 20 million people are underemployed or unemployed due to this recession;

Whereas, Our nation's steel, auto, housing industries, and agricultural sector remain mired in a depression;

Whereas, Given the current underutilization of both labor and capital, lower interest rates will not rekindle inflation;

And Whereas, Lower interest rates are the key to higher employment, higher production and sustained economic growth; Therefore, be it

Resolved by the Senate (the House of Representatives concurring), The Board of Governors of the Federal Reserve and the Federal Open Market Committee should take such actions as are necessary to achieve and maintain a level of interest rates low enough to generate significant

economic growth and thereby reduce the current intolerable level of unemployment.

Mr. ROBERT C. BYRD. Mr. President, as we reconvene for the final weeks of the 97th Congress, the tragic recession that has been with us for 17 months lingers on. Unemployment has darkened the lives of 11.5 million people, and nearly 20 million willing and able Americans remain underemployed. Industrial production continues to plummet, and we learned today that last week's steel production set new record lows as only 31 percent of its capacity was in use.

The spotty and anemic signals of recovery during the last few months have been wiped out by renewed losses the month after they were cheered by administration economists. Retailers are now concerned that the Christmas sales surge will fade as did the previously predicted recoveries from spring buying, summer tax cuts and fall back-to-school sales.

The road and bridge repair bill and the jobs programs being considered by the Senate and House are important stopgaps, and together will help nearly 600,000 Americans find work they desperately need. But for the other 19,400,000 Americans who are underemployed, only a strong and sustained recovery will put them back to work.

Mr. President, since last spring, we Democrats have maintained that only a sharp drop in interest rates will get this economy moving again. With lower, affordable rates, companies can buy again, companies can invest again, and builders can build again.

In July, Democrats in both Houses introduced legislation entitled the Balanced Monetary Policy Act of 1982, designed to force the Federal Reserve Board to look at real interest rates as well as money supply when setting policy. This legislation was designed to force interest rates down closer to historic real levels. Events of August and October, as the Fed moved decisively away from monetarism and toward a more balanced approach, showed that the Fed could bring interest rates down dramatically.

Late in the summer, we welcomed the support of our Republican friends on the House side who introduced legislation substantially similar to ours and brought a welcome bipartisan spirit to our proposals.

Together, we sent a shot across the Fed's bow this summer, and the results speak for themselves. However, in the last few weeks, the actions of the Federal Reserve have raised questions as to their willingness to continue on a path to lower interest rates. Interest rates have remained largely stagnant, and in fact some short-term rates turned up slightly yesterday. The stock market and financial markets have been looking for a strong signal from the Fed that it will contin-

ue to support the necessary monetary easing and lower interest rates needed to promote a healthy recovery. But the Federal Reserve has not taken that lead, and uncertainty has returned once more to the market.

Our Nation's industrial capacity is underused by more than 30 percent—which is a postwar record. Our Nation's human capacity is underemployed by 20 million citizens—which is another postwar record. In such dire straits we need not worry that inflation is just around the corner.

As interest rates linger above affordable levels for most Americans, the economy continues to sink lower and lower into this recession. Recently, many of our Republican colleagues, including the distinguished majority leader and the chairman of the Senate Budget Committee, have expressed their exasperation with continued high levels of interest rates.

I hope these public expressions represent a chance for swift bipartisan action to convince the Federal Reserve Board that lower interest rates must come if the economy is to recover. By nearly all estimates, there is substantial room for lower interest rates and higher money growth before any inflationary pressures would begin to appear.

In the hope that bipartisanship can prevail in these terrible times, I am today introducing a concurrent resolution that I believe all of my colleagues can support. I believe the Federal Reserve Board needs a strong signal from Congress that it has the full faith and support of both Houses in continuing to press rates down and promote economic recovery.

The Board's reaction to our bills of last summer was positive, and took us part way toward affordable rates. By supporting and passing a sense of Congress resolution at this time, I believe we can stiffen the Fed's resolve to bring rates down while avoiding the need for permanent legislation.

The sense of Congress resolution I propose is not designed to give the Board of Governors explicit instructions about how to bring rates down, they have shown that they know how to bring rates down when they so choose. It is not designed to compromise the integrity of the Federal Reserve Board, but it is designed to show that Congress remains committed to lower interest rates, and that the Fed's course of late summer and early fall should be renewed and maintained to produce a strong and sustained recovery.

I hope all of my colleagues can cosponsor and support this resolution. So I have offered this resolution this afternoon in that spirit. I hope for bipartisan support.

I ask unanimous consent, if the majority leader will not object, that the concurrent resolution lay at the desk

throughout the remainder of this day, before it is referred, for cosponsors. Of course, if it is referred, they can obtain permission to cosponsor it after today without objection. If the majority leader has no objection, I make that request for today only.

Mr. BAKER. I have no objection.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I thank the majority leader and the Chair, and if the majority leader wishes some time which was yielded to me, I will yield it back to him.

Mr. BAKER. I thank the minority leader. I have no further use for my time.

Mr. ROBERT C. BYRD. If no other Senator wishes to have time, I yield back the remainder of the time.

RECOGNITION OF SENATOR SPECTER

The PRESIDING OFFICER. Under the previous order, the Senator from Pennsylvania (Mr. SPECTER) is recognized for a time not to exceed 15 minutes.

S. 3045—TO ALLOW HOME EQUITY CONVERSIONS THROUGH SALE-LEASEBACK ARRANGEMENTS

Mr. SPECTER. Mr. President, I rise today to introduce legislation which will enable elderly homeowners to keep their homes while, at the same time, converting the equity in their homes into guaranteed annual incomes.

Our elderly homeowners who must live on fixed incomes are often faced with a cruel choice. Confronted by ever-rising living costs, they must either reduce their standard of living or sell their most precious asset, their home, just to pay their bills.

The trauma of losing a home for which persons have worked for a lifetime is profound. But the alternative is equally dismaying: living out one's last years—the allegedly golden ones—in materially constrained circumstances. It is a choice no elderly homeowner should have to face if an alternative can be devised.

My bill encourages a mechanism known as sale leasebacks. Its purpose is simple. Rather than having to sell for funds to meet living expenses and moving to an apartment, elderly homeowners can sell to a financial institution but continue to live in their home under a lease while being paid an annuity.

Tax barriers to sale leasebacks would be eliminated by the legislation which I am today proposing. First, the elderly homeowner in the sale-leaseback transaction would be entitled to

the one-time capital gains tax exemption that is otherwise available to homeowners past the age of 55 who sell their homes. And, second, the purchaser/lessor could depreciate the value of the residential property it had purchased and then leased back.

With these tax barriers removed, I am confident that the sale-leaseback transaction will prove attractive to financial institutions.

The President's Commission on Housing has estimated that the potential market for these home equity transactions to be between \$30 and \$40 billion. And the Commission has said that this market can be expected to increase as the number of older Americans increases and the idea of home equity conversion gains acceptance.

Access to the rewards of home equity—which has been dearly earned—should be given to our elderly Americans during their lifetimes. It is of no value to them after their deaths. And it will go a long way toward making their last years truly golden ones.

This legislation will make sale leasebacks feasible. It will make them attractive both to the elderly homeowner and to the purchasing financial institution.

Mr. President, I ask unanimous consent that the full text of the bill be printed in the RECORD.

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

S. 3045

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (d) of section 121 of the Internal Revenue Code of 1954 (relating to one-time exclusion of gain from sale of principal residence by individual who has attained age 55) is amended by adding at the end thereof the following new paragraph:

"(9) Sale or exchange defined.—For purposes of this section, the term sale or exchange shall include a transaction in which the seller retains a life estate in the property and the net proceeds from the transaction are used to purchase a qualified joint and survivor annuity (as defined in section 481(a)(11)(G)(iii)) for the seller."

(b) Subsection (b) of section 167 of such Code (relating to depreciation for life tenants and beneficiaries of trusts and estates) is amended to read as follows:

"(h) Life Tenants.—

"(1) GENERAL RULE.—In the case of property held by one person for life with remainder to another person, the deduction shall be computed, except in a transaction described in paragraph (2), as if the life tenant were the absolute owner of the property and shall be allowed to the life tenant.

"(2) SECTION 121 SALE OR EXCHANGE.—In the case of property held by one person for life with remainder to another person, pursuant to a sale or exchange under section 121, the deduction shall be computed as if the remainderman were the absolute owner and shall be allowed to the remainderman."

(c) Section 167 of such Code is amended by adding after subsection (h) the following new subsection:

"(1) BENEFICIARIES OF TRUSTS AND ESTATES.—

"(1) BENEFICIARIES OF TRUSTS.—In the case of property held in trust, the allowable deduction shall be apportioned between the income beneficiaries and the trustee in accordance with the pertinent provisions of the instrument creating the trust, or, in the absence of such provisions, on the basis of the trust income allocable to each.

"(2) BENEFICIARIES OF ESTATES.—In the case of an estate, the allowable deduction shall be apportioned between the estate and the heirs, legatees, and devisees on the basis of the income of the estate allocable to each."

(d) The amendments made by this Act shall apply to sales or exchanges after the date of the enactment of this Act, in taxable years ending after such date.

Mr. SPECTER. I thank the Chair, and I yield the floor.

RECOGNITION OF SENATOR LEVIN

The PRESIDING OFFICER. Under the previous order, the Senator from Michigan (Mr. LEVIN) is recognized for not to exceed 15 minutes.

Mr. LEVIN. I thank the Chair.

SOCIAL SECURITY TITLE II DISABILITY REVIEWS

Mr. LEVIN. Mr. President, I asked for some time today in order to remind my colleagues of a very dire situation for the severely disabled former workers of this country—that is the unjust way in which beneficiaries of title II social security disability are being reviewed and terminated.

In 1980, Congress passed legislation which mandated the Social Security Administration to conduct continuing disability examinations of individuals receiving disability benefits once every 3 years. These periodic reviews were intended to insure that only those who are severely disabled and unable to work continue to receive benefits. Congress specifically directed the Social Security Administration to begin these reviews in January 1982, in order to allow time to establish the necessary procedures and to hire and train additional staff to insure that the reviews would be conducted efficiently and fairly.

However, rather than waiting until 1982 as the Congress had recommended, the Social Security Administration decided to start the reviews early and increase the volume of reviews. Predictably, reports from all over the country revealed a disturbing pattern of burgeoning caseloads and backlogs at all levels, poor development of medical evidence, undue reliance on hasty and incomplete consultative examinations, a disregard for the beneficiaries' complete medical history, and inadequate notice to beneficiaries.

On May 25, the Oversight Subcommittee of the Governmental Affairs Committee held a hearing where wit-

ness after witness sharply criticized the way in which the continuing disability reviews are being conducted and the frequently unjust results of those reviews. On August 18, the Senate Finance Committee heard similar testimony.

The situation has not significantly changed since those hearings. Although we went away for 8 weeks, this problem did not. Seriously disabled, desperately sick people are still being unjustly terminated from the disability program only to be reinstated some 9 to 12 months later—9 to 12 months during which they receive no benefits and no assistance for medical expenses. This is not the way we should be treating the workers of this country. I say "workers" because title II social security disability is not a welfare program—it is a disability insurance program. Individuals work and employers pay for the protections this program is supposed to afford.

A constituent of mine in northern Michigan was recently notified by an administrative law judge—on October 7, 1982—that indeed, the decision to terminate his benefits in January 1982, 10 months ago, was wrong. In the meantime, the constituent had spent over 30 days at the Mayo Clinic in Rochester, Minn., for treatment of his illness (which is lupus) and incurred medical expenses in excess of \$10,000. His medicare coverage was terminated when his benefits stopped in January.

In another case, a woman from Michigan who was found to be disabled due to severe mental illness was told this past month that she would be terminated from the disability program even though the same psychiatrist whose diagnosis was used to bring her into the program stated that she is worse now than she was before. "There is no difference in her condition," the psychiatrist said, "except that her paranoia is more prominent and she is hearing voices."

In yet another case of a Michigan resident, who is of Greek descent and cannot speak English, this man was reinstated by an administrative law judge on November 17, 1982, 11 months after his benefits were terminated. This was because a Greek speaking attorney was able to fully explain this man's disability to the administrative law judge. Because of the loss of benefits during appeal, however, this man's house was to be sold at a sheriff's sale on November 19. The reinstatement of his benefits barely might be able to save his home.

These stories are being repeated in every State in this country. They are an embarrassment to our Government. "I believe," a reader wrote to the Detroit News in October, "that the system is trying to destroy our belief in justice."

Mr. President, the 97th Congress cannot in good conscience adjourn without addressing this critically important problem. I understand that the substantive issues of the review process itself are complex and merit study—the dual standards used by the administrative law judges and the State disability examiners, the use of consultative exams versus treating physician reports, the proper time for a face to face interview, and so forth—and I am confident we can address these questions through hearings and legislation next year. But, until these fundamental changes are made, we must do something in the short term. The vehicle for a temporary solution and relief is H.R. 7093, which contains a provision sponsored by Senator COHEN and myself that was reported by the Finance Committee on September 30. It would continue the payment of benefits for persons terminated from the social security disability program until the appeal to an administrative law judge has been concluded. Since approximately two-thirds of the persons who appeal their terminations by the State disability examiners are reinstated on appeal, the payment of benefits through this period is the only responsible temporary remedy. Any benefits paid to a person whose termination is upheld on appeal would be subject to recapture by the Social Security Administration.

I repeat that this is only a temporary measure. By the terms of an amended version of the bill itself, it will apply to terminations only through September 1983. It is anticipated that by that time a permanent, comprehensive reform bill will have been adopted and the necessary substantive changes in place.

This bill currently has the support of 25 Members of the Senate who have cosponsored it, reflecting the broadest possible political spectrum. I want my colleagues to know, Mr. President, that the urgency of this bill, the need for this bill has not diminished one iota in the last 8 weeks. The horror stories have not gone away. They pile up daily. The problems are still present. The Congress must act.

I ask unanimous consent that several articles and letters depicting current examples of this tragic situation be printed in the *RECORD* immediately following my remarks.

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

(See exhibit 1.)

Mr. LEVIN. Mr. President, I hope that our colleagues will read these articles and, in realizing the extent of the problem nationwide, will join in getting H.R. 7093 enacted into law before we adjourn in December.

I thank the Chair and I yield back the remainder of my time.

EXHIBIT 1

[From the Charleston (W. Va.) Gazette-Mail, Aug. 29, 1982]

DISABILITY—QUESTION OF BENEFIT ELIGIBILITY LEAVES THOUSANDS IN LIMBO (By Beth Spence)

Two months after her disability Social Security benefits were cut off, Anna Carter went back to the work she knew best—waitressing.

She lasted less than three days before she collapsed and had to be carried out of the restaurant by her disabled husband, John.

That was in May. Today the 51-year-old Mrs. Carter is in a wheelchair with both her legs in knee-high casts. She has had one operation on her feet and faces further surgery, but she already has been told she probably will never again walk unaided.

"I went back to work because I was thinking we couldn't make it on what John gets a month on his disability," said Mrs. Carter, a serene-looking woman with a hint of Virginia in her Monroe County speech. "We were having a hard enough time with both our checks."

Mrs. Carter's case is not unique. Across the country, thousands of disabled people have been cut from the Social Security rolls during the past year and a half in a massive review of claims by the Reagan administration.

Between May 1, 1981, and May 28, 1982, state disability determination boards terminated benefits for 106,862 persons—or more than 44.4 percent of the cases reviewed. In West Virginia, 1,509 people lost their benefits.

A majority of the cases—Social Security officials say 55 percent—eventually are won on appeal, but lawyers representing disabled clients are frustrated with the length of time it is taking to process the appeals.

They also say tremendous pressure to deny claims is being placed on examiners who make the determinations and on administrative law judges who hear the appeals.

Joseph D. Coffman, manager of the Charleston Social Security office, said the reason for the increased number of re-evaluations is 1979 congressional action requiring review of all claims at least once every three years to make sure recipients still qualify for benefits.

Thomas H. Zerbe, managing attorney for the West Virginia Legal Services Plan in Lewisburg, argues that the review is being used as an excuse to terminate benefits for recipients whose conditions have not improved.

"Sometimes this results in a disabled individual being forced to go against his doctor's advice and return to work while his case is pending," Zerbe said. "The consequences can be tragic."

Anna Carter can attest to that. A sickly child, Mrs. Carter can remember that her father had to carry her from room to room when at 9 she developed a condition doctors diagnosed as an inflammation of the bones in her legs.

Through the years, the infection has recurred in different parts of her body. Mrs. Carter says the initial attack left her legs so weak that even as an adult her ankles turn if she steps on something as small as a matchstick.

At 16 she quit school to get married and she and her husband moved to Virginia. By the time she was 19, she was divorced, on her own, and had a child to support.

She took a job waiting tables, but was soon forced to take a second job at a ribbon

factory to make ends meet. For six years, she worked 16 hours a day—an 8-hour shift at the restaurant, followed by an 8-hour shift at the factory.

When the ribbon factory closed, she worked for three years at a book-binding factory, standing on her feet 8 hours a day.

During that time her health began to deteriorate. Between 1949 and 1980 Mrs. Carter had 23 operations, including the removal of 16 inches of her intestines, part of her stomach, her gall bladder, a disc from her back and a large gland from her neck.

In addition, she was diagnosed as having angina, for which she takes nitroglycerine, and an aneurysm in her temple.

Mrs. Carter qualified for Social Security disability benefits in 1973, after she had to quit working at the small grocery store she and Carter, her second husband, bought after they were married in 1967.

One of her more severe health problems is dumping syndrome, a condition in which food passes rapidly through the body. She developed the problem after 75 percent of her stomach was removed in 1963.

"When I eat, it goes right through me," she explains. "I got to where I only weighed 98 pounds and the doctor told me to eat six times a day and lie down for an hour after I eat."

By following her doctor's instructions, Mrs. Carter had managed to spend more than a year off the operating table when she was told by Social Security officials to go for an examination early in 1981.

"The doctor told me to move my neck and hands, which I did, and touch my toes, which I couldn't do, and that was the examination," she explained.

In February, examiners determined that Mrs. Carter again could work in a store, and she was told that her checks would be cut off in March and her Medicare benefits would end in April.

"I knew I had to go to work," she said. "I thought I was lucky to find the job I did."

The first day, her heels bothered her, but she thought they would be all right, that she just had sore feet because she wasn't used to standing all day.

"For the three days I worked I never ate a mouthful of food because I knew the owner would let me go if I had to keep going to the bathroom," Mrs. Carter explained.

The second day her feet were worse. "The third day I just couldn't put weight on my heels. John had to come and get me and carry me out. If he couldn't have helped me, I would have had to crawl."

Her doctor said the infection, which had spread through her body since childhood, had been touched off again and she should not bear weight on her feet.

"But you know how it is, sometimes you have to get around," she said. "I let the dog out and she was in heat. A male dog came around and I just forgot about my feet. I took two steps toward the dog and I must have hit the back of my heel on the doorsill. The tendons snapped in both my heels."

Mrs. Carter had to have the tendons wired back to the bones in her ankles. Complications developed in her right leg, which doctors have told her will require further surgery, and a large sore has appeared on her ankle.

"I asked if I would walk and the doctor said he was afraid I'd never walk like I did," she said.

As Mrs. Carter's medical bills mount and her appeal drags on, she and her husband are trying to sell their two-story farmhouse just outside Alderson in Monroe County.

They plan to move to Virginia and care for Carter's aging mother in exchange for food and shelter.

"We had planned on this for our retirement home," said Carter, who has had a heart attack and triple bypass surgery. "We've been more contented here than anywhere we ever lived. But we just can't make it."

Social Security officials are convinced that situations like Mrs. Carter's are rare.

"We are concerned that some people have been taken off the rolls who are indeed disabled, although we believe that number is small," said John Trollinger, deputy press officer for the Social Security Administration in Baltimore.

Trollinger said the agency has found an error rate of only 3 percent in monitoring state decisions.

In West Virginia, Social Security disability claims are reviewed by the Disability Determination Section of the state Division of Vocational Rehabilitation.

A. J. Allen, administrator of the DDS, said reviews show that the conditions of a number of individuals have improved, making them no longer eligible for benefits. Others weren't disabled in the first place, he said.

Allen said he believes "far too many claims" denied by examiners are being reversed by administrative law judges.

Asked if the Reagan administration has set a national goal of terminating 25 percent of the cases reviewed, Allen said briskly, "No. But we'll probably terminate more than that."

Trollinger cited a number of reasons for the high number of reversals by administrative law judges.

"Sometimes the condition may have worsened," he said. "Sometimes medical evidence can be presented that wasn't available when the decision was made to terminate benefits. And when the administrative law judge hears the case, he or she has the ability to look at the person. Sometimes you can tell a lot more when you see someone."

For Janet Friedman, the paralegal in Lewisburg who is handling Mrs. Carter's appeal, the reversals aren't happening quickly or often enough.

"I feel that attitudes are changing," Ms. Friedman said. "I'm just not winning the cases I used to win. One examiner as much as said to me that he wanted to decide the case in favor of the client, but he was afraid it would be kicked back to him."

"It's a waste of time, energy and money," she said. "They hired more people in DDS when they had to start making the decisions, they get rooms at Holiday Inns, hearing assistants are paid. Where's the saving? It seems like the money is being redirected instead of going to recipients."

A case that was decided quickly, according to Ms. Friedman, involved a client whose benefits were cut off in March. His hearing was Aug. 11 and the decision to restore his benefits made on Aug. 19.

But that was "unusually fast," according to Zerbe. More typical is the case of a client who was terminated in March 1981, had a hearing in November and didn't get a decision until the following June.

"So many of these people are being asked to do without benefits for more than a year and, because our funds have been cut, we're having to turn away clients," Zerbe said. "There's not only an injustice here, but people's ability to respond legally is being cut off."

Zerbe said examiners and administrative judges have admitted privately they are

under a lot of pressure to get people off the disability rolls.

He said decisions in favor of the clients—both by DDS officials and administrative law judges—are being carefully scrutinized, while decisions against clients are not being monitored.

Trollinger said his statistics show more reviews of cases decided against clients. "We have reviewed twice as many reviews that terminated benefits as those that allowed benefits," he said.

Social Security "is such a political football and no one wants to cut old age and survivors off," according to Zerbe. "This seems to be a way that required no congressional action and no one had to take the heat."

No one, that is, except people like Anna and John Carter, who can't hide their bitterness toward the Reagan administration.

Wiping tears from her eyes, Mrs. Carter said, "When I woke up after that last surgery, if President Reagan had been standing at the foot of my bed, I would have told him what I thought. Just think, all of this for 2½ days work."

"This is all on account of Reagan," Carter said. "Because of him, what walking she'll be doing will be on crutches."

[From the Detroit News, Oct. 3, 1982]

SOCIAL SECURITY: A SIEGE CRISIS (By John McAleenan)

In March of this year, word went out to Social Security offices in Michigan and across the country: Get tough.

A month or so later, people started getting tough right back.

The "tightening up" procedures and case reviews spawned an avalanche of threatening telephone calls to Social Security and disability-determination offices around the country.

Officials in Michigan say it wasn't uncommon at many offices to have a caller let loose a series of threats, then repeatedly click the hammer of a gun in the telephone headset. These threats have doubled and tripled in recent months. A bomb was mailed to the Southfield Social Security office early this summer.

At the suggestion of Michigan State Police, disability-review officials had all the windows bulletproofed in the three offices around the state; took down identifying signs in front of the facilities; and beefed up security throughout the buildings. "We're not scared," says one worker, "we're just being sensible."

Recently, a man committed suicide in the parking lot of the Social Security office in Lansing after being denied disability benefits. In Los Angeles, 11 persons were reported to have died of illnesses for which they had applied for federal aid, but were denied.

In that fractious and sometimes tragic atmosphere, it is not surprising that a lot of people are coming to agreement on one point. The Social Security's Disability Determination Service in this country is a system searching for an overhaul.

Some think it is too tough. Others say there are too many cracks through which fraud can escape.

Congressional offices, both in Michigan and across the country, are being inundated with letters from irate constituents who have either (1) been yanked unceremoniously from the disability rolls or (2) been denied disability benefits or (3) know someone who has.

Ivan Cotman, an associate superintendent for the Michigan Department of Education, the agency the government subcontracts

the disability claim work to, is admittedly the man on the point in of all this. He's in charge—and at times it pains him.

Cotman hurries to say: "We are very sensitive to the impact we have on people, despite the picture they paint of us. We are also very insistent on making sure they get hooked into the rehabilitation processes available if they are denied benefits."

"We don't leave people stranded, just knock them off the rolls and let them hang there. There are a variety of tools we can provide, from vocational counseling to employment leads."

"The bottom line is that we are in the middle of this. We don't write the federal guidelines, we implement them. And if we did a lousy job at that, the contract (worth \$22 million this year) would go to some other agency and 580 people would be looking for work. If there are going to be any changes, they will have to come at the congressional level."

A point well made by Cotman, since it was at the congressional level during the Carter administration, and at the president's urging, that a Social Security amendment was passed in 1980 mandating more frequent reviews of disability cases already on file; a toughening up of medical standards and reviews for persons filing disability claims; and in general, just a closer look at where the estimated \$102 billion (in 1980) paid out in disability benefits is going.

One government survey, in 1978, suggested that at least 20 percent of the people then receiving disability benefits (584,000), either no longer qualified or shouldn't have received them in the first place.

(For the record, the Social Security Administration defines disability as: "the inability to do any substantial, gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted, or can be expected to last, for a continuous period of not less than 12 months . . .")

The Reagan administration, which is getting much of the heat for the uproar the new procedures are causing, did little more than accelerate the process, moving the timetable from September of this year back to early March.

In quick succession, the following developments began to make news:

There was an immediate 15 percent increase in continuing disability reviews and a nationwide average of 70 percent denial in new disability claims.

A congressional amendment to allow disability benefits to continue to be paid while a denial was being appealed was voted out of the Senate Finance Committee late last week. The amendment is still under consideration.

A growth industry in the legal profession took place, with one West Coast group of "public service" attorneys successfully appealing 59,000 cases in 1981 alone, earning fees for themselves totaling \$65.2 million.

A troublesome paradox quickly became apparent in the Social Security office of Hearings and Appeals. On one hand, the disability claim offices were found to be making strict and correct interpretations of regulations denying benefits. Yet, when these denials reach an administrative law judge on appeal, many of them (the average nationwide is close to 65 percent) are reversed and payment is granted.

Several moves are currently being studied to get these judges in line with the disability denials. Among them would be having

Social Security attorneys present to argue the government's position and the issuance of a "manual" for judges emphasizing the use of the same criteria and the need for uniform agency policies.

The government also has hired 140 new judges, bringing the total to 800, to ease the docket load and cut down on hearing times. The appeals process, from the original disability denial to an administrative law judge hearing, can be as long as four to six months. There were 1.78 million disability claims nationwide in 1981. Of these, 252,600 eventually wound up in law judge hearings.

William Edmunson, director of Michigan's three disability claims offices, says that "there's been an awful lot of heat generated since we went to work under the 1980 guidelines. I'm pretty sure there will be a reduction in the review procedures in the next couple of years."

Edmunson, like Cotman, is a man in the middle of the battle. He's doing a good job. Which also means a lot of people on the short end of a disability decisions don't like him. Michigan's examiners were graded at 90 percent plus recently in a quality assessment review, meaning they were pretty close to perfect in making a strict and correct interpretation of disability claims.

"There are goals in our operation," says Edmunson, "but primarily we look at accuracy. If an examiner is not accurate in determining a disability, then we have achieved nothing."

Pete Griswold, state director of Michigan's rehabilitation services, didn't want to get in the middle of all this along with Cotman and Edmunson, but finds himself there anyway.

His office gets referrals from the disability office when a claim is denied. His program, at least on paper, is designed to find another job for that person, either by retraining, vocational counseling, or other means.

In the beginning of 1981, Griswold was looking at \$3.4 million in federal contributions to help him with this job. In October 1981, he was looking at zero, as he is now.

"There is simply no federal money available to continue the program. We still have state aid, of course, and some from other sources, but lack of money is eroding of staff, services, counseling, everything."

"It seems to me the present administration is trying to cut down money in the front end to look good at budget time, but that kind of thinking is creating dependency instead of independency—which means they will pay for it in the long run. We are creating a pool of people who are not unemployable, but simply unemployed."

Another man is not in the middle of anything. He got out. After three years as a disability claim examiner, he quit recently and started his own consulting firm, helping persons who have been denied benefits. He requested anonymity to protect an already fragile working relationship he has with State Social Security officials. He contends there was a sense of "hurry up" about the job.

"From the administration point of view, the idea was to get the claims in and out as fast as possible, but adhering as closely to the guidelines as possible. It was, in the strictest sense, management by objectives, and the objective was to move those claims along. You could argue for more time, but if it (a decision) was not forthcoming very soon, it got shipped out."

On an average, this person processed about 25 decisions a week. Only a few cases came alive during all that paper shuffling.

"Some of them were very hard to work on, because you could sense the dilemma, or pain or something, but in the end, if the book says the hemorrhoids have got to be three inches long, then they've got to be three inches long—and that's it."

"It was an assembly line operation, there's no question about it. The head office in Baltimore runs the system like a dictatorship, and they crack the whip. We didn't have an official motto in my office, but 'Get It Out' would come close."

"If you ran into a deadline and were still unsure about the claim, the thinking was to send out a denial, figuring the client always had another crack at it on reconsideration."

"I, for one, am certainly glad the people have the administrative law judge procedure down the line. We just looked at the rules, but couldn't look at the pain. We could look at a guy with five or six back operations behind him and maybe figure out how much he could lift, but have no sense of how he felt. As examiners, we just looked at the guidelines, the law. The judges can look at the spirit of the law."

[From the Detroit News, Oct. 3, 1982]

ONE LIFE TO LIVE . . . SIX MONTHS TO LIVE
It

(By John McAleenan)

Ken and Connie Marsee celebrated their 14th wedding anniversary at home two weeks ago. It was a private party, just Ken and Connie sitting at the dining-room table. The kids, Mike and Marc, were in bed.

They talked about the tapes Ken had been making and what colleges the kids might go to when the time came. They talked about some favorite dreams. They talked about bills. They talked about Ken's nagging cough. They talked about many things except the one thing they had already talked to much about.

And then, as the night grew old, they went to bed and held each other tightly, falling asleep knowing there would never be a 15th wedding anniversary.

The Marsees' suburban brick home in Warren is nothing less than House and Garden lovely, and Connie will blush just a little when Ken mentions that she did all the decorating herself. Mike is 9 and at school and Marc, who is 4, is in the basement banging around, doing a little redecorating.

The sun is shining outside, birds are at the feeder, somewhere children are playing. Ken and Connie are chuckling at a private joke, and there is nothing, absolutely nothing in this pretty house, to tell you that (1) Kenneth Marsee is walking around with a malignant brain tumor that will kill him in six months or a year at the most, and (2) the Social Security Department has denied, for the second time, his claim for disability benefits.

"It was not what you would call a bang-up summer," say Connie, "First Ken gets a death notice, and then we get what amounts to a notice saying I better start thinking about food stamps. That's a pretty good one-two punch."

"We didn't always have a sense of humor about this, but we quickly found out you can't live a normal life talking about nothing but dying all the time, so we've put that aside. We do just one day at a time, trying to cram as much as we can in that day."

What Ken and Connie did not put aside, and will not put aside, is a letter dated Sept. 16 from the Social Security's Disability Determination Service. It sits centerpiece on the dining room table. It reads, in part:

"The medical information shows that you do have a brain tumor . . . however, your condition does not restrict you to the extent that you would qualify for Social Security benefits."

Period.

Ken leans back in the chair, lights a cigarette and smiles a soft smile. He knows the explosion is coming. Connie does it better than he can. And in a sense, it's her battle. His is over.

"What in God's name are those people thinking about? Do we really have to wait until he's paralyzed or blind to get benefits? What more do they want? How disabled do you have to be?" It is not a hammering-on-the-table kind of explosion, but still, Connie sits down again, somewhat exhausted. She has asked the same questions many times. So Social Security sent her another letter.

This read, in part, "We realize that your condition prevents you from doing your job as supervisor, but it does not prevent you from doing work . . . that is not difficult and which can be learned in a short period of time. You do not have a disability severe enough . . ." etc.

Period.

They can both laugh at that letter. "Well, they were right about one thing," says Ken. "At least they are qualifying me for work I can learn in a short period of time."

If Ken and Connie were amazed at the response from the Social Security office, their physician, neurosurgeon Dr. Warren Hardy is . . . well, he's dumbfounded.

Dr. Hardy performed the surgery on Ken last March, when it was determined that after two months of splitting headaches, he had developed a fast-growing frontal lobe tumor.

The operation was only partially successful. A portion of the tumor, which proved to be malignant, could not be removed, and following six weeks of intense, daily radiation treatments, a CAT scan showed it was rapidly growing again. Further radiation and chemotherapy treatments were considered "marginal" efforts at best.

Ken, just a shade past 36, once a foreman in the steel construction field, once a bowler, once a swimmer, once a dancer, once a man who sometimes made \$50,000 a year, went home angry and hid for a while. He did not want to see or talk to anyone.

Dr. Hardy wrote "astrocytoma, grade II" on the disability form sent for him to fill out and answered a series of other questions. He later sent a letter to the Social Security office restating his opinion that Ken was "completely and totally disabled." He added: "This is permanent, and life expectancy for this patient is six months to one year."

Dr. Hardy went over his letter again a few days ago. "It's a mystery to me how the agency can react that way with the information I gave them. I don't understand it. In fact, I can hardly believe it. Maybe they asked the wrong questions, or were too general about what they wanted. I just don't know."

"Ken can't work. Hell, I wouldn't hire him to do anything. I can't imagine anyone that would. As the tumor continues to grow, he will experience increasing drowsiness. His personality will change. He'll lose his appetite. Eventually he may have seizures or become paralyzed. His judgment will be impaired, he'll have poor memory. He will become very weak. I simply can't understand what those people are thinking about."

When all this is said, however, that disability denial is, at the moment, more utter frustration than a full-blown catastrophe. An attorney has been hired to take the claim to the third level of appeals, before an administrative law judge.

Connie is certain they will fall upon someone who is sane in the system, if not sooner, then later. She would like it sooner, if for no other reason than to avoid having to apply for food stamps. The money, you see, is also fast running out.

At the dining-room table, Ken and Connie have sort of divided the problems.

Connie: "I have myself and the kids to keep me busy. I worry about them. That keeps me from bothering Ken too much. The money is becoming a hassle. We are getting \$50 a month now in insurance disability from the union where Ken worked. We did get \$94.30 a week for 26 weeks, but that ran out. I guess you could say we are sweating it out as far as that goes. The disability money, should we get it, would be \$1,100 or \$1,200 a month and that certainly would make a difference. It would take some worry from both of us. I could go shopping for school clothes, little things like that I can't do now."

Ken is worried about his rotten cough and a dramatic 30-pound weight loss. "But you still have to have a little sense of humor. I found that very important. I can even laugh a little at this silly wig I wear sometimes. The bad news I sort of put away. I don't think about it anymore."

"The good news is you tend to see things more sharply. Everything is like . . . well, in a tight focus. You hold things more closely. I miss some things. The baseball season with Michael, for instance. He played outfield in the league and I helped coach. But I can't do that any longer. The doctor closed all the doors."

With a summer of tears behind them, with the dreams resurrected the last time and put away, Ken and Connie simply get up every morning like anyone else and get through the day as best they can. In other times, there were wishes to be brought out and fantasies to examine, but that is gone now.

Connie: "The dream we had the longest was that on our 25th anniversary, the kids grown a little and off to college, we'd vacation in Hawaii. Ken has always promised me we'd go there. I guess not now. You know, you think about all this and it seems so unreal. We would have laughed if someone told us this would be happening to us a year ago."

Ken has a few things he's looking for as the season turns to autumn. Not much. "I'd like a little dignity as this winds down. I'm hoping Mike will remember me. I think he will. We've done lots together."

"I've got tapes made for the kids to listen to as they grow older, special tapes for special times in their lives. I'll be around that way. It's not enough, but it's all I can do. I just told them they could be president of the U.S. if they wanted to. And although I wouldn't be here, I expected them to do the right things at the right time. Especially to go to college."

"I will always love them. I told them that. I'm sometimes sad about this because I wanted to see them grow up. That would have been one of my greatest pleasures."

"Some time ago I promised Marc I'd take him to Disney World, but I put it off, and put it off. I was always putting things off, always saying, 'Wait 'til tomorrow.' I was something of a procrastinator."

Ken laughs a little at this point, as much to himself as anyone. "You know, a malignant brain tumor is a tough way to cure a procrastinating problem, but it's very effective."

[From the Philadelphia Daily News, Nov. 11, 1982]

SURVIVAL: THE SYSTEM VERSUS WALTER DAVIS

(By Julia Lawlor)

In the daytime, when the sun warms the grassy field where Walter Davis sleeps, it is easier to see why he would call it home.

His bed—a 6-foot square of soiled blankets—is nestled just behind a furniture factory at Richmond and Cambria streets in Port Richmond. Overhead cars whiz by on I-95, and at night Conrail trains rumble down nearby tracks. Rats scurry over him in the darkness, heading for a trash heap on the other side of the factory. He says he sleeps well, that no one bothers him. Always there is the faint smell of rotting garbage.

Davis, 47, has been sleeping outdoors since his Social Security disability checks were cut off early last month. He is one of more than 4,000 Pennsylvanians who have lost their disability benefits under the Reagan administration's controversial stepped-up review process, begun in March 1981.

He had been collecting \$490 a month in disability benefits for the 17 years since an operation to remove a brain tumor left him with a paralyzed left arm and leg and suffering from epileptic seizures and poor vision.

Although Davis has tried to get on welfare, in order to apply he must get a copy of his birth certificate at City Hall and a medical report from a doctor. He does not appear to be in any hurry to do either. His friends say this is because he is incapable of taking care of himself, especially in times of stress.

Lately, he claims he's been having as many as three seizures a day as a result of the pressure he's been under since he lost his monthly check and was thrown out of his rented room.

Most days, Walter Davis wears an old brown-and-white cap pulled over his head, a striped shirt, a stained polyester jacket, red pants and an old green plastic raincoat. He walks slowly, hunched over and dragging his left leg.

His blue eyes stand out against his dark, weathered face. "They sparkle," he says proudly. "They do the talkin' for me."

Much of his day is spent in the Rose Garden Flower Shop at 2964 Richmond St., where he occasionally mails a letter or takes a ride in the delivery truck. There he is treated as "one of the guys." He may look like he has given up, but there is something that remains in him of his old self that endears him to people.

"I've known him five, six, 10 years," says John Petaccio, owner of the Rose Garden. "He's just been around. He's no problem at all to anyone, other than he's dirty. He's a good citizen—no villain by any means. He came in here the other day and wanted to know if we all voted. He got up and voted bright and early—Republican." Petaccio chuckles, thinking about it. "He's a passive type of person. He's not lazy, he's a good guy. There's not a mean bone in his body."

Petaccio is outraged that anyone could think Davis is capable of working. He has made repeated calls to the local Social Security Administration office, with no effect. In the meantime, flower shop employees feed Davis, give him money for medicine, store

his clothes in their garage and offer him a warm place to stay until closing time.

"Social Security believes that if he took his medicine (to control epileptic seizures) he could work," says Petaccio. "He's not capable of working, whether he has a seizure or not. Eleven million people are unemployed in this country and some guy is gonna hire him?"

"This is just not right in today's society. Walt is a human being—he's a victim of circumstances. All he wants is a place to live."

"He's in bad shape," says David Hill, an attorney in Community Legal Services' Kensington-Allegheny office who is appealing Davis' case to the Social Security Administration. "He's fortunate he has his friends, because there's no way he could manage on his own."

Hill said Davis could conceivably be without an income for a year or more because of the backlog of cases before administrative law judges who decide on disability claims. Meanwhile, Social Security has agreed to reconsider Davis' case.

Davis has been living on Social Security disability for so long that he doesn't remember exactly when the first check arrived. He believes it was in 1965 or '66 a year or so after the brain surgery. That's why it was such a shock to him when the letter cutting off his benefits arrived at the flower shop in July.

"The evidence in file shows that the strength in your arms and legs is good," reads the letter to him from the Disability Determination Division dated July 2, 1982. ". . . You could be capable of working at unskilled and uncomplicated jobs such as machine cleaner, sorter or assembler . . . You are able to do jobs which require lifting of not over 50 pounds, frequent carrying of not more than 25 pounds, and standing and walking for up to six hours of an eight-hour workday . . ."

This conclusion was based on reports from the three "consulting" physicians hired by the Disability Determination Division in Wilkes-Barre, Pa., a state agency that holds a contract with Social Security to perform periodic reviews of disability cases. None of Davis' physicians at Hahnemann Hospital's seizure clinic was asked for an opinion.

"We did not obtain any other reports because the ones shown had enough information to evaluate your claim," the letter stated.

One of the doctors who examined Davis last May, Dr. Mark Faynberg, reported that Davis told him he gets only three to six seizures a year. He said Davis told him three of the seizures had occurred in the previous week.

Faynberg disputed Davis' contention that his left arm and leg were paralyzed.

"As far as a possible seizure order is concerned," he wrote, "the description, duration and complete lack of weakness are inconsistent with epileptiform disease [epilepsy]."

Hill says that although Faynberg's report alone may have indicated that Davis was able to work, his past medical history and other impairments—poor vision and difficulty in using his left hand and arm—should have been considered. He added that since Davis was dropped from the rolls, he claims he has had as many as 50 seizures.

"Some of the things they said are fairly ridiculous," Hill says. "You can tell by looking at him that he can't lift 50 pounds, or carry 25 pounds."

No one who made the decision to cut off Davis' checks had ever seen him.

"We don't think the decision was wrong," said Rose LePore, regional commissioner for Social Security in Philadelphia. She refused to discuss details of the doctors' reports, or how the decision was reached.

"Based on evidence in the file, based on the information he provided to a doctor, the individual is not disabled to the point where he cannot work," she said.

LePore said her agency felt no responsibility to ensure that Davis had enough money to feed, clothe and shelter himself once his checks were stopped in early October. "Our responsibility is to assure that people receiving benefits are entitled to those benefits," she said. "There are hospices, and other agencies [for people in Davis' situation]."

His memories of childhood are vague—he says his mother put him in the Northern Home for Children, a private home for dependent and neglected children in Roxborough, when he was 4. He recalls suffering from excruciating headaches, which he believes came from a tumor in his brain that was not diagnosed until he was much older.

His first marriage, to a woman named Angelina, lasted seven years.

In 1959, he married again, and had three children with his wife, Judy. He worked as a machinist in a knitting mill at 10th and Calowhill streets. He believes that an auto accident he had in 1962 triggered the growth of his brain tumor, which had expanded so much that by 1963 he was unable to work.

He had an operation to remove the tumor at Germantown Hospital in 1964, he says. The doctor who performed the operation and cared for him in the years following, died earlier this year.

"I was in the hospital a good year or better," Davis recalls. "I couldn't do anything. It took me a couple years to get over it."

But he was never the same again. And when his wife left him after a trip to Florida in 1965, he seemed to lose all will to live.

"She never came home," he says, tears in his eyes. He shows a visitor a handful of faded color snapshots he carries in his pocket. One shows his oldest daughter Judy, posing for the camera in the family's Germantown home on her first communion.

Davis moved in with a friend in Port Richmond after his wife left him. He's been there, or in one boarding home or another, ever since.

In September, U.S. Secretary of Health and Human Services Richard Schweiker announced changes in the Social Security disability review process in response to several suicides committed throughout the country by despondent recipients whose benefits had been terminated.

Beginning Oct. 1, all claimants were supposed to be seen in a face-to-face interview before a decision was made on their cases.

Even if Davis had been eligible under this new requirement, says Jonathan Stein, chief of law reform for Community Legal Services, it would not have helped him.

Stein calls the new change a "public relations gesture." The interviews, he says, are conducted at local Social Security offices instead of by disability determination workers upstate who make the ultimate decision.

"The adjudicator still does not see the claimant," says Stein. "The decision is still made on paper."

"They had repeatedly found [Davis] was eligible [in the past]," he continued. "Now they're reversing their own decision. What we've been arguing is that you can't treat him as a new applicant. Social Security should have the burden to prove someone

has medically improved. They don't want to do that. They want to make it easier for themselves."

Stein and Social Security has also quietly instituted a practice of considering each disability a person has individually, instead of looking at the overall combined effects of "multiple impairments" as the regulators require.

Barry Stern, state secretary of labor and industry, testified on Social Security's review process before the U.S. Senate Finance Committee last August.

"... [Social Security] no longer considers the combined effect of all impairments of an individual, rather evaluates each impairment singularly, resulting in many of the multiple disabled being terminated from the disability rolls."

Stein believes that this may be the reason why Davis was dumped after 17 years. If he appeals the decision to an administrative law judge, he has a good chance of winning—67 percent of those who appeal win their cases. Half those who are terminated, though, never appeal.

While Davis waits for his case to be decided, he continues to sleep in the field.

The Daily News contacted Franklin Anderson, a social worker for the adult services section of the city's Department of Public Welfare, last Friday about Davis.

"The city's going to get him off the street as soon as possible," said Anderson. Davis spent three more nights in the cold. "So far, we haven't been able to locate him. Anderson explained Monday. "Everything indicates this man ought to be in protective service with us. We're marking this urgent."

Yesterday, Davis had an appointment with a city social worker for 4 p.m. at the flower shop. The social worker never showed up.

A letter from Mark Caldwell, an attorney from Phoenix, Arizona, who represents disability claimants, to several members of Congress, dated September 24, 1982, states in part:

"As an attorney who does a great deal of disability work, I would like to share with you two recent examples from my own case load that ... illustrate (the disability review) problem ... The second example from my current case load involves an individual who was found to be no longer disabled as of November, 1981. We proceeded to hearing which was finally held in June of 1982. Thereafter, the claimant was ultimately issued a favorable decision by administrative law judge in July of 1982 wherein he was found to remain disabled. Unfortunately, the claimant was not able to celebrate the results of his lengthy battle with the SSA bureaucracy since he died from his disability (a cardiac impairment) on July 1, 1982. The claimant's survivors have indicated to me that the claimant's doctor indicated to them that he felt the added stress of having the claimant's only income taken away from him while legal proceedings continued was a factor in the fatal heart attack."

"I note that the enclosed article finds that the Social Security Administration has audited the Social Security Administration finding that only three percent (3 percent) of the cessation decisions are erroneous. My personal experience in handling quite a few of these cases indicates that considerably more than 75 percent of my clients who survive this process are ultimately found to be suffering from a continuing disability. The tragedy, of course, is that many people cannot tolerate the inhumane process which

they are forced to endure in establishing their continuing entitlement. I applaud your concern for these victims of governmental bureaucracy.

"Sincerely,

"FRIEDMAN & CALDWELL,
"MARK CALDWELL."

PHOENIX, ARIZ.

August 19, 1982.

Re: (Name withheld for purposes of confidentiality) claim for period of disability and disability insurance benefits

Mr. RICHARD S. SCHWEIKER,
Secretary of Health and Human Services,
Washington, D.C.

DEAR SECRETARY SCHWEIKER: I have received a copy of the Department of Health and Human Services' "Social Security Award Certificate" dated August 6, 1982. This office represented—in his proceedings before your agency.

When—was denied disability insurance benefits upon reconsideration, the "explanation" attached to that decision in March of 1982 indicated that he maintained a stable weight. Indeed, when I visited Mr.—home to discuss his claim in May of 1982, it appeared that he would have the opportunity to lose very little weight since he indicated to me he weighed only 73 pounds.

I note that the award certificate indicates that "Since your condition may improve, we have scheduled a review for June, 1983." I regret that your organization will not have the opportunity to conduct this review, since—died from his illness prior to the issuance of a favorable decision by an administrative law judge. No further improvement is expected in Mr.—condition, although I do believe he has now satisfied his burden of proof in proving disability.

Sincerely,

FRIEDMAN & CALDWELL,
MARK CALDWELL.

NOVEMBER 8, 1982.

CARL LEVIN,
U.S. Senate
Washington, D.C.

DEAR SENATOR LEVIN: You are the first I am writing to concerning the favorable Social Security decision. The final outcome was obvious, because the original decision was without basis. I hope you will continue to take the time to review what had happened to us. The file is quite detailed and interesting reading.

The file will not include what it has personally cost us:

Our bank account of \$10,000.00 is gone.

A rental property was sold because we could not meet the payments nor obtain a loan with no income. The loss here another \$10,000.

Hundreds of dollars gone on postage and xerox copies.

Thousands on doctor bills—and they still aren't paid.

The back payments received did not cover the money we borrowed, finance charges we paid during the purge. Nor did the government pay us interest.

Our credit is ruined. I had requested a letter to submit to our creditors explaining what had happened and that the decision was unfounded and beyond our control. My request was ignored.

With our cash and investment gone, we will be unable to meet a \$20,000 demand note due on our property in 1984. We will lose our custom built home. I've already had

it appraised. If we sell now—IF it can be sold—we will lose another \$40,000.

My husband's overall condition has deteriorated. Emotionally, we are both drained.

Finally, my mother didn't make it. She was weak from cancer, just as she showed some improvement, our hearing was held and more waiting began. The stress and worry over her child and grandchildren added to her already overwhelming stress. The day after she died the first check arrived. While we were at her wake the children's check came. The day of her funeral, my husband's check awaited us. She was only 60 . . . Never collected a penny from Social Security nor Welfare—but she died totally disgusted with this country and our government.

In ten years, I do hope you'll look for the sons of the doctors who cheated us, the politicians who didn't care, the social workers who are being bribed—but don't come looking for my sons. You've taken everything else we have.

You personally have been outspoken in behalf of us and others like us. We sincerely thank you.

Name withheld for purposes of confidentiality.

[From the Detroit News, Oct. 3, 1982]

(The Social Security disability stories in today's *Accent* are a followup to an article written by John McAleenan and published in this section July 25. Entitled "In the Matter of Frank Williams' Back," it considered the case of a Detroit man who hobbled around with excruciating back pain, certified by his doctor, after two operations had been performed. Yet he was ruled "not disabled" and was cut off from Social Security disability payments. Following are some readers' reactions, edited for space. Contributing to this series of stories was Contact 10 editor Roy Courtade.)

"DEAR SIR: I am presently facing almost identical circumstances as those of Mr. Williams. One year ago I was stripped of my Social Security disability benefits, just like he was. I have been receiving them since May of 1974. I also have a severe back injury that two surgical attempts at correction have further complicated. I assume the administrators at the Disability Determination Service believe that any attempt to surgically correct or prevent further deterioration, by virtue of its implementation, must be successful . . .

"The judge reviewing Mr. Williams' claim stated that several times he appeared hostile in the proceedings. After waiting the better part of a year in the belief you will be given an impartial hearing, and then finding the judge is an advocate of the system trying to destroy you, it is not the ideal situation to remain unperturbed. You're damn right Mr. Williams was hostile. So am I."—Kenneth Kreager, Port Clinton, Ohio.

"DEAR SIR: I, like Mr. Williams, am trying to collect Social Security benefits. I have three minor children, can't drive a car or lift a bag of groceries. I am not a candidate for surgery, but I have arthritis, myelitis and a slipped disc. I was denied my first application for disability because of a clerical error on their part. I filed for reconsideration, and this, too, was denied. Since then I have been hospitalized for ulcers and spastic colitis.

"I must write this because I feel, as does Mr. Williams, that the system is trying to destroy our belief in justice and the right to appeal. If denied a third time, I will appeal again and again. There is nothing else to do.

Yes, Mr. Williams, I am walking in your shoes."—Betty J. Dumas, Detroit.

"DEAR SIR: I just read your story on Mr. Williams' bad back. What gets me upset is this judge has the right to say that Williams can do some kind of work. How can this man sit back and judge someone else's pain? I have a bad back and do not wish bad luck to anyone, but I wish the judge would have his back go out on him one day, like mine does frequently, and let him know what it's like not to be able to get off the toilet or get dressed or walk down the stairs.

"Let him sit down in a chair and try to get back up again, or take what it seems like hours just to roll over in bed. Thank you for the story on behalf of everyone who has experienced that kind of pain."—Christine See, Detroit.

"DEAR SIR: Thank goodness you have finally made the public aware of what's going on with the disability reviews. I, too, am going through the same thing with a bad back and fighting like hell with the insurance company and their 'hired guns' to maintain my workman's comp benefits. There are many, many people out there who are being cut off and denied benefits they deserve."—Ed Rowland, Westland.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. THURMOND. I suggest that the Senator from Georgia be recognized.

RECOGNITION OF SENATOR MATTINGLY

The PRESIDING OFFICER. The Senator from Georgia will now be recognized for not to exceed 15 minutes.

Mr. MATTINGLY. I thank the Chair.

S. 3049 THE POULTRY AND EGG EXPORT EQUALIZATION PLAN

Mr. MATTINGLY. Mr. President, it is apparent the Ministerial Conference under the General Agreement on Tariffs and Trade (GATT) will offer no relief for American farmers from the adverse effect of export subsidies. The European Economic Community continues to insist the GATT allows them to use export subsidies to take an unfair share of the world market. In light of the stalemate and the EC's unwillingness to resolve this issue bilaterally or multilaterally, it is now up to Congress to achieve solutions to this critical agricultural trade problem.

As a first step, I intend to propose to the President, the Department of Agriculture, the U.S. Trade Representative, and Congress a plan they can enact that will place American broiler and egg producers on an equal footing with their foreign competitors, who now have an unfair advantage in foreign markets due to the export subsidy

practices of their government. This plan, the poultry and egg export equalization plan, is designed to offset the adverse effects of export subsidy schemes currently practiced by other countries on U.S. exports. These unfair subsidy schemes have drastically reduced our share of world poultry and egg markets.

To regain the share of sales that our production efficiency would allow in a world market free of subsidies, I propose a targeted program that uses domestic surplus commodities to offset the advantage that foreign governments give their exporters. This program will entail the distribution of surplus corn to poultry and egg producers. Under the plan, each ton of poultry and eggs for export will qualify our domestic producer for a proportionate amount of surplus corn currently held by the Commodity Credit Corporation. This will reduce production costs to the poultry and egg producer and enable him to meet unfair overseas competition. The program also has the advantage of reducing excess supplies of corn, which are depressing American grain farmers' prices. A third advantage would be to relieve taxpayers of the costly burden of maintaining these surpluses in storage. Finally, many workers in our poultry and egg processing plants will be able to go back to work.

Most of all, this program is fully consistent with our international commitment under the GATT not to use export subsidies to gain more than an equitable share of world export trade. Our export markets have been stolen by subsidized competitors. This program will be designed only to regain that equitable share we have lost to unfair subsidized competition.

I want to emphasize that we have tried to solve the subsidy problem within the context of the GATT process by formally complaining to countries that engage in these practices. We have also used the occasion of the GATT Ministerial to call for a multilateral commitment to reduce export subsidies over a reasonable period of time. These efforts have led us to a dead end and the time is now here for unilateral action. The proposal I am making is within our rights and obligations under the GATT.

Mr. President, while this action involves Government intervention in the marketplace, which is distasteful to me personally and to American poultry and egg producers, there is now no other alternative. We have exhausted all other possibilities. The only other choice is to withdraw from the world market—a totally unacceptable solution.

I hope this action will lead our trading partners to recognize the foolishness of their practices. It is almost unbelievable to me that countries would

subsidize the sale of poultry and eggs and hand the bill to their own taxpayers. When and if these countries realize their folly, we will be ready to negotiate an end to these practices by all countries.

Mr. President, the GATT Ministerial Conference that was held this past week has focused attention on the world trade problems. We, the Congress, and people in this country, should not accept the status quo. To do so would be to cut our own throats. Ignoring the world trade problems is not going to solve the world trade problems. We cannot ignore the trade barriers established by the Japanese to hinder American exports. We cannot ignore the \$8 billion in subsidies of agricultural exports by the European Community.

This country and this Congress must stand up for our industrial and agricultural private sectors so they can be treated fairly in the world markets. The GATT Conference was held, among other things, to encourage the elimination or the rollback of barriers and subsidies to trade. This was not accomplished, so we could not return to fair trade as a result of the GATT Conference. If we continue our nonaction, we shall continue with the present unfair trade obstacles.

In order to create fair trade for the United States and stop the job loss, we must contemplate what measures the United States should use to encourage rollback of subsidies by the European Community and the lifting of trade barriers by Japan. As a first step, our trading partners have to know that we are serious in the United States. They almost got that impression at the GATT Conference, but obviously, by the language that is included in the final agreement, they are saying, "We do not expect the United States to act and we will not stop our current practices."

Mr. President, there is a time when you can no longer turn the other cheek. We must allow the United States to compete fairly. We must allow our producers in the United States to compete fairly, on a level playing field with everyone else. It is only right that we in Congress assure that for our American producers.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

Mr. BAUCUS. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The assistant legislative clerk continued to call the roll.

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

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

Mr. MATTINGLY. Mr. President, I wish to introduce legislation to be a part of the statement I have just completed. The bill I introduce would authorize the Secretary of Agriculture to make available stocks of corn of the Commodity Credit Corporation to poultry and egg producers of the United States in order to encourage export markets for poultry.

Mr. President, this legislation would be enabling legislation to allow the Department of Agriculture to proceed to enact this program I have just spoken of on the floor of the Senate.

I ask unanimous consent to have the bill printed in the RECORD.

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

S. 3049

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provision of law, in order to encourage and facilitate the expansion and development of export markets for poultry and eggs produced in the United States, the Secretary of Agriculture may make available to poultry and egg producers in the United States supplies of corn owned by the Commodity Credit Corporation. The Secretary shall make such corn available in such quantities and under such terms and conditions as he determines appropriate.

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

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

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

ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of routine morning business for not to exceed 60 minutes, with statements therein limited to 5 minutes each.

THE AMERICAN CHARACTER

Mr. THURMOND. Mr. President, over 4 years ago, a radio show known as "The American Character" was created with the sole purpose of sharing true stories of caring and selfless individuals who exemplify the American spirit.

"The American Character," which is broadcast weekly, is narrated by the famed author and philanthropist, Dr. Norman Vincent Peale. Dr. Peale is perhaps best known for his book, "The Power of Positive Thinking," which has greatly influenced millions of people throughout the world.

During each show, Dr. Peale highlights outstanding contributions of

people from across America who have served their fellow man in extraordinary ways.

Mr. President, "The American Character" represents that which is good, wholesome, and honorable about Americans. Yet, this unique show not only recognizes individual achievements, but it also serves to inspire others to do noble things.

This special program is made possible by the International Telephone and Telegraph Corp., and ITT is to be commended for sponsoring such a worthwhile service.

In order to share more about the nature of "The American Character," with my colleagues, and to acknowledge those who make this program possible, I ask unanimous consent that a transcript of the proceedings honoring "The American Character" be included in the RECORD at the conclusion of my remarks.

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

TRANSCRIPT OF PROCEEDINGS HONORING "THE AMERICAN CHARACTER" IN THE U.S. SENATE CAUCUS ROOM

Mr. NED GERRITY. Good evening ladies and gentlemen. I'm Ned Gerrity of ITT, proud to welcome such a distinguished gathering. Since March of 1978, it has been my company's privilege to be associated with a unique project, "The American Character," narrated by Dr. Norman Vincent Peale. Its goal is to inspire Americans by daily reporting on what is not considered necessarily newsworthy by the mass media. We like to report the acts of heroism, compassion, perseverance and generosity which go into making up that character that we distinguish as uniquely being American. For those who have not heard the program, I would like to play a very special episode that was broadcast earlier this year.

ANN. Here is Norman Vincent Peale on "The American Character."

Dr. PEALE. What in the world do you call a man who's saved the lives of at least three dozen people? In fiction, you might call him the hero's hero. But in fact, you'd call him Pete Vallas of Hackensack, New Jersey. As volunteer fireman and civilian, Pete has spent years preserving life—often by facing death. Once, he dashed into a burning building to rescue two children. He was carrying them out when an accumulation of gas exploded. The kids were okay. But Pete was severely burned. Another time, he dragged two teenagers from an overturned car seconds before it exploded. Then, when a swimmer suffered a heart attack, Pete kept him alive with C-P-R until medics arrived. But not all of his lifesaving is so dramatic. You see, he also works with juvenile offenders, saving them from lives on the wrong side of the law. And right now he's setting up a youth anti-drug program. For his good works, Pete Vallas has received many citations—including several from state governors and one from a member of Congress. So it is with special pleasure that we recognize the accomplishments of this extraordinary American on this, the one-thousandth broadcast in a series dedicated to the best in America—"The American Character."

ANN. Norman Vincent Peale on "The American Character" is funded in the pub-

lic interest by ITT, International Telephone and Telegraph Corporation.

You will meet this remarkable man, Pete Vallas, in a few minutes, but now it is my high honor to introduce the President pro tem of the United States Senate who, with his lovely wife, Nancy, were among the first to support the concept of "The American Character" series. It is my pleasure to introduce the distinguished Senior Senator from South Carolina, the honorable Strom Thurmond.

Senator THURMOND. Thank you very much.

Mr. Chairman, Dr. Peale, distinguished guests—the purpose of inviting you here this evening is to help us salute a positive influence in our national life. I am referring to "The American Character", not in the generic sense of our national character, but in the specific sense of the radio program by that name which tells us what is best about ourselves. I was introduced to "The American Character" when it was first broadcast on the air over four years ago. I felt then, as I feel now, that it is a celebration of what is good, wholesome and positive in our national life and that it could inspire similar activity by others who heard it. The beauty of "The American Character" is that it does more than simply praise American values. It also cultivates them by presenting examples of these values, reflected in the every day lives of every day Americans, the average citizens whose courage, dedication and kindness are featured daily on "The American Character" typify the goodness to which we hope all Americans aspire. Commonsense tells us that nothing fosters good works so much as a good example. Speaking of good examples, I would like to thank Dr. Norman Vincent Peale, narrator of "The American Character" for his enduring example of positivism in American life. I would like to recognize the corporate example of International Telephone and Telegraph Corporation in contributing to the interests of our nation at large by committing itself to bringing "The American Character" to listeners throughout the country by providing the program to radio stations without charge. This kind of private sector initiative ought to be encouraged and applauded. We all hope to see more of it. Thank you for inviting us here today and saying these few words. We are delighted to have everyone of you here on this occasion to meet this great American, Norman Vincent Peale, and to salute these people who sponsor this program and we are very honored that you could take the time to come. Thanks very much.

Mr. GERRITY. Thank you, Senator Thurmond—and now I take great pleasure in introducing the Chairman, President and Chief Executive Officer of ITT, Mr. Rand Araskog, Rand:

Mr. ARASKOG. First of all, I would like to say that tonight Dr. Peale told me that each of his broadcasts has a maximum limit of 80 seconds. Ned Gerrity gave me 25 so I simply want to make a couple of comments. First of all, the hero that is being celebrated here this evening has a real heroine because I am sure she realizes that every time he leaves the house he may go out and save someone at great danger to his own life and I think she qualifies for applause as well. Secondly, I certainly appreciate the efforts of Senator and Mrs. Thurmond, Nancy, and the efforts of Dr. Peale, his wife Ruth. This is a very fine evening. We are very complimented by those who have come—the many honored people here in Washington, D.C.

We at ITT sponsor many events that we hope will contribute in a great way to the American way of life. This particular program is one of which we are most proud. We have the very real belief that it is making a positive contribution because of the efforts of Dr. Peale and because of those great efforts taking place every day in America that he is recognizing. So we are going to continue to support this program in a major way and we are confident he will continue to devote energy to it because I have discovered that over the last four years or so that I have known him that he does get younger every year. Thank you.

Mr. GERRITY. Thank you, Rand. It is no exaggeration to say that millions of people, not only in this country, but around the world know Norman Vincent Peale—and I put quotes around the word "know". They know him in many ways—they have heard him speak, they have read his books. Norman Vincent Peale is the soul (soul) and the guiding light of The American Character. He is a clergyman, a lecturer. He is the author of "The Power of Positive Thinking." We need more people like Norman Peale and I am delighted to introduce him to you now. Dr. Norman Vincent Peale.

Mr. PEALE. Mr. Ned Gerrity, Mr. Araskog, Senator Thurmond. Now it didn't do that for anyone else. (Referring to feedback from public address system)—(laughter). We milled around here for awhile, Mr. Gerrity, and then at Senator Thurmond's suggestion, we formed a receiving line. Now, I liked that because it gave me the pleasure of standing by the charming Mrs. Thurmond and Mr. Araskog on the other. It wasn't all that perfect because everyone that came along lingered inordinately at Mrs. Thurmond and left poor Mr. Araskog and myself dangling at the end of the line.

I want to thank Senator Thurmond and Mrs. Thurmond for all they have done to make this possible this afternoon. I have long admired his statesmanship and his leadership in this country and it is a pleasure, Sir, to be associated with you again this afternoon. I want to thank you folks for coming out today. I know you are all very busy. You hold important positions in this city and your time is at a premium. So, you honor us greatly by coming to be with us today.

This program, "The American Character", was initiated by two friends of mine—John Scott and Howard Greene—and they spoke to Mr. Araskog and George Massaua and you, my good friend, about ITT funding this program. I think it is a very great thing when one of our greatest corporations in the United States cares about people and I wish to express my great appreciation to them today for all they have done.

The thing that impresses me as I present the stories over the air is that we are better than we think we are. We have a tendency in America to put ourselves down, but as I read the stories of men and women (and I read many of them over the year), I am convinced that Americans are the greatest people that the good Lord ever made. (applause) And I don't mean to exclude the distinguished gentleman from Egypt that I met here this afternoon, and others. They get in under this umbrella of humanity. The stories that we give over the air are about people like Pete Vallas who with no concern for his life saved the lives of other people or by neighbors who helped neighbors. Little children who have saved aged grandmothers, for example, from fire—one after the other of these stories indicates that there is

in everyone of us a hero. I think Thomas Carlisle first pointed that out. So that what you are doing, Mr. Araskog and others by making this program available to the American people is to remind the American people that they are greater than they have every imagined. And while there is evil in this country, there is a lot of good also. And I am one of those who believe that if we give publicity to the good, the good will finally triumph over the evil. That is known as the philosophy of optimism. But I have tried to be a positive thinker all my life. (applause) And I would just like to say from the heart—God bless you everyone.

Mr. GERRITY. Thank you, Dr. Peale. Now, we would like to have all of you meet Mrs. Ruth Peale, who has been the inspiration for Dr. Peale for all these years, Ruth. She is right here with Senator Thurmond. (applause) And now we would like you to meet that remarkable man who the tape described a few minutes ago. And I would guess that he is the standard bearer of all those people Dr. Peale has described in "The American Character". I would like to have Peter Vallas join us here on the podium along with Senator Thurmond and Mr. Araskog and Dr. Peale. Come on up, Peter.

Mr. ARASKOG. While this award simply states that the deeds of Peter Vallas are hereby cited as outstanding examples of those inspiring qualities which best reflect the ideals of "The American Character" program and Dr. Peale and I have countersigned this with sincerest congratulations for a small recognition of what you have done.

PETER VALLAS. Senator Thurmond, Dr. and Mrs. Peale, Mr. Araskog, honored guests. Ever since I found out that I was receiving this award, people I know have been asking what I was receiving the award for. So, I would mention some of the things you just heard, the life saving, the drug programs, etc. But in thinking about it, I really don't think that the doing of those things got me here today. I feel that it was more the reasons I did them that brings me before you as an expression of "The American Character". For most of the 200 years that we have been a nation, we had to depend on each other to survive. To help one another. To care how a neighbor was doing and it became a habit. If we wanted to live in a good town we couldn't wait for someone else to make it a good place in which to live. And, we had to invest our time and our energies to make it work. In today's world, some people do not feel the same as they did years ago. But I feel "The American Character" is an example which our heritage is built on. It should continue forever. The Bible says, "If I am not for myself, who will be for me?" But if I am not for my brother, then what good am I? I have tried to follow that in directing my life. And now, I look to you, Nicholas D'Jimas, my nephew, to perpetuate the goodness of America and to take my place by living the life of "The American Character". Thank you ladies and gentlemen. I am very proud to accept this award.

Mr. GERRITY. Before we close, I would like to read a letter delivered to Dr. Peale. This is from the President of the United States.

THE WHITE HOUSE,
Washington, D.C., September 14, 1982.
DR. NORMAN VINCENT PEALE,
New York, N.Y.

DEAR DR. PEALE: Nancy and I welcome the opportunity to extend our congratulations

and best wishes on the 500,000th broadcast of your program, "The American Character."

In each of these broadcasts, some good deed by an American citizen, young person or adult, is told. You have provided great inspiration for our citizens, and we appreciate the uplifting spirit of this series.

With warm personal regard and, again, congratulations.

Sincerely,

RONALD REAGAN.

Congratulations, Dr. Peale, Peter Vallas, and all of you who exemplify "The American Character".

THE DEATH OF STEFANO TACHÈ

Mr. PROXMIRE. Mr. President, while the Senate was in recess, a grave anti-Semitic offense took place in Rome. On October 9, terrorists fired submachineguns and threw handgrenades at Jewish worshippers leaving a synagogue after Sabbath services. Thirty-four people were wounded, including a 4-year-old boy, Marco Tachè, who suffered severe head wounds. His 2-year-old brother, Stefano, was killed. It is a grim irony that Marco and Stefano were taken to services to celebrate Shemini Atzereth, a holiday on which children receive a special blessing in the synagogue.

This incident is a painful reminder that millions of Jewish children lost their lives during World War II, only 40 years ago. Moreover, it is a warning that anti-Semitism did not die with those children, and still poses a threat to Jewish citizens.

Mr. President, this wanton act of violence should not be taken lightly, for every small offense can lead to a larger one. I remind the Senate that the tide of anti-Semitism in Nazi Germany began with the desecration of synagogues, and ended with systematic mass murder. Attacking a synagogue may appear minor compared to Nazi concentration camps, but the oak tree was once an acorn.

Mr. President, let us work to prevent further recurrences of anti-Semitism, before we have to record another human nightmare in the history books of our country. The first step in this effort is the ratification of the Genocide Convention, which guarantees to all groups the right to live free from persecution, regardless of their race, religion, or creed. Moreover, it makes genocide a crime under international law.

Many nations have signed this treaty—82, to be exact. But the United States, a decisive force in defeating the Nazis in World War II, is not yet a party to this treaty.

The death of Stefano Tachè should be a reminder and an inspiration. We must recall that anti-Semitism led to genocide in the past, and we must resolve to prevent another genocide in the future. Therefore, I call upon the Senate to ratify the Genocide Convention without delay.

POSSIBLE CHANGES IN POLICY BY THE SOVIET UNION

Mr. THURMOND. Mr. President, the recent death of Soviet President Leonid Brezhnev has caused a flurry of speculation about possible policy changes by the Soviet Government.

While I fervently hope that our two countries can begin to work together more closely and cooperate on projects of mutual interest, I continue to believe that the goals and objectives of the Soviet Union will remain the same, and, therefore, that there is little hope that policies toward the West will change.

The prime directive of the Soviet Government has been, and will continue to be, world domination. Some of this country's most learned "Kremlinologists" have speculated that the new Soviet leader, Yuri Andropov, will lead his government toward a new, more conciliatory relationship with the United States.

I am not a political scientist, but I do not share the optimism of those who believe that a change in Soviet leadership will, necessarily, precipitate a moderation of Russia's goals.

The Soviet Union, Mr. President, is a country unlike ours in that changes in leadership do not bring about great sweeping changes in policies.

We should remember that the Soviet Politburo—the real governing body in Russia—chooses that country's leaders and spokesmen. Little, if anything, on an official level is said or done in the U.S.S.R. without the express consent of the Politburo.

I want to also remind my colleagues that Mr. Andropov is a former head of the Soviet Secret Police—better known as the KGB—and that he has espoused Russia's goal of expansionism.

A recent editorial analysis in the Washington Post, written by Robert Kaiser, points out the tremendous influence of the Politburo in the Soviet Union and concludes that Andropov's elevation to power does not signal immediate changes in policy.

Critics, however, will insist that Mr. Kaiser's conclusions are the product of so-called "Cold War Mentality."

Mr. President, I dislike sounding like a cynic, but I believe that changes in Soviet policy, if any are forthcoming, will manifest themselves in events—not rhetoric. At the risk of sounding trite: The proof will be in the pudding.

I ask unanimous consent that the article, entitled "No, Russia Won't Change," be included in the RECORD at the conclusion of my remarks.

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

[From the Washington Post, Nov. 14, 1982]

"NO, RUSSIA WON'T CHANGE"

(By Robert Kaiser)

Hard as it may be for Americans to believe, the death of Leonid I. Brezhnev is un-

likely to bring any early or dramatic changes in Soviet policies or Soviet-American relations. This is true because—alas—the Soviet Union is so profoundly different a country than we are used to.

We have already heard prominent Americans predicting that the transition period will be a time of Soviet militarism, or a good moment for a peace offensive, but all such predictions are improbable. Forecasts of sudden change in Russian policies can only be made by outsiders who project their own patterns of behavior onto the Russians.

In America a new president sweeps clean the slate of state: New officials blithely implement new policies (often contradicting the old ones) as though history began the day they took office. The West European democracies are more consistent, but they, too, can switch directions abruptly.

Not the Russians. Apart from the Bolshevik Revolution itself, changes of government in Russia have been marked not by departures but by a striving for continuity, at least for a couple of years. Yuri Andropov will not ignore that tradition.

From a Russian point of view this makes eminent sense. The challenge to Andropov and his colleagues is to preserve a claim on legitimacy by reassuring the people that they will keep the historic bargain between Russians and their rulers. This bargain is simple: The people give up any right to choose their leaders or influence their policies (in other words, they give up any claim to freedom) in return for basic security, order and the staples of daily life.

An abrupt change in the party line would only raise doubts that the new leaders could make good on their end of the bargain. Abrupt changes would rekindle the ancient Russian fear of disorder or anarchy. So the new Soviet leaders will try to avoid abrupt changes.

This does not mean a new Soviet government is bound to stick forever to the path set in the Brezhnev era. On the contrary, the many grave problems, domestic and international, that the Soviets now face will require significant policy changes in the years ahead. But changes will not come in the years immediately ahead. They are likely in the mid-1980s and beyond.

The money men on Wall Street talk about the way the stock market "discounts" a big event before it takes place—an election, a new tax cut, whatever. In a similar way, both the Soviet elite in Moscow and the rest of the world have already discounted the death of Leonid Brezhnev. Like Konrad Adenauer or Mao Tse-tung, Brezhnev was one of those fixtures on the international stage who actually prepares the world for their eventual departure by defying the actuarial tables and sticking around so long.

In Moscow, maneuvering in preparation for the end of the Brezhnev era has been going on for years.

The committee that has been running the country for the last 18 years has had to jigger its membership as others of the old men at the top have died or retired, and lately the jiggling has suggested that the committee was preparing for the post-Brezhnev era. The quick selection of Andropov on Friday as the new general secretary of the Communist Party indicates that the ruling committee has known where it was headed for a long time.

The crucial point here is the existence of that committee. For all the eagerness of the news media to make Brezhnev into a personal dictator, he has never been one. He has always shared power—willingly, by all ap-

pearances—with others in the group who conspired with him to oust Nikita Khrushchev (who really was a personal dictator) in October 1964.

The record on the committee's importance is clear. That record is sprinkled through Richard Nixon's and Henry Kissinger's memoirs of the 1972-74 period when detente was in bloom, and all important matters in Soviet-American relations were referred to the Politburo for final decision. In 18 years as the leader of the Soviet Communist Party, Brezhnev never gave an extemporaneous speech. He invariably read from a prepared text—a text presumably approved by the Politburo.

Recently, when Brezhnev reportedly could work no more than a few hours a day, the committee was obviously running the country without him—as it will be running it now.

Andropov was an important member of the committee in the Brezhnev era, particularly since 1967, when he was sent to the KGB to handle a top-priority matter for the leadership: the reassertion of strict control over unorthodox political behavior. Andropov must have become a hero of sorts to the committee when he managed—over more than a dozen years, with patient diligence—to wipe out the political dissidence that arose in the '60s. Dissidents terrified the committee, because they seemed to challenge its legitimacy, its right to rule in the name of the people. Thanks to Andropov, today there are virtually no dissidents.

The cardinal domestic achievement of the Brezhnev era was to broaden the Soviet regime's base of active support. When the Brezhnev group took over in 1964, a relatively small Soviet elite benefited personally from the system. Under Brezhnev the system of privileges and special rewards for members of the elite grew dramatically, as did the size of the elite that was eligible for them.

By giving hundreds of thousands and probably millions of people a direct personal stake in the system—a stake based on improved housing conditions, better food to eat, opportunities to travel abroad and the like—Brezhnev enhanced the stability of the Soviet regime.

But there was a downside to that accomplishment. By creating such a large group with a personal stake in the status quo, Brezhnev made it terribly difficult to alter the status quo. Thus it turned out that all the Brezhnev group's attempts at reform, particularly of the Soviet economy and agriculture, came a cropper. A vast layer of the Soviet establishment just wasn't interested in reform.

This inertia is not something a new leader can abolish with a wave of his hand. It is now a fact of Soviet life, and it will remain one for years.

Whether Andropov will even want to challenge this inertia remains to be seen. At 68, he is already six years beyond the life expectancy for a Soviet man. He reportedly has heart trouble. Many Kremlinologists expect him to be a transitional figure who will prepare the way for a member of the next generation, someone now in his 50s, to preside over the next phase of Soviet history.

But even if Andropov wanted to make a strong individual mark as leader, history suggests it will take him several years to be able to try. Three years after the Brezhnev group took power, the Soviet spokesman at a Soviet-American "summit" meeting in Glassboro, N.J., was Alexei N. Kosygin, not

Brezhnev. After Stalin died there was several years of tumult inside the ruling committee before Khrushchev emerged on top. The committee moves slowly when deliberating policy departures, and it takes time for one man to consolidate a position of personal ascendancy.

Even Brezhnev, who did achieve personal ascendancy within the committee, apparently never had the personal power to impose a significant policy change on his colleagues. He built a consensus on the committee for his detente policy, but he didn't dictate it. His greatest personal power may have been negative. According to one intriguing story that is told by well-informed people in Moscow, Brezhnev did personally prevent a Soviet invasion of Poland at the end of 1980—the committee was ready to do it, but Brezhnev denied his colleagues the consensus they required for such a big step. It's just a rumor, but a plausible one.

That there will be change in Russia is inevitable. The '80s may prove to be a decade of abrupt discontinuity in Soviet history. A generation gap has emerged in the Soviet Union—the Russians may be about to have their version of the '60s. The economy has stopped growing, agriculture is deteriorating and the system of control in East Europe is no longer effective. These are grave problems, and none can be dealt with effectively with the kind of marginal policy adjustments that typified the Brezhnev era.

At least theoretically, the Soviets' need to make changes creates opportunities for the United States and its allies. It became clear in the '70s that the West can influence the Soviet Union, sometimes (though not always) in positive directions. Detente did open Soviet society to an unprecedented degree. It pushed the Soviets for the first time into the international (capitalist) economic system. It made Solidarity possible in Poland. The '80s might provide a chance to make the Russians more responsible members of the international community. But the Reagan administration seems committed to pursuing a confrontational policy toward the Russians, rather than exploiting new opportunities for different kinds of approaches.

President Reagan's decision not to attend Brezhnev's funeral can be defended on numerous grounds, but there is no doubt about how the Soviets will interpret it: as an affront. If the American president is not interested in attending a Soviet leader's funeral, he obviously isn't interested in a better Soviet-American relationship—that will be, understandably, the Soviet view.

The Reagan policy until now could be described as the "uncle" policy—the United States will put so much pressure on the Soviets that they will eventually cry uncle, agreeing to American terms for arms reductions, agreeing to withdraw from Afghanistan, agreeing to grant more human rights to Soviet citizens and Poles.

The chance of this approach succeeding was always slim; with new leaders in the Kremlin it is nonexistent. The most obvious thing new leaders cannot do under any circumstances is to begin acceding to the demands of "imperialists," as they like to call us. No signal would be more threatening to the Soviet elite than a hint that their new leaders can be intimidated by the United States.

So, ironically, American policy will reinforce the Soviet tendency not to change course in the aftermath of a change of leadership. There are no foreseeable prospects for a better Soviet-American relationship.

BUS DEREGULATION

Mr. PRESSLER. Mr. President, last spring, I fought legislation to deregulate the bus industry because of its negative impact on small carriers and rural bus service. I was the only member of the Senate Commerce Committee to vote against this bill. On the Senate floor, only a handful of my colleagues joined me in opposition to this measure, which has recently been signed into law. Only now are organizations and associations beginning to realize the potential harm resulting from industry deregulation.

The American Newspaper Publishers Association recently published an article in its November issue of *Presstime*. I ask unanimous consent that the text of this article be included in the *RECORD* immediately after my remarks. ANPA expresses serious concern about the loss of bus service and probable rate hikes in rural areas because of deregulation. Six months ago, I argued the very same objections here in the Senate.

My home State of South Dakota has already suffered severe loss of railroad and commercial air service because of deregulation. Intercity bus service reductions resulting from deregulation will also have a dramatic impact on rural life. Many small businesses, including community newspapers, depend on intercity bus service for mail delivery. Rising transportation and distribution costs simply cannot be absorbed by these small businessmen who are also battling a slow economy and high interest rates.

In the rush to deregulate, Congress appears to be ignoring the common carrier obligation which is essential to rural transportation services. I am very concerned that our rural citizens will become more and more isolated unless we pay closer attention to the special needs of our farming and ranching communities. I urge Congress to closely monitor the impact of bus deregulation on small community passenger and mail service. We must encourage adequate and dependable transportation for the many Americans who do not benefit from competition afforded by deregulation in some parts of the country.

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

[From *Presstime*, November 1982]

BUS DEREGULATION COULD RAISE RATES, DECREASE SERVICE

The bus deregulation law that takes effect Nov. 20 could lead to higher rates for shipment of newspapers as well as a decrease in service in some places.

Many ANPA members use bus transportation for some newspaper distribution. It is suggested that circulation departments consult with bus companies on any changes in service that may affect subscribers.

Under the Bus Regulatory Reform Act of 1982, signed by President Reagan Sept. 20,

the bus industry will get new freedoms that are even broader than those accorded trucking companies in 1980.

The act allows companies:

Greater freedom of entry into and exit from the bus market.

To set rates and fares within a "zone of reasonableness," with the zone to widen progressively over the years. Initially, bus companies will be allowed to raise rates or fares by 10 percent or lower them by 20 percent compared with year-before levels.

Federal preemption of some state bus regulations.

Moratorium on grants of U.S. operating rights to Canadian and Mexican carriers without approval by the U.S. trade representative.

Elimination of antitrust immunity to set rates collectively.

To stop applying separately for authority to carry freight shipments as well as passengers [Presstime, Jan. 1982, p. 15].

TRIBUTE TO VIETNAM VETERANS

Mr. THURMOND. Mr. President, on November 11, the Nation paid its annual tribute to the millions of men and women who have served in our Armed Forces and who have fought to preserve the freedom which we hold dear. This year the Nation paid special tribute to its Vietnam veterans and to those who gave their lives for freedom in that war. On November 11, I attended a ceremony in the White House in honor of the Vietnam veterans; on November 13, I had the great honor and privilege of participating in ceremonies held at the National Cathedral, where the names of all those men and women killed in Vietnam were read over a 5-day period.

Mr. President, the tribute to Vietnam veterans served as a long overdue welcome home to these brave Americans. After their service in Vietnam, rather than returning to parades and crowds of grateful Americans, most Vietnam veterans were greeted by war protesters and by those who condemned them for their service. Now many Americans have taken the time to honor these men and women who answered the call of their country and served just as other Americans have in other wars.

Mr. President, many lessons can be learned from our experience in Vietnam if we are willing to recognize them. I believe that the greatest lesson which must be remembered is that we must never again send our men and women to fight in a cause while pursuing a military policy which prevents them from winning. We must all recognize that the men and women who served our country in Vietnam did not lose the war. They fought with courage and with great skill, and victory was prevented by our policymakers.

On November 13, 1982, the Vietnam Veterans' Memorial was dedicated in Washington, D.C. This memorial bears the names of the more than 57,000 Americans who died in Vietnam. I find

a memorial to Vietnam veterans highly appropriate, and I commend the individuals and organizations who made it possible. Through such a memorial, the American people will never forget the sacrifice and devotion to our country which was shown by those who served in Vietnam.

Mr. President, great controversy surrounded the Vietnam war. There has also been considerable controversy surrounding the Vietnam Veterans' Memorial. But there should be no controversy about the fact that the men and women who answered the call of this Nation and who served in the Vietnam war showed the same courage and valor as shown by other Americans during other wars in our history. For this, we are forever in their debt.

WHERE SHOULD WE CUT THE DEFENSE BUDGET?

Mr. PROXMIRE. Mr. President, Fred Kaplan, a noted defense expert, recently published an essay in the New York Times, November 17, 1982, called "Defense Nuts and Bolts." In this article he raises the questions of what items in the military budget are most vulnerable to spending cuts in the near future, and why. His answer is that Congress will be inclined to leave expensive weapons untouched, while chipping away at the "nuts and bolts" of the defense system: spare parts, ammunition, fuel, and other items essential to conventional military readiness.

Kaplan gives four reasons for this. First, he says, cutting military operations and maintenance results in large and immediate savings in the annual defense budget. Major weapons, on the other hand, are built over a period of years, and therefore scrapping them does not always offer the charm of a sizable reduction in next year's defense budget.

Second, Kaplan points to the political clout of major weapons manufacturers to explain congressional reluctance to scrap major weapons projects. As we know, defense is a billion dollar industry in the United States, and accordingly, Rockwell International, Hughes International and McDonnell Douglas all play a key role in the politics of weapon building. Manufacturers of spare parts and ammunition do not.

Third, Kaplan argues that those at the Defense Department who think we could reduce spending in other ways than slashing the readiness account have not offered coherent alternatives.

Finally, Kaplan touches on perhaps the most basic reason why we tend to cut small essentials rather than large weapons. Everyone agrees that B-1 bombers and MX missiles are inherently more exciting and glamorous than a bullet or a spare part. There is a natural human inclination to choose

the beautiful frill over the boring essential. Besides, when have we ever sacrificed sleekness for practicality in our defense budget? Why start now?

Kaplan urges us to start taking practical considerations into account when we start thinking about ways to reduce the defense budget. He believes we have already cut too deeply into the readiness section of the defense budget, and can no longer safely afford to do so. Therefore, he urges us to resist our attraction to the beautiful frill and subject it to careful scrutiny. Do we really need so many major weapons at the expense of reducing our conventional military readiness?

Mr. President, I ask unanimous consent that this article from the New York Times be reprinted in the CONGRESSIONAL RECORD.

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

DEFENSE NUTS AND BOLTS

(By Fred Kaplan)

WASHINGTON.—President Reagan's defense budget will almost certainly be cut substantially next year. Federal deficits are intolerably high, social programs have been cut to the bone; the new, more liberal 98th Congress will surely insist that the Pentagon start making its share of sacrifices.

However, if Congress behaves in the usual fashion, it is likely that the wrong things will be cut. The burden will fall disproportionately upon spare parts, fuel, ammunition, depot repair and other elements of the operations and maintenance account that comprise "military readiness."

In short, the items that Congress tends to cut most heavily are those that are most essential to fighting a conventional war for longer than a couple of weeks.

In the past year or so, Congress has paid more attention, in rhetoric anyway, to the importance of readiness. Yet it continues to cut still further the one section of the defense budget that is underfunded to begin with. The reason has to do with incentives that lie close to the heart of the legislative system.

First, cutting the production of major weapons yields relatively small savings in immediate outlays. It takes several years to build tanks, missiles, airplanes, ships; only a small fraction of the appropriated money—2 percent in the case of aircraft carriers, about 15 percent for tanks—is actually spent in the first year of outlays.

However, the workaday items of operation and maintenance are used almost right away; a \$1 billion cut in this account produces, on average, an \$850 million saving in first year outlays. At a time of enormous deficits and demands for quick solutions, this situation makes the readiness account a tempting target.

Second, there really is a military industrial complex, and Congress is caught in the middle of its workings. Even liberal legislators are often persuaded by arms manufacturers in their districts to preserve otherwise useless weapons programs that mean big money and thousands of jobs for constituents. For example, Alan Cranston, Democrat of California, one of the Senate's leading nuclear-freeze advocates, always votes for the B-1 bomber, manufactured by his home state's Rockwell International

Corporation. And if some Congressmen have no such interests to serve, they may need to trade favors on other bills with those who do. By comparison, the makers of spare parts and bullets carry no measurable clout.

Third, to a much greater degree than is casually assumed, Congress still defers to the wisdom of the Joint Chiefs of Staff (who in this Administration also appear to have the Secretary of Defense firmly in their pocket). Even if some members are skeptical of the military's requests for bigger and more expensive weapons, there is no consensus among the 535 individuals and their staffs in Congress for any coherent alternative.

Finally, there is a visceral dimension that few would openly acknowledge but that is very obvious to anyone who has observed relations between Congress and the Pentagon for a while—and that is that big, fancy weapons systems are sexy, while the mundane supplies that keep the weapons operational are not. Few experiences aside from a roller-coaster provide the thrills of watching—or, better yet, riding in—an M-1 tank tearing across the countryside at 35 miles per hour (even though it breaks down after a few hours of wear), an F-15 jet zooming at Mach 2 (even if no pilot flies that fast in combat), an Aegis destroyer with dozens of radar-control switches lighting up (even if the radar makes the ship vulnerable to antiradiation missiles).

On the other hand, reports on depot backlogs, low readiness rates and spare-parts shortfalls tend to be boring.

To the extent that Congress cuts funding for major weapons at all, it usually just stretches out the procurement schedule—thus accomplishing little more than making the weapon still more expensive, because of future inflation, in the end.

A great defense debate has been raging in the news media over fundamental issues concerning weapons procurement: Should we buy small numbers of expensive weapons or a larger number of cheaper, simpler ones? Since many new weapons have failed miserably in testing, why fund them any further? Is the counterforce strategy that justifies many of the Pentagon's new nuclear missiles prudent or practical?

The story to watch is whether members of the new Congress will be able to overcome the incentives that lead them to dodge such issues, or whether they will continue to slash the essentials and let the bloated parts remain. It may well be that only a President can hope to control the Pentagon's appetite—and Ronald Reagan has not revealed an inclination to do so.

MAYOR JESSE HELMS OF GREENVILLE, S.C.

Mr. THURMOND. Mr. President, I rise today to pay tribute to the former mayor of Greenville, S.C., Hon. Jesse Helms, who passed away on November 8, at the age of 73. To his lovely wife, Louise, and his family and friends, I extend my deepest sympathy.

Those who knew him well realize that his life may best be described as one of inexhaustible service to his fellow man, his State and Country, and God.

Mayor Helms was a man whose deep faith in God influenced every aspect of his life. Indeed, many would say that his success in life can be attrib-

uted to the fact that he sought God's direction and guidance in everything he did.

In the business world, Mayor Helms became successful as the founder, president, and chairman of Southern Foods, Inc., which has flourished as a leading distributor of food products in the Piedmont region of our State. His leadership in the food industry is well-known, as he was a cofounder of the National Institutional Food Distributor Associates (NIFDA), which is one of the largest organizations of its kind in America.

Mayor Helms' exceptional administrative abilities proved to be valuable in areas other than business. For 6 years, he served as a member of the City Council of Greenville, a position which enabled him to serve his fellow man.

Perhaps the most valuable public service Jesse Helms rendered to the community was his role as mayor of Greenville, South Carolina's second largest city and one of the premier textile producing areas of this country. Under his direction, Mayor Helms brought new optimism to the business sector through his involvement in the redevelopment of the city's business district. Recognizing Greenville's potential as a progressive metropolitan area, Mayor Helms maintained excellent rapport with business and industry so that the cooperative efforts of commerce and Government would allow Greenville to flourish economically.

Over the years, I have enjoyed working with Mayor Helms on various projects for the city of Greenville. I know first hand of his outstanding leadership abilities and of his desire to help the citizens of the city he loved so much. He gave much to Greenville and its people, and his service will greatly be missed. Yet, his numerous contributions to this thriving city will long be remembered.

Mr. President, Mayor Jesse Helms was a man of uncompromising character, firm convictions, and concern for people.

In order to share more about this remarkable individual with my colleagues, I ask unanimous consent that two editorials and an article from Mayor Helms' hometown newspapers, The Greenville News and the Greenville Piedmont, be included in the RECORD at the conclusion of my remarks.

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

[From the Greenville Piedmont, Nov. 8, 1982]

HELMS' FRIENDS REMEMBER HIM AS BEING A MAN OF CONVICTION

Jesse Helms was a man of convictions—in his love for the city of Greenville and in his religion, his associates in business and politics said today.

His death will be a great loss to the city of Greenville, they said.

"The thing that dominated Jesse Helms more than anything else was his strong will and his single-mindedness," said City Councilman David Thomas, like Helms a Republican. "He was probably the most strong-willed person I've ever known. Once he made up his mind, he would never change it."

"He said to me one time that some folks tried to play politics, but he never did," said Democratic City Councilman Joe Mathis. "He told me he always talked with the Lord, and the Lord told him what to do. He never made compromises."

Mike Burton, chairman of the Greenville County Republican Party said Helms' death came as a shock to him. He said he saw Helms a few days ago and Helms "was very optimistic about the upcoming (mayoral) elections."

Helms had said recently he was "full steam ahead" towards a second term, although he had not made a final decision.

His associates said today that Helms' greatest accomplishments were in the area of economic development of the central business district. He will be remembered for his work in securing the Greenville Commons Project and the U.S. Shelter Corp. highrise, City Council members said.

"The mayor was a very sincere and dedicated person who took his role as mayor in a fashion that he definitely wanted to contribute to the city of Greenville," said City Manager John Dullea, who worked with Helms for the three years he served the city as mayor.

Helms would have said the creation of the Greenville Central Area Partnership—a board of public and private officials who have initiated a plan of downtown redevelopment—was his greatest landslide victory over Democratic Greenville lawyer Doug Dent.

One of the most controversial aspects of Helms' administration was his management of the Mayor's Prayer Breakfast, an all-faiths annual gathering of Greenvilleans hosted by the mayor and the Greenville Ministerial Association.

The breakfast began during the Heller administration and was cosponsored by the Greenville Ministerial Association. But the association withdrew its support from this year's gathering, and a spokesman for the organization said the move was because of Helms' comments on his fundamentalist Christian beliefs.

The Rev. George Tolleson, pastor of the Unitarian Church of Greenville and then-president of the association, said the association withdrew as sponsors because the breakfast was for Christians and non-Christians alike and the statements embarrassed non-Christians.

The breakfast also cost Helms his seat on the Bob Jones University Board of Directors. BJU Chancellor Bob Jones wrote Helms a letter in March 1980 stating Helms was not reappointed because of his participation in the breakfast. Jones called the breakfast an "ecumenical mockery of the Lord Jesus Christ" in a letter to Helms announcing BJU's decision.

Helms said, "I have no apologies to make. Under the circumstances I did what I should have done as mayor," by participating in the breakfast.

Helms was proud of his negotiations with the U.S. Shelter Corp. that helped secure a 17-story office building now under construction downtown.

The city was forced to arrange a financial package for a public parking garage when the federal government turned down a grant application.

Helms also took pride in his administration's supervision of the Greenville Commons Project to its fruition in January. When Helms took over as mayor he inherited a complicated financial package supporting the project, which had been planned and developed by Heller.

Helms founded Southern Foods Inc., a wholesale food distribution business, and ran the business for 30 years. The company supplies food to hotels, restaurants, hospitals, schools and other institutions.

Helms resigned as president of Southern Foods in the late 1970s and continued to serve as chairman of the board.

Helms was born June 7, 1909, in Columbia, the son of Jesse Newton and Hattie Reaves Helms. He went to Columbia High School in Columbia. From 1930 to 1934 he was a store manager for Home Stores in Columbia and from 1934 to 1948 he was district manager and salesman for Standard Brands Inc.

After founding Southern 10 years previously, in 1958 Helms helped organize National Institutional Foods Distributor Associates Inc., a distribution organization which had a dollar volume in excess of \$1 billion in 1975 when Helms served as president.

Helms was a Mason and member of Greenville Lions Club, Greater Greenville Chamber of Commerce, Greenville Country Club, Poinsett Club and Hejaz Shrine Temple. He also was on the board of trustees of the Greenville Rescue Mission and the board of directors of Goodwill Industries.

In addition to his widow, Helms is survived by two sons, Jesse Lee Helms Jr. of Greenville and W. E. Helms of Columbia; two daughters, Mrs. Anne H. Eastland and Mrs. Doris H. Blair, both of Greenville; two sisters, Mrs. Gertrude Hammond and Mrs. Corrine McGrady, both of Columbia; nine grandchildren; and four great-grandchildren.

Funeral services are scheduled for 11 a.m. Wednesday at Mitchell Road Presbyterian Church. Burial will be in Woodlawn Memorial Park Mausoleum.

Visitation will be Tuesday between 7 p.m. and 9 p.m. at Mackey Mortuary. Memorials can be made to Miracle Hill, Mitchell Road Presbyterian Church or North Greenville College.

[From the Greenville News, Nov. 9, 1982]

MAYOR JESSE HELMS

Jesse Helms approached the job of Greenville mayor as he did every aspect of his life—with vigor and deep sincerity.

For six years as a city council member and nearly four as mayor, Helms dedicated himself to the betterment of this community. He will be remembered most for his role in the redevelopment of the city's business district, and for his conciliatory influence in city-county relations.

As founder, president and then chairman of a successful food distribution company, and as a city official, he combined a businesslike conservatism with compassion for others.

The strong religious convictions that guided his public actions at times led him into controversy, as when the Greenville Ministerial Association withdrew its sponsorship of the interfaith Mayor's Prayer Breakfast because Helms offended some association members. But even those who dis-

agreed with him respected his sincerity and directness.

Jesse Helms' death at 73 leaves a void at City Hall and in all of Greenville.

[From the Greenville Piedmont, Nov. 9, 1982]

MAYOR JESSE L. HELMS: AN ENTHUSIASTIC LEADER

Greenville Mayor Jesse L. Helms was a good man with a strong sense of commitment to church, community and family. His death Monday at the age of 73 removes from public life an individual motivated by sincere beliefs.

He often said, "Greenville has been good to me, and I want to give something back to the community." The difference between Mayor Helms and other politicians was that he meant every word.

He dearly loved the city and its residents. He worked diligently as a councilman and then as mayor to honor his mandate as a public official, but he refused to sacrifice his religious convictions.

His position on the Mayor's Prayer Breakfast resulted in a good deal of criticism from various quarters. It is a measure of Mayor Helms' dedication to principle that he could not compromise on the matter of his personal religion.

Mayor Helms had tremendous faith in the free enterprise system. He enjoyed telling how he founded Southern Foods Inc., a major wholesale food distribution business, and helped organize National Institutional Foods Distributor Associates Inc.

It is the success story of a self-made man in the very best American tradition. And Jesse Helms remained true to the values on which his success was based.

He enjoyed being mayor. He filled the office on City Hall's tenth floor with exuberance and good will. One of his last acts was to write a letter to the Greenville Piedmont.

It was not a letter of complaint about an editorial or a news story. His letter to the editor, which was received Friday, was in "appreciation and gratitude" to the people of the greater Greenville area "for the tremendous expression of cordiality and hospitality they extended to the many guests and visitors to our city" during the recent international textile machinery exhibition at Textile Hall.

"I have had letters and telephone calls," he wrote, "from people all around the world expressing their pleasure and appreciation for the warm welcome they received here in Greenville and I want to share these compliments with all of you." It is typical of Mayor Helms' enthusiasm for Greenville that he wanted to share with all of us the positive reaction to our city. His total joy in being a Greenvillean will be missed.

AERIAL RECONNAISSANCE CAMERAS

Mr. DIXON. Mr. President, last April I spoke on the floor regarding a sole-source procurement by the Navy for low-altitude aerial reconnaissance cameras.

Mr. President, I was prepared last May to offer an amendment which would have halted the purchase of these cameras until an investigation by the General Accounting Office into the entire purchasing decision of the Navy had been completed.

After a telephone conversation with Mr. James F. Goodrich, the Acting Secretary of the Navy at that time, I withdrew my amendment.

Mr. President, my colleagues, Senator PERCY and Congressman PHILIP CRANE, and I met with Secretary Lehman in October and presented to him our Illinois delegation's opinion that the Navy had been in error by sole sourcing this procurement. We presented to the Secretary a proposal by an Illinois firm which involved a competitive "fly-off" between its camera and the foreign camera—a competition which would not delay the Navy's scheduled purchase plans. Mr. President, the Illinois company further proposed to develop its camera at no cost to the Navy and, in fact, to begin to manufacture the camera not knowing if it had won the "fly-off" competition, thereby insuring that the Navy's procurement schedule would be met. Secretary Lehman expressed interest in the idea and indicated he would seriously consider the proposal.

The Secretary sent a letter to Senator PERCY, Congressman CRANE, and me on November 15 stating that his decision was to allow the purchase of 10 cameras in fiscal year 1983 on a sole-source basis, but to allow a competition for the procurements in fiscal years 1984 and 1985.

Mr. Lehman is a fine man, but I, along with my Illinois colleagues, feel that in this decision, he has been ill-served by his staff.

Mr. President, this contract is for only \$13.8 million, but it has far-reaching consequences for the Navy which apply to the replacement of the RF-4B aircraft in the next decade with the RF-A-18A.

Mr. President, the Secretary's offer is nothing more than a subterfuge to allow a continued sole-source procurement. The Secretary knows that once a company has begun production, it is placed at a significant advantage in bidding on future contracts. But Mr. President, let us just say for argument's sake that a different company does win the fiscal year 1984-85 procurements. That means the Marine Corps would be forced to establish training systems, spare parts inventories, maintenance programs, and all the rest for two different cameras in the same plane. Is that cost effective?

No, Mr. President, the Navy is just trying to placate the Illinois delegation with this decision, and is hoping we forget this contract in a few years. We will not. This contract award is symbolic to the State of Illinois. Our State's taxpayers receive a minuscule amount in defense spending based on how much they contribute to the defense budget. The members of the Illinois delegation are not demanding that sole-source contracts be awarded to companies in our State. We just

want our companies—and every State's companies—to have a chance to bid on projects. This cannot fail to produce for the military the best product at the lowest cost to the taxpayers.

Mr. President, at the proper time my senior colleague, Senator PERCY, and I will be introducing an amendment to the fiscal year 1983 defense appropriations bill.

This amendment will be very simple. It will prohibit the Navy from spending any moneys on the procurement of low altitude aerial reconnaissance camera for the RF-4B aircraft until the General Accounting Office transmits to the Committees on Appropriations and Armed Services results of an examination of the Navy's sole-source purchasing decision for these cameras.

Mr. President, I ask unanimous consent to have printed in the RECORD Secretary of the Navy Lehman's recent letter and the response to that letter from Senator PERCY, Congressman CRANE, and myself.

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

THE SECRETARY OF THE NAVY,
Washington, D.C., November 15, 1982.

Hon. ALAN J. DIXON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR DIXON: At your request I have thoroughly reviewed the procurement of the reconnaissance camera for the low altitude high speed mission of the U.S. Marine Corps RF-4B. I agree this procurement should be competed and U.S. camera manufacturers should have the opportunity to participate. I have directed that future requirements be purchased in this manner which should give CAI the time to develop its CA-810 to meet the requirements for the RF-4B.

Currently we are faced with a time-sensitive requirement to purchase ten of these cameras. It is apparent that only the Zeiss KA-107C camera now meets the RF-4B requirement. No U.S. manufacturer, including CAI, is able to compete without imposing unacceptable schedule and cost risks upon the government. Notwithstanding that CAI did not respond in a timely manner to the pre-qualification solicitation for this purchase, the CA-810 is still in a preliminary design stage and would need modification before it fully satisfies USMC RF-4B requirements. Because of this the Navy has decided to proceed with initial procurement of the Zeiss KA-107C camera.

Should CAI continue to develop their CA-810 camera meeting Navy specification, CAI would be welcome to compete for the fiscal year 1984 and fiscal year 1985 procurements. Navy will definitely conduct a competition for the remaining twenty-eight camera procurement.

The negotiated Zeiss contract captures the majority of total price for U.S. businesses and provides for production expansion and technology transfer to Tracor Systems, Inc., located in Dundee, Illinois. I appreciate your interest in the Navy/Marine Corps aerial reconnaissance mission. CAI should be aware that if the Navy determines that the RF/A-18A is required to perform a low altitude photoreconnaissance mission, it is

our intention to conduct a full and open competition.

Sincerely,

JOHN LEHMAN.

U.S. CONGRESS,
THE ILLINOIS DELEGATION,
Washington, D.C., November 24, 1982.

Hon. JOHN LEHMAN,
Secretary of the Navy,
Washington, D.C.

DEAR MR. SECRETARY: We are writing to express our dismay over your action with respect to the Navy's acquisition of a new low level reconnaissance camera for the RF-4B. Particularly distressing is the fact that you did not consult with us—as you said you would—prior to taking this action. In our opinion, the decision which the Navy has reached does not provide for fair and open competition.

Equally disappointing has been the response of Navy personnel to the specific concerns which we raised on this issue. Not only were our questions to your staff repeatedly not answered, and not only was information deliberately withheld; but, based upon our own assessment of this matter, we can only conclude that the facts and observations about this case which we raised were, in our view, improperly conveyed to others for the purposes of thwarting our efforts to get to the bottom of this matter.

As we stated at the outset, our only objective has been to secure fair and honest competition in this procurement. As you pointed out in our meeting, this buy by the Navy has far reaching consequences. We well appreciate and applaud your efforts to encourage additional competitive sources of supply for the United States Navy but in all candor, Mr. Secretary, the actions which the Navy has taken with respect to this procurement and our legitimate efforts to gather information about it, far exceed the bounds of propriety, and perhaps the letter of the law.

Accordingly, we—as well as other members of the Congress—shall proceed with the necessary steps to ventilate this entire matter; and if the evidence thereby revealed so warrants, reverse the effect of this decision.

Enclosed you will find a list of specific questions which have been directed to the Navy in various forms on previous occasions. Would you be so kind as to have specific and complete answers provided to each of us no later than the close of business on December 6?

We do have one immediate question, however. Your letter of November 15 stated that the Navy has decided to buy ten of the 38 cameras from Zeiss on a sole source basis and that the "Navy will definitely conduct a competition for the remaining twenty eight camera procurement." But even this statement does not seem to square with the facts. We have learned that the Navy has instructed the contracting authority to sign a two year procurement contract (FY82 & FY83) which, according to the Navy's RFP, provides for eighteen cameras from Zeiss—not ten as stated in your letter to us. Mr. Secretary, what are we to believe?

In closing we wish to express our regret over the necessity for this letter and our attendant future actions; however, based on the long and disquieting experience of attempting to resolve this matter by reasonable and diligent effort, the Navy has left us with no other choice. Only more regretful is the failure of Navy personnel to live up to your personal commitment.

Please feel free to call on us. Our goal as I'm sure is yours, is to serve the people of Illinois and the nation.

Respectfully,

CHARLES H. PERCY.
ALAN J. DIXON.
PHILIP M. CRANE.

UNANSWERED QUESTIONS ON U.S. NAVY PROCUREMENT OF LOW ALTITUDE AERIAL RECONNAISSANCE CAMERAS FOR RF-4B AIRCRAFT

1. Why, during the period 1977-1981, did the Navy work only with Zeiss Avionics to develop a new low altitude aerial reconnaissance camera?

2. Did Naval personnel deliberately or otherwise keep secret from U.S. Sources the Navy's requirement for a new low altitude area reconnaissance camera and did the Navy specifically and purposefully keep secret from CAI Recon/Optical, Inc., its developing relationship with Zeiss Avionics for the purpose of establishing a second, competitive source of supply for aerial cameras? Why did Naval personnel on numerous occasions between 1977 and 1980 falsely state, in response to specific inquiries from representatives of CAI Recon/Optical, Inc., that there was no requirement for a camera of this type when, in fact, those same personnel were during that same period discussing precisely such a requirement with Zeiss Avionics?

3. Why did Naval personnel state to representatives of CAI Recon/Optical in the Spring of 1979 that the sole purpose of the initial acquisition of the Zeiss KA-107 camera was an unsolicited routine technical evaluation directed at no specific requirement? How does the Navy reconcile such statements with Assistant Secretary Sawyer's statement (March 26 letter to Senator Dixon) that a specific requirement has indeed existed since 1978?

4. Was there collusion between Naval personnel and Zeiss to the exclusion of U.S. industry? Has the Navy investigated, as requested by members of the Illinois Congressional delegation, the relationship between the current head of Zeiss Avionics, who retired from the Navy in 1980 after holding positions of responsibility for major procurement decisions on aerial reconnaissance cameras, and who then continued to work closely and in confidence with former associates and personnel still in the Navy who were instrumental in Zeiss' development of the KA-107/KA-108 cameras and who have subsequently had major responsibility for shaping the current sole source procurement? Did any current Navy personnel play any role in connection with the hiring of the head of Zeiss Avionics?

5. What is the Navy's justification for (a) awarding to Zeiss in July 1980 a \$320,000 sole source contract for automatic test set for the KA-107/KA-108 cameras, and (b) developing with Zeiss and approving in April 1981 an Integrated Logistic Support Plan for the KA-107C camera, when the Navy admits that the Marine Corps' formal operational request for a new camera was not made until June 1981?

6. What efforts did the Navy make, prior to September 1981, to open the camera procurement to competition by U.S. sources? What companies were contacted? By whom? When? What were they told? What evidence does the Navy have of its efforts to work with U.S. sources?

7. Why was the September 1981 Commerce Business Daily (CBD) notice of source solicitation issued only after CAI

Recon/Optical directed inquiries to the Navy concerning the Navy's previously undisclosed plans for procurement of production quantities of the Zeiss Camera?

8. Why were the camera criteria listed in the CBD source solicitation tailored to the Zeiss camera,¹ effectively precluding fair competition by U.S. sources?

9. Since the Navy (a) imposed a 14-day response time in the CBD notice, (b) stipulated an "off-the-shelf" camera, and (c) said there was an "imminent need" for the camera (see Assistant Secretary Sawyer's letter to Senator Dixon dated March 26, 1982), why did the Navy take more than seven months—until April 15, 1982—to issue a Request for Proposals for the camera, and then establish in that RFP an extended delivery schedule—with first article delivery 540 days after contract award, first production camera delivery roughly two years after contract award, and final camera delivery not until FY 1986?

10. How can the Navy claim that the KA-107C camera contains no deviations from the criteria set forth in the CBD notice (as Assistant Secretary Sawyer asserted in his March 26, 1982 letter to Senator Dixon) when in a paper presented by Zeiss itself to the Society of Photo-Optical and Instrumentation Engineers in August 1982, the company states that the camera can provide a maximum of only 10.8 pictures per second, while the CBD notice required a minimum of 12.6 pictures per second? If the Navy is relaxing its requirement to allow Zeiss such a major deviation from the specifications and if the Navy is seriously considering competition, why has not the Navy notified potential competitors of changes to the requirements contained in the CBD notice?

11. How can the Navy claim that the KA-107C camera is an "off-the-shelf" camera, meaning "proven equipment" in Assistant Secretary Sawyer's words, when the Navy and Zeiss have encountered massive hardware failures, have engaged in substantial systems redesign, and are still encountering fundamental technical difficulties with the camera's performance more than a year after Zeiss responded to the CBD notice?

12. Why did the Navy proceed (without informing Congressional representatives as the Navy had promised to do) with further flight tests of the Zeiss camera in September 1982 when Assistant Secretary Pyatt explicitly stated to the Congressional delegation that there would be no further activity of any kind on this procurement until the delegation's questions were resolved?

13. In the Determination and Findings required by the Armed Services Procurement act of 1947 and the implementing Defense Acquisition Regulations, what basis is cited as justifying a sole source procurement to Zeiss? When was the D&F signed? By whom?

14. Why is the Navy continuing to insist that only the KA-107C camera meets the

RF-4B requirement, knowing of the problems with the Zeiss camera, when CAI can produce a competitive camera satisfying the Navy's publicly stated criteria and meeting the Navy's announced production delivery schedule?

Why has the Navy repeatedly refused to respond to Congressional requests for the Navy-Air Force Evaluation Group's evaluation reports on the CA-810 camera? What schedule risk is Secretary Lehman referring to in his November 15, 1982 letters to Senators Percy and Dixon and Congressman Crane? What cost risk is Secretary Lehman talking about, since the production contract is to be awarded on a firm fixed price basis? Why does Secretary Lehman assert that the CA-810 camera would require modification to fully satisfy the RF-4B requirements, when the camera already meets all of the specifications set forth in the CBD and the RFP? Has the Navy altered those requirements without notifying U.S. sources?

15. How can the Navy seriously consider giving a sole source award to Zeiss for the first 10 cameras and then open the FY 1984 and FY 1985 procurements to competition, as Secretary Lehman says it will do, given that different cameras procured for the RF-4B would obviously force the Marine Corps to establish separate training systems, spare parts inventories, maintenance programs, etc? Wouldn't this initial commitment to Zeiss work to the disadvantage of companies other than Zeiss in any subsequent competition?

16. Assuming the Navy were to allow open competition after procuring the first 10 cameras, how does the Navy intend to conduct the out-year procurements? Will a separate procurement be conducted for each fiscal year? Is a single multi-year procurement contemplated? In addition, what happens to the 8 cameras originally programmed for procurement in FY 1983; as Secretary Lehman's November 15, 1982 letters imply?

17. With respect to the Navy's assertion that the sole service contract with Zeiss Avionics captures the majority of total price for U.S. business and provides for production expansion and technology transfer to Tricor Systems, Inc., located in Dundee, Illinois, at what time was this decision made by Zeiss Avionics and how much technology and what percentage of production will be transferred to Tricor Systems, Inc., and at what time will such transfer occur? Has the Navy investigated and satisfied itself that such offers of technology and production transfer are credible in light of Tricor's total lack of technical expertise or prior experience in the production of any kind of aerial reconnaissance camera? Was this offer, which has no current prospect of being realized, a subterfuge by Zeiss and Navy personnel designed to mollify the Illinois Congressional delegation when questions were raised about production of this camera in Germany?

18. Has the Navy at any time disclosed sensitive or classified Government information to Zeiss Avionics, a company owned and controlled by the Carl Zeiss Foundation of Germany, a company which at the time of these negotiations did not have appropriate Department of Defense security clearances? Does Zeiss Avionics now have appropriate security clearances, and if so, when were they issued? Would the Navy be acting ille-

gally in disclosing sensitive or classified Government information to Tricor Systems, Inc., if that company is at least partially owned or controlled by Zeiss Avionics?

MEETING THE CHALLENGE OF THE AUGUST RALLY

Mr. RIEGLE. Mr. President, as the ranking Democrat on the Senate Banking, Housing, and Urban Affairs Committee and as a member of the Commerce Committee, I have maintained a longstanding interest in both the securities industry and the communications industry.

In the 96th Congress I served on the Communications Subcommittee of the Commerce Committee and I am now actively involved in the work of the Securities Subcommittee of the Banking Committee.

Like so many other Americans, I have recently been fascinated by the activity and trading volume in our capital markets. But what has intrigued me the most has been the outstanding interrelationship between our markets and our advanced electronic communications systems which have coordinated so brilliantly to service the investing needs of the public.

I believe very deeply in our free market system and nowhere is this system better exemplified than on the floor of our exchanges.

In the past few months we have witnessed not only a rally in the stock market but unprecedented and historic trading volume.

In my opinion, a study of this experience will show once again that we in America have not only the most advanced free market system in the world, but also the world's No. 1 communications network.

To me it is not surprising that in a democracy we should be leaders in both of these vital industries. But sometimes it is taken for granted.

Mr. President, today I am submitting a copy of an article written by Donald Stone, senior partner of Lasker, Stone & Stern and vice chairman of the New York Stock Exchange, entitled "Meeting the Challenge of the August Rally" and I will ask unanimous consent that it be inserted in full in the CONGRESSIONAL RECORD.

Mr. Stone's article appeared in the October 1982 edition of Registered Representative and captures in detail the spirit of the August rally as well as the advanced technology of the New York Stock Exchange which made handling of the heavy volume possible.

I commend this article to all of my colleagues in the U.S. Senate and I congratulate the entire leadership of the New York Stock Exchange for stressing the importance of advance

¹ September 1, 1981 CBD items showing that camera requirements were tailored to Zeiss' KA 107 camera included the following:

(c) V/H limit: 10 RAD/SEC.
(b) Lateral field of view: 140° minimum.
(h) must accept any emulsion or base film including IR without laboratory refocusing.
(m) Image distortion sufficiently low to permit accurate mensuration without complex rectification. Item (m) specifically excluded panoramic cameras which is the type of camera design used by all U.S. companies to meet the low altitude requirement prior to the publication of this notice.

planning in installing the modern systems for trading and communications that met so successfully the August challenge, and hopefully will meet the many challenges of the future.

I ask unanimous consent that the article I referred to earlier be printed in the RECORD.

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

MEETING THE CHALLENGE OF THE AUGUST RALLY

(By Donald Stone)

The two-week, record-breaking August rally marked the most exciting period of trading any of us had ever seen. As a specialist on the floor of the New York Stock Exchange, it was gratifying to see how well the personnel and computer systems functioned under the pressures of the heavy volume. The modern trading support communications systems permitted rapid transmission of orders from RRs to the trading floor and back to member firms with efficiency and speed.

More than two years of work and \$70 million in expenditures had resulted in what is generally regarded as the most advanced privately owned computer system in the country. But until late August we were not entirely certain; the system had never been tested at the "supersonic" volumes for which it was designed.

As a trader, I have been on this floor for 32 years, and have seen bull and bear thrash it out many times. But the rally of '82 became one of the most exciting periods I can recall. The tempo of any trading day is hectic, but this was magnified even more than in the past.

The mood at the beginning of the rally was right. The economy remained stagnant, and interest rates had begun to fall. The trigger was the Federal Reserve lowering the discount rate three times. Its effect was expedited by Henry Kaufmann, the respected economist for Salomon Brothers, who reversed his previous view that interest rates would remain high.

His pronouncement on Tuesday, August 17, sent the market soaring to a volume of 93.8 million, just under the record set on January 7, 1981. A furious buying spree—some called it a buying panic—followed on Wednesday, and on the days after.

At the closing bell on Friday, August 27, the end of "the second week that was," a record 549,830,554 shares for one week had been traded on the floor of the NYSE—more shares than had been traded in the entire year of 1960, and well above the record set the week before, 455,127,820 shares. For the two weeks, more than one billion shares were traded, and August was a new record month with 1.7 billion shares traded.

In a letter praising members and employees for their handling of the heavy volume, NYSE Chairman William M. Batten stressed the importance of advance planning by the Exchange in installing the modern systems for trading and communications that met the August challenge.

"The people and systems performed extremely well," Batten said, "in the face of the demands put on them during the period. Our electronic systems, which are very flexible, handled unexpected sharp increases in

volume, using a combination of experienced professionals supported by our advanced computer and communications systems."

August 26, the biggest day in Exchange history, saw 137,280,490 shares traded in 89,751 transactions.

A sense of urgency marked late August, and it continued through the coming days of the rally. At the opening each day, members and pages could be seen moving more swiftly than usual across the floor, a sign of many orders and heightened interest. Noise levels were high, another indication of an active market. Cheering swept the floor—populated by 2,700 individuals—at 1:54 p.m. on August 18 when trading passed the 100 million mark for the first time, and again at the close when a new record was set. The scene was repeated over and over in the subsequent days.

From the gallery at one end of the main room visitors jammed against the tinted plate glass, and from the other end a dozen television cameras peered relentlessly. Afterwards, newsmen crowded the lobby trying to get interviews as all access to the floor by visitors had been prohibited. Following that first day, a dozen or more members cancelled their vacations to return to trading. So much for the August doldrums.

In the first hour of trading on August 18, 37,020,000 shares changed hands, far more than ever before during that period. Block trades (10,000 shares or more) totaled 2,456, sharply up from the record 1,596 blocks only a day before. Institutional traders were a powerful force in the early stages of the rally, followed by individual investors the second week.

At the New York Futures Exchange, an NYSE subsidiary, a record 11,103 contracts in the NYSE index contract were traded, fallout from the nearby activity on the Exchange floor. It was further evidence of the growing interest in the use of the index futures contract as an investing strategy.

Meantime, the NYSE Composite Index itself was rising dramatically. On Tuesday, August 17, the index, which reflects the movement of all 1,517 common stocks, gained a record 2.66, compared with the previous record increase for one day of 2.13 set November 1, 1978. For the week, the NYSE Index rose 5.11, surpassing a one week record of 4.61 set in 1980. (The Dow Jones Industrial Average rose 38.81 on Tuesday, surpassing the record gain for one day of 35.34 set November 1, 1978, and was up 81.24 for the week, overcoming the old record 73.61 increase the week ending October 11, 1974.)

How was this volume handled with such professionalism and with seeming ease? The answer lies in the NYSE's "Capacity Increase" program. It was undertaken in the firm belief that trading volumes would increase immensely in the '80s.

The Exchange goal was a trading capacity of 150 million shares on a peak day and 90 to 100 million shares over a longer period. To achieve this, 11 electronic systems were installed to support the trading activities of brokers on the floor. Any of you who have visited the Exchange recently have seen the large superstructure suspended overhead that carries the power and communications cables to the posts below, and to the heavy reliance on television monitors at each trading post for current information. Fourteen modern new trading posts were installed as part of the capacity increase program, replacing the 50-year-old posts that were re-

stored by the Exchange and then donated to museums and universities across the country.

What are these systems we talk about? Let me describe several of them briefly.

One system, known as DOT for Designation Order Turnaround, is an electronic transmission system that permits a member firm to route market orders of up to 599 shares directly from their offices anywhere in the country to the appropriate trading post on the floor of the Exchange. On the floor, the specialist represents the investor in the trading crowd, assuring him the best possible price.

Another, the Limit Order System, electronically files the orders priced away from the current market, assigns a turnaround number to each and delivers the printed order to the specialist for appropriate action. "Day" limit orders up to 500 shares and "good 'til cancelled" orders are in the system.

OARS, Opening Automated Report Service, facilitates efficient and accurate processing of eligible orders up to 1,099 shares. When a specialist opens trading in a stock, he feeds the opening into the system which assigns the price to each stored order and transmits a full execution report to the originating member firm.

MDS, Market Data System, processes all NYSE last sale and quotation data and last sale data for other market centers in the National Market System.

It was no accident in late August that all systems performed magnificently. The Exchange knew this was coming and was prepared. The Exchange's research studies have indicated growing interest in the ownership of corporate stocks by both institutions and individuals. Our Public Transaction Study (PTS) in late 1980 confirmed that institutions and intermediaries such as banks and insurance companies continued as a dominant force in the market but that the growth in institutional trading had stabilized. Institutions then were trading an average of 46.4 million shares a day. At the same time, individuals were buying and selling an average of 25 million shares a day.

If these clues were not enough, the Exchange went further and surveyed individual shareowners across the country, developing a portrait of the modern day shareowner. These shareowners had a median income of \$29,200, generally higher than the national level. Their portfolio median was \$5,450, and their median age was 46 years, lower than in previous studies.

The Exchange's most recent survey of shareownership, conducted in mid-1981, showed that in one year the number of individuals owning corporate stock rose by seven percent to a record high of 32,260,000. The total represented an increase of 2,020,000 shareholders since the previous survey a year earlier.

All of this, of course, pointed in the direction of future growth as you, the registered representatives, are finding out.

The New York Stock Exchange, meanwhile, is aware that trading may reach the level of 200 million shares on a peak day, and has already gone forward with the expansion of its trading floor by 25 percent to accomplish this goal.

It is quite possible that by the time you read this we shall have set new records.

NEW YORK STOCK EXCHANGE TRADING ACTIVITY, AUGUST 16-27, 1982

	Monday, Aug. 16	Tuesday, Aug. 17	Wednesday, Aug. 18	Thursday, Aug. 19	Friday, Aug. 20
NYSE volume	55,422,220	92,864,700	132,681,120	78,269,940	95,889,840
Trades	43,695	56,618	82,385	56,157	61,699
Block volume	22,706,900	43,811,600	66,413,400	31,866,600	45,192,900
Block trades	909	1,596	¹ 2,456	1,307	1,821
Total volume, week ended Aug. 20					455,127,820

	Monday, Aug. 23	Tuesday, Aug. 24	Wednesday, Aug. 25	Thursday, Aug. 26	Friday, Aug. 27
NYSE volume	110,305,550	121,655,704	106,197,110	¹ 137,280,490	74,391,700
Trades	80,013	80,829	74,017	89,751	61,692
Block Volume	46,816,000	57,600,000	46,500,000	64,167,900	29,674,260
Block trades	2,086	2,107	1,800	2,388	1,135
Total volume, week ended Aug. 27					¹ 549,830,554
Total volume, 2 weeks ended Aug. 27					1,004,958,374
Record month: August 1982					1,700,000,000
Previous record month: March 1982					1,300,000,000

¹ Records as of Sept. 1, 1982.OTHER STOCK EXCHANGES ¹ VOLUME DURING THOSE 2 WEEKS

	Wednesday, Aug. 18	Week, ending Aug. 20	Thursday, Aug. 26	Week, ending Aug. 27
Pacific Stock Exchange ¹	5,283,000	19,643,000	¹ 5,656,000	24,946,000
American Stock Exchange ¹	9,001,225	32,655,725	10,445,595	37,744,905
Boston Stock Exchange	525,000	2,580,000	860,000	3,600,000
Midwest Stock Exchange	8,474,000	32,487,000	¹ 10,252,000	38,349,000
Philadelphia Stock Exchange	1,705,739	6,815,753	2,207,962	10,149,212
Over the Counter	41,834,100	159,506,600	50,845,000	205,563,800

¹ Does not include options.² Records as of Sept. 1, 1982.MESSAGES FROM THE
PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Saunders, one of his secretaries.

EXECUTIVE MESSAGES
REFERRED

As in executive session, the Acting President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The nominations and withdrawal received today are printed at the end of the Senate proceedings.)

PROPOSED LEGISLATION ON
HIGHWAY CONSTRUCTION
MESSAGE FROM THE PRESIDENT—PM-196

The Presiding Officer laid before the Senate the following message from the President of the United States, together with accompanying papers; which was referred to the Committee on Finance.

To the Congress of the United States:

I am submitting for your consideration and appropriate reference a draft bill "To authorize appropriations for the construction of certain highways in accordance with title 23 of the

United States Code, and for other purposes."

This legislation proposes an increase in highway user charges by 5 cents per gallon to help meet the needs of our deteriorating highway and transit systems. These systems are essential for the efficient movement of people and freight and to a healthy national economy. Investments by all levels of government are falling well short of the amount necessary to complete the Interstate System and to keep our nation's highway system, including its bridges, from facing rapidly accelerating deterioration. Urban rail and bus transit capital investment needs will total almost \$50 billion over the next 10 years to maintain our existing systems. Transit needs cannot be viewed as separate, since highways and transit form a complementary and interdependent system for the efficient and economical movement of goods and people in urban areas.

The primary objective of this legislation is to provide renewed investment to help rebuild our nation's deteriorating infrastructure. In addition to supporting economic recovery by providing an effective transportation network that is crucial to commerce, this bill sets the framework for several other beneficial effects on the economy. For example, this legislation would create an estimated 320,000 jobs, 170,000 direct and indirect in construction industries and 150,000 more jobs "induced" by the construction. The bill also proposes a reallocation of

existing user charges to make the current user fee structure more equitable. The bill eliminates a large portion of the existing cross-subsidy from lighter to heavier trucks, and it assesses motorists as directly as possible for the highway costs they impose. Finally, this legislation proposes changes to truck size and weight laws to help bring about uniformity and provide significant productivity benefits for the trucking industry.

This bill does not contain a Federalism turnback. However, the Administration remains committed to Federalism and will strive to return to State and local governments programs that are primarily of local interest and responsibility. The Administration is consulting with the Governors, affected State and local officials, and the Congress on a bill which will implement the appropriate turnback of highway programs and accompanying revenues. The current status of the consultative process is that \$2.2 billion (equivalent to 2 cents of the current motor fuel tax) and the Federal-aid programs relating to urban, secondary, non-primary bridges and safety construction would be turned back. The attached bill treats these programs in a manner that will allow them to be easily incorporated into Federalism legislation.

Major provisions of the legislation are discussed below.

Title I—Federal-Aid Highway Program

This legislation continues the direction established by the Federal-Aid Highway Act of 1981. The extent of Federal involvement in all Federal-aid highway programs has been analyzed and the total program is restructured to emphasize the highway systems that warrant Federal interest. This legislation continues to make completion of the Interstate System and its rehabilitation and preservation the highest Federal priority. The bill provides program authorizations for the Interstate, primary, secondary, urban, bridge rehabilitation, and certain other programs through FY 1988. The 1982 Federal-Aid Highway Act provided authorizations in FY 1983 for several highway programs, but reduced the amount available for obligation by a factor based on the number of days in the continuing resolution passed by Congress (Pub. L. 97-276). This legislation establishes authorizations for the full fiscal year 1983 for the major highway programs.

Interstate Program

The Federal-Aid Highway Act of 1981 reduced the cost to complete the Interstate System by limiting eligible construction items to those that provide a minimum level of acceptable service on a safely operating system. This bill continues that definition, but increases the authorizations for Interstate construction to \$4.0 billion in FY 1985, 1989, 1990, and 1991 and to \$4.500 billion for FY 1986, 1987, and 1988. The FY 1985 authorizations actually become available beginning in FY 1984 because they are apportioned one year in advance of the year of authorization. The one-half percent minimum Interstate construction apportionment is not continued because it is contradictory to our emphasis on completing the Interstate System.

To further the expeditious completion of the System, the bill revises the criteria for distribution of Interstate discretionary funds. Rather than being allocated on a first come, first served basis as under present law, the funds will be allocated by the Secretary on a priority basis to projects that will help complete Interstate segments not open to traffic and to projects of unusually high cost relative to a State's apportionment. The discretionary fund will consist of \$300 million per year set aside from Interstate construction authorizations and will also contain lapsed amounts from previous apportionments. Also, when Interstate substitute actions occur, sums equal to the amounts deducted from a State's unobligated Interstate apportionment will be added to the discretionary fund.

The importance of rehabilitation and preservation of the Interstate System is indicated in the bill by the increased levels of Interstate 4R au-

thorizations. These increase from \$2.5 billion for FY 1985 to \$3.9 billion for FY 1989. These authorizations are apportioned a year in advance. Interstate 4R apportionments not needed for 4R purposes may be used to fund Interstate construction or primary system improvements. Interstate 4R apportionments will be adjusted in FY 1983 and FY 1984 to compensate States for any reductions in total Interstate authorizations that might occur due to the elimination of the one-half percent minimum Interstate construction apportionment.

Several modifications are made to existing Interstate substitution provisions. A specific authorization for appropriation of \$650 million for each fiscal year from 1984 to 1988 is provided from the Highway Trust Fund for highway substitute projects. These funds will be available for two years. The 1983 Cost Estimate (ICE) is established as the base for costs of Interstate withdrawals approved after 1983. Construction cost adjustments to withdrawals will be prohibited after Congress approves the 1983 ICE.

Non-Interstate Programs

Primary Program. Authorizations are provided for this program through FY 1988. The priority primary program and the connector primary demonstration program are eliminated so that States can select those projects that reflect their own priorities.

Bridge Program. The bridge replacement and rehabilitation program authorizations are extended through FY 1988 and separate bridge apportionment formulas are established for primary bridges and non-primary bridges to provide more equitable distribution of funds. Apportionments are available for 2 years, after which unobligated funds may be redistributed to other States. A discretionary bridge fund of \$300 million is set aside from the authorization for each year through 1988 for use on high cost bridges. Projects eligible for these funds must cost more than \$10 million or at least twice a State's annual program apportionment.

Secondary and Urban System. The bill would continue funding for the secondary and urban programs at the FY 1982 level for each of the fiscal years 1983 to 1988.

Highway Safety Improvement Program. A new safety program is established to combine the separate categorical programs that now exist: Hazard Elimination, Rail-Highway Crossing, and FHWA's 402 Safety programs. Funding for this new program is provided through FY 1988.

Program Consolidation. The bill eliminates a number of existing categorical highway programs and rescinds any unappropriated authorizations. Unobligated balances will remain available until expended or the peri-

ods of availability expire. Most of these programs are eligible activities under regular primary, secondary, and urban programs. The bill also contains several provisions that will allow the Federal-aid highway program to be more effective and efficiently managed.

Title II—Transit Program

The mass transportation portion of this bill makes important changes in the structure of Federal transit assistance to begin to shift decisionmaking responsibility from Federal to State and local authorities. The bill would create a capital formula program for transit assistance and would phase out transit operating assistance by the end of FY 1984. In addition, the bill would establish a new transit infrastructure program to be funded from a portion of the proposed increase in the highway user fee. The bill would authorize Federal transit funding for fiscal years 1984 through 1988. Transit authorizations for the five-year period ending 1988 would total approximately \$19.54 billion. The bill also includes \$550 million in new fiscal year 1983 authorizations for the transit infrastructure program.

Infrastructure Program

Approximately \$1.1 billion would be available annually for transit infrastructure projects from the one cent of the proposed increase in the highway user fee. This bill would add a new section 22 capital infrastructure development program to the Urban Mass Transportation Act of 1964, as amended (UMT Act), which would distribute these funds to urbanized areas by an administrative formula to be devised by the Secretary of Transportation. The funds would be available for transit infrastructure development projects involving the rehabilitation or replacement of transit facilities and equipment. These funds would be subject to the same streamlined requirements as that proposed for the new section 9 capital formula program (see below) with a proposed Federal/local share of 80/20.

The administrative formula, to be published annually in the *Federal Register*, would be based on the size, age, and condition of mass transit systems and the infrastructure needs of those systems. Each State, however, would receive no less than one-half of one percent of the total funds annually available under this program. Moreover, apportionments of a Governor or designated recipient in an urbanized area would be eligible to be used for highway projects in the State or urbanized area instead of for a transit infrastructure development project. However, the decision to release these funds for highway purposes will limit the availability of transit discretionary

funds to fund any project that could have been funded under this program.

Capital Assistance

This bill would add a new section 9 to the UMT Act, which would authorize \$8.914 billion in capital funds to be distributed through a capital formula program for urbanized areas over 50,000 population. The Federal share for the capital formula program would be 80 percent.

The section 9 formula program funds would be eligible for capital purposes only, including planning, acquisition, construction, deployment of innovative demonstration results, and improvement of facilities and equipment. Capital activities would include the direct costs of spare parts for transit vehicles where the expected service life of the spare part exceeds one year. Federal participation in the cost of spare parts will enhance the ability of transit operators to keep their equipment in service and help to protect the original Federal capital investment in these items. New rail starts and rail extensions would not be eligible activities under section 9 without the prior concurrence of the Secretary of Transportation.

The capital program funds would be distributed based on a "revenue match" formula. Under this new formula each urbanized area would receive an apportionment equal to its share of the total national non-Federal mass transportation revenues (including State and local assistance).

The bill provides for local self-certification that recipients are meeting a number of existing Federal requirements. This certification process would provide for greater simplicity and flexibility for State and local governments. It would reduce the complexity of applications and thus the paperwork burden at all levels of governments. Finally, it is consistent with the Administration's philosophy of placing greater responsibility for program implementation at the State and local level.

The transit bill also includes a transfer of responsibility under Section 13(c) from the Secretary of Labor to the Secretary of Transportation, to provide greater flexibility to ensure that these labor protections are administered consistently with transportation policy. In addition, the bill contains a change in present procurement requirements which would allow the Secretary to determine a benchmark price for buses.

Title III—Highway Trust Fund and Revenue Provision

The revenue title features a five cent highway user fee increase. Four cents will be channeled into the Federal highway program and one cent of the increase will be available for public transportation or highway programs.

This title also includes adjustments to the user charge structure to make a more equitable distribution of costs among the various classes of vehicles. As mentioned above, changes in the Federal size and weight standards have been coupled with the fee structure changes. This title provides that the user fee levels provided in this bill will be in effect through March 31, 1990 and permits expenditures to be made from the Highway Trust Fund through fiscal year 1991.

The program restructuring and authorization levels proposed in this bill represent a strong Federal commitment to an effective national transportation system. The new Federal focus on national interest programs accompanied by greater responsibility for the States will ensure fulfillment of the nation's transportation needs.

RONALD REAGAN.

THE WHITE HOUSE, November 30, 1982.

PRESIDENTIAL APPROVALS

A message from the President of the United States reported that he had approved and signed the following enrolled bills and joint resolutions:

On September 22, 1982:

S.J. Res. 250. Joint resolution to provide for resolution of the single outstanding issue in the current railway labor-management dispute, and for other purposes.

On September 24, 1982:

S. 2582. An act to amend the act to establish a Permanent Committee for the Oliver Wendell Holmes Devise, and for other purposes.

S.J. Res. 186. Joint resolution to authorize and request the President to designate the week of September 19 through 25, 1982, as "National Cystic Fibrosis Week".

S.J. Res. 205. Joint resolution to designate September 1982 as "National Sewing Month".

On September 27, 1982:

S. 923. An act to amend chapter 207 of title 18, United States Code, relating to pre-trial services.

On October 1, 1982:

S. 215. An act for the relief of Lourie Ann Eder.

S. 1628. An act to amend the Emergency Fund Act (Act of June 26, 1948, 62 Stat. 1052).

On October 4, 1982:

S.J. Res. 165. Joint resolution authorizing and requesting the President to proclaim 1983 as the "Year of the Bible".

S.J. Res. 193. Joint resolution designating the week of November 7 through November 13, 1982, as "National Respiratory Therapy Week".

On October 5, 1982:

S. 2405. An act to further amend the boundary of the Cibola National Forest to allow an exchange of lands with the city of Albuquerque, New Mexico.

S.J. Res. 174. Joint resolution to authorize and request the President to designate October 16, 1982, as "World Food Day".

On October 6, 1982:

S. 907. An act to amend sections 351 and 1751 of title 18 of the United States Code to provide penalties for crimes against Cabinet officers, Supreme Court Justices, and Presidential staff members, and for other purposes.

S. 2271. An act to authorize appropriations to the Secretary of Commerce for the programs of the National Bureau of Standards for fiscal year 1983, and for other purposes.

On October 8, 1982:

S. 734. An act to encourage exports by facilitating the formation and operation of export trading companies, export trade associations, and the expansion of export trade services generally.

On October 12, 1982:

S. 1409. An act to authorize the Secretary of the Interior to construct, operate, and maintain modifications of the existing Buffalo Dam and Reservoir, Shoshone project, Pick-Sloan Missouri Basin program, Wyoming, and for other purposes.

S. 2420. An act to provide additional protections and assistance to victims and witnesses in Federal cases.

S.J. Res. 239. Joint resolution designating October 16, 1982, as "National Newspaper Carriers Appreciation Day".

On October 13, 1982:

S. 2036. An act to provide for a job training program and for other purposes.

S. 2852. An act to require a separate family contribution schedule for Pell grants for academic years 1983-84 and 1984-85, to establish restrictions upon the contents of such schedule, and for other purposes.

On October 14, 1982:

S. 188. An act to authorize the Secretary of Agriculture to convey certain lands in the Gallatin National Forest, and for other purposes.

S. 2874. An act to amend the Act of March 16, 1934, as amended, to credit entrance fees for the migratory-bird hunting and conservation stamp contest to the account which pays for the administration of the contest.

S.J. Res. 113. Joint resolution to designate the week beginning November 28 through December 4, 1982, as "National Home Health Care Week".

S.J. Res. 197. Joint resolution to provide for the designation of the week of October 17 through October 23, 1982, as "Myasthenia Gravis Awareness Week".

S.J. Res. 235. Joint resolution to proclaim March 21, 1983, as "National Agriculture Day".

S.J. Res. 249. Joint Resolution to provide for the designation of the month of October 1982, as "National Spinal Cord Injury Month".

On October 15, 1982:

S. 478. An act to provide for the partitioning of certain restricted Indian land in the State of Kansas.

S. 1573. An act to exempt the Lake Oswego, Oreg., hydroelectric facility from part I of the Federal Power Act (Act of June 10, 1920) as amended, and for other purposes.

S. 1777. An act relating to the establishment of a permanent boundary for that portion of the Acadia National Park as lies within the town of Isle au Haut, Maine.

S. 1872. An act to provide for a study of grazing phaseout at Capitol Reef National Park, and for other purposes.

S. 2252. An act to authorize appropriations for the Coast Guard for fiscal year 1983 and 1984, and for other purposes.

S. 2375. An act to extend the expiration date of the Defense Production Act of 1950.

S. 2386. An act to require the Director of the Office of Management and Budget to prepare an annual report consolidating the available data on the geographic distribution of Federal funds, and for other purposes.

S. 2436. An act to designate the Mary McLeod Bethune Council House in Washington, District of Columbia, as a national historic site, and for other purposes.

S. 2457. An act to amend the District of Columbia Self-Government and Governmental Reorganization Act to increase the amount authorized to be appropriated as the annual Federal payment to the District of Columbia.

S. 2574. An act to authorize appropriations for the construction of certain highways in accordance with title 23 of the United States, and for other purposes.

S. 2586. An act to authorize certain construction at military installations for fiscal year 1983, and for other purposes.

S.J. Res. 241. Joint resolution to provide for the designation of the week of December 12, 1982, through December 18, 1982, as "National Drunk and Drugged Driving Awareness Week".

On October 18, 1982:

S. 1018. An act to protect and conserve fish and wildlife resources, and for other purposes.

S. 1210. An act to authorize appropriations for the operations of the Office of Environmental Quality and the Council on Environmental Quality during fiscal years 1982, 1983, and 1984, and withdraw certain lands with the Mount Baker-Snoqualmie National Forest from leasing under mineral and geothermal leasing laws.

S.J. Res. 261. Joint resolution to designate "National Housing Week".

On October 19, 1982:

S. 2146. An act to extend the lease terms of Federal oil and gas leases, W66245, W66246, W66247, W66250.

S.J. Res. 257. Joint resolution to designate the month of November 1982, as "National Diabetes Month".

S.J. Res. 262. Joint resolution to designate the month of November 1982 as National Christmas Seal Month.

On October 22, 1982:

S. 1698. An act to amend the Immigration and Nationality Act to provide preferential treatment in the admission of certain children of U.S. citizens.

MESSAGE FROM THE HOUSE

At 4:30 p.m., a message from the House of Representatives, delivered by Mr. Berry, one of its reading clerks, announced that the House disagrees to the amendments of the Senate to the bill (H.R. 7072) making appropriations for Agriculture, Rural Development, and Related Agencies programs for the fiscal year ending September 30, 1983, and for other purposes; it agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and appoints Mr. WHITTEN, Mr. TRAXLER, Mr. ALEXANDER, Mr. McHUGH, Mr. NATCHER, Mr. HIGHTOWER, Mr. AKAKA, Mr. WATKINS, Mrs. SMITH of Nebraska, Mr. ROBINSON, Mr. MYERS, Mr. LEWIS, and Mr. CONTE as managers of the conference on the part of the House.

The message also announced that pursuant to the provisions of section 1, Public Law 689, 84th Congress, as amended, the Speaker, on November 10, 1982, appointed as members of the U.S. group of the North Atlantic Assembly held November 14-19, 1982, in

London, England, the following Members on the part of the House: Mr. PHILLIP BURTON, chairman, Mr. HAMILTON, vice chairman, Mr. BROOKS, Mr. ROSE, Ms. OAKER, Mr. GARCIA, Mr. ROSENTHAL, Mr. STARK, Mr. BROOMFIELD, Mr. WHITEHURST, Mr. BADHAM, and Mr. ROTH.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-4313. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report to Hon. Adam Benjamin, Jr., House of Representatives, entitled "Further Examination of the East Chicago, Indiana Highway Ramp Collapse Could Help Prevent Similar Accidents"; to the Committee on Environment and Public Works.

EC-4314. A communication from the Acting Director of the Office of Legislative Affairs, Agency for International Development, transmitting, pursuant to law, justification for increased foreign assistance funding for Spain; to the Committee on Foreign Relations.

EC-4315. A communication from the Acting Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, copies of international agreements, other than treaties, entered into by the United States within the previous 60 days; to the Committee on Foreign Relations.

EC-4316. A communication from the Executive Secretary of the Federal Deposit Insurance Corporation, transmitting, pursuant to law, a report on a new Privacy Act system of records; to the Committee on Governmental Affairs.

EC-4317. A communication from the Deputy Assistant Secretary of Defense for Administration, transmitting, pursuant to law, a report on a new Privacy Act system of records; to the Committee on Governmental Affairs.

EC-4318. A communication from the Secretary of Housing and Urban Affairs, transmitting a draft of proposed legislation relative to the powers of a bankruptcy court and the effect of stays relating to multifamily mortgages; to the Committee on the Judiciary.

EC-4319. A communication from the Administrative Director of the Arms Control and Disarmament Agency, transmitting the Agency's 1981 annual report under the Freedom of Information Act; to the Committee on the Judiciary.

EC-4320. A communication from the Assistant Secretary of Health and Human Services for Human Development Services, transmitting, pursuant to law, a short-term evaluation of the basic grants program for native Americans; to the Committee on Labor and Human Resources.

EC-4321. A communication from the Acting General Counsel of the General Accounting Office, transmitting, pursuant to law, a report on the status of budget authority proposed for rescission, but for which no rescission bill was passed by the Congress; jointly, pursuant to the order of January 30, 1975, to the Committee on Appropriations, the Committee on the Budget, and the

Committee on Energy and Natural Resources.

EC-4322. A communication from the President of the United States, transmitting, pursuant to law, a report, under the War Powers Act, of the deployment and mission of U.S. Armed Forces as part of a multinational presence in Beirut, Lebanon (received and referred in the Senate on October 5, 1982); to the Committee on Foreign Relations.

EC-4323. A communication from the Clerk of the U.S. Court of Claims, transmitting, pursuant to law, a copy of the Court's judgment order for the plaintiffs in the matter of *Lower Sioux Indian Community in Minnesota, et al. v. The United States*, No. 363; to the Committee on Appropriations.

EC-4324. A communication from the Assistant Secretary of Defense, Comptroller, transmitting, pursuant to law, a secret report on certain contract award dates for the period October 15, 1982, to December 15, 1982; to the Committee on Armed Services.

EC-4325. A communication from the Assistant Secretary of the Navy for Shipbuilding and Logistics, transmitting, pursuant to law, a report on a decision made to study the conversion of certain functions at various installations to performance under contract; to the Committee on Armed Services.

EC-4326. A communication from the Assistant Secretary of the Navy for Shipbuilding and Logistics, transmitting, pursuant to law, a report on a decision made to convert the physical inventory function at the Naval Supply Center, Oakland, Calif., to performance under contract; to the Committee on Armed Services.

EC-4327. A communication from the Assistant Secretary of Defense, transmitting, pursuant to law, a report making certain certifications with respect to the IR Maverick missile system; to the Committee on Armed Services.

EC-4328. A communication from the Director of the Federal Emergency Management Agency, transmitting, pursuant to law, a report on the strategic and critical materials stockpile; to the Committee on Armed Services.

EC-4329. A communication from the Chairman of the Securities and Exchange Commission, transmitting a draft of proposed legislation to impose tougher sanctions on persons purchasing or selling securities while in possession of material non-public information; to the Committee on Banking, Housing, and Urban Affairs.

EC-4330. A communication from the Vice President for Government Affairs of Amtrak, transmitting, pursuant to law, a report for July 1982 on the average number of passengers per day and the ontime performance for each train operated; to the Committee on Commerce, Science, and Transportation.

EC-4331. A communication from the Vice President for Government Affairs of Amtrak, transmitting, pursuant to law, a report for June 1982 on itemized revenues and expenses of the National Railroad Passenger Corporation; to the Committee on Commerce, Science, and Transportation.

EC-4332. A communication from the Director of the Office of Management and Budget, transmitting, pursuant to law, a plan for the Los Olmos Creek Watershed, Tex.; to the Committee on Environment and Public Works.

EC-4333. A communication from the Inspector General of the Department of

Health and Human Services, transmitting, pursuant to law, a report on a new Privacy Act system of records; to the Committee on Governmental Affairs.

EC-4334. A communication from the Inspector General of the Department of Health and Human Services, transmitting, pursuant to law, a copy of a health care provider fraud and abuse manual entitled "Dental Investigative Guide"; to the Committee on Governmental Affairs.

EC-4335. A communication from the Acting Assistant Secretary of the Interior for Indian Affairs, transmitting, pursuant to law, the fiscal years 1981 and 1982 reports on the status of tribally controlled community colleges; to the Select Committee on Indian Affairs.

EC-4336. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report and recommendations concerning the claim of the Atlanta Journal for advertising provided for the Army Division, Fort Stewart, Ga. To the Committee on the Judiciary.

EC-4337. A communication from the Executive Secretary of the office of the Secretary of Defense, transmitting, pursuant to law, a report on DOD procurement from small and other business firms October-May, 1982; to the Committee on small Business.

EC-4338. A communication from the Executive Secretary of the office of the Secretary of Defense, transmitting, pursuant to law, a report on DOD procurement from small and other business firms for October-April, 1982; to the Committee on small Business.

EC-4339. A communication from the Executive Secretary of the office of the Secretary of Defense, transmitting, pursuant to law, a report on DOD procurement from small and other business firms for October 1981-June 1982; to the Committee on small Business.

EC-4340. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Review of the Disabled American Veterans National Headquarters' Financial Statements for the Year Ended December 31, 1981"; to the Committee on Veterans Affairs.

EC-4341. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "An Analysis of Fiscal and Monetary Policies"; to the Committee on Appropriations.

EC-4342. A communication from the Director of the Defense Security Assistance Agency, transmitting, pursuant to law, a confidential report on a foreign military assistance sale to Japan; to the Committee on Armed Services.

EC-4343. A communication from the Deputy Assistant Secretary of Defense for Administration, transmitting, pursuant to law, a report on the exclusion from examination by the Comptroller General of certain records in connection with a contract between the Navy and Golcuk Naval Shipyard, Golcuk, Turkey, for the repair and alteration to U.S. 6th Fleet vessels; to the Committee on Armed Services.

EC-4344. A communication from the Principal Deputy Assistant Secretary of the Navy for Shipbuilding and Logistics, transmitting, pursuant to law, a report on a decision made to convert the data transcription/entry function at the Naval Air Station, North Island, Calif. to performance under contract; to the Committee on Armed Services.

EC-4345. A communication from the General Counsel of the Department of Defense, transmitting, pursuant to law, a copy of certain amendments to the "Manual for Courts-Martial, United States"; to the Committee on Armed Services.

EC-4346. A communication from the Principal Assistant Secretary of the Navy for Shipbuilding and Logistics, transmitting, pursuant to law, a report on a decision made to convert the keypunch function at the Naval Shipyard, Norfolk, Va. to performance under contract; to the Committee on Armed Services.

EC-4347. A communication from the Director, Facility Requirements and Resources, Office of the Assistant Secretary of Defense for Manpower, Reserve Affairs, and Logistics, transmitting, pursuant to law, a report on certain Air Force Reserve construction projects; to the Committee on Armed Services.

EC-4348. A communication from the Principal Deputy Assistant Secretary of the Navy for Shipbuilding and Logistics, transmitting, pursuant to law, a report on a decision made to convert the administrative telephone service function at the Naval Shipyard, Norfolk, Va., to performance under contract; to the Committee on Armed Services.

EC-4349. A communication from the Assistant Secretary of the Air Force, transmitting, pursuant to law, a report on a decision made to convert the military family housing maintenance function at Nellis Air Force Base, Nev., to performance under contract; to the Committee on Armed Services.

EC-4350. A communication from the Principal Deputy Assistant Secretary of the Navy for Shipbuilding and Logistics, transmitting, pursuant to law, a report on a decision made to convert the inactive ship maintenance function at the Naval Inactive Ship Maintenance Facility, Portsmouth, Va., to performance under contract; to the Committee on Armed Services.

EC-4351. A communication from the Deputy Assistant Secretary of the Air Force for Logistics and Communications, transmitting, pursuant to law, a report on cancellation of certain proposed conversions to performance under contract and certain other functions to be studied for possible conversion to performance under contract; to the Committee on Armed Services.

EC-4352. A communication from the Acting Assistant Secretary of Defense for Health Affairs, transmitting, pursuant to law, a review of special pays for military health professionals; to the Committee on Armed Services.

EC-4353. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Review of the National Credit Union Administration Central Liquidity Facility's Financial Statements for the Year Ended September 30, 1981"; to the Committee on Banking, Housing, and Urban Affairs.

EC-4354. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Analysis of Options for Aiding the Homebuilding and Forest Products Industries"; to the Committee on Banking, Housing, and Urban Affairs.

EC-4355. A communication from the President and Chairman of the Export-Import Bank of the United States, transmitting, pursuant to law, a report on loan, guarantee, and insurance transactions of the Bank with Communist countries; to the Committee on Banking, Housing, and Urban Affairs.

EC-4356. A communication from the Secretary of Transportation, transmitting, pursuant to law, the 1982 third-quarter report of the Urban Mass Transportation Administration; to the Committee on Banking, Housing, and Urban Affairs.

EC-4357. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report on the authorization for construction of six vessels for a subsidized company in a foreign shipyard; to the Committee on Commerce, Science, and Transportation.

EC-4358. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report on the authorization for construction of two vessels for a subsidized company in a foreign shipyard; to the Committee on Commerce, Science, and Transportation.

EC-4359. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report on the authorization for the construction of 10 vessels for a subsidized company in a foreign shipyard; to the Committee on Commerce, Science, and Transportation.

EC-4360. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report on the authorization for construction of two vessels for a subsidized company in a foreign shipyard; to the Committee on Commerce, Science, and Transportation.

EC-4361. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report on the authorization for the reconstruction of a vessel for a subsidized company in a foreign shipyard; to the Committee on Commerce, Science, and Transportation.

EC-4362. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report on the authorization of reconstruction of three vessels for a subsidized company in a foreign shipyard; to the Committee on Commerce, Science, and Transportation.

EC-4363. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report on the authorization for the construction of 14 vessels for a subsidized company in a foreign shipyard; to the Committee on Commerce, Science, and Transportation.

EC-4364. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report on the authorization for the construction of two vessels for a subsidized company in a foreign shipyard; to the Committee on Commerce, Science, and Transportation.

EC-4365. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, a trade regulation governing funeral industry practices; to the Committee on Commerce, Science, and Transportation.

EC-4366. A communication from the Chairman of the National Transportation Safety Board, transmitting, pursuant to law, the 1984 budget submission of the National Transportation Safety Board; to the Committee on Commerce, Science, and Transportation.

EC-4367. A communication from the Secretary of the Interior, transmitting pursuant to law, the second annual report on the establishment of an oil and gas leasing program for the non-North Slope Federal lands; to the Committee on Energy and Natural Resources.

EC-4368. A communication from the Secretary of the Interior, transmitting, pursuant to law, a report on the authorization for the construction of two vessels for a subsidized company in a foreign shipyard; to the Committee on Commerce, Science, and Transportation.

ant to law, an application for a loan under the Small Reclamation Projects Act from the Columbia Irrigation District, Washington; to the Committee on Energy and Natural Resources.

EC-4369. A communication from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Interior's Report of Shut-In Or Flaring Wells Unnecessary, But Oversight Should Continue"; to the Committee on Energy and Natural Resources.

EC-4370. A communication from the Secretary of Energy, transmitting, pursuant to law, a report on progress by State authorities and nonregulated utilities in complying with State requirements on certain rate-making and regulatory policy standards for the period July 1, 1980, to November 9, 1981; to the Committee on Energy and Natural Resources.

EC-4371. A communication from the General Counsel of the Department of Energy, transmitting, pursuant to law, notice of meetings related to the international energy program; to the Committee on Energy and Natural Resources.

EC-4372. A communication from the Secretary of the Interior, transmitting, pursuant to law, an application for a loan under the Small Reclamation Projects Act by the Fallbrook Public Utility District, California; to the Committee on Energy and Natural Resources.

EC-4373. A communication from the chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the annual report of the Commission for fiscal year 1981; to the Committee on Energy and Natural Resources.

EC-4374. A communication from the Secretary of the Interior, transmitting, pursuant to law, notice of a transfer to fill the position of U.S. Comptroller for the Virgin Islands; to the Committee on Energy and Natural Resources.

EC-4375. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, proposed lease prospectus amendments; to the Committee on Environment and Public Works.

EC-4376. A communication from the chairman of the Nuclear Regulatory Commission, transmitting, pursuant to law, a report on the study of the feasibility of licensing plant managers and senior licensee officers responsible for the operation of nuclear power facilities; to the Committee on Environment and Public Works.

EC-4377. A communication from the U.S. Trade Representative, transmitting, pursuant to law, the annual report on the operation of the International Coffee Agreement; to the Committee on Finance.

EC-4378. A communication from the Acting Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, a report on international agreements, other than treaties, entered into by the United States in the 60-day period prior to October 1, 1982; to the Committee on Foreign Relations.

EC-4379. A communication from the Acting Assistant Legal Adviser for Treaty Affairs of the Department of State transmitting, pursuant to law, a list of international agreements other than treaties entered into by the United States within the last 60 days; to the Committee on Foreign Relations.

EC-4380. A communication from the Acting Assistant Legal Adviser for Treaty Affairs of the Department of State trans-

mitting, pursuant to law, a list of international agreements other than treaties entered into by the United States within the last 60 days; to the Committee on Foreign Relations.

EC-4381. A communication from the President's Task Force on Management Reform of the Office of Management and Budget transmitting a notification on new directives to improve Government management and reduce fraud and waste relating to agency audits; to the Committee on Governmental Affairs.

EC-4382. A communication from the District of Columbia Auditor transmitting, pursuant to law, a report on audits of Advisory Neighborhood Commissions; to the Committee on Governmental Affairs.

EC-4383. A communication from the District of Columbia Auditor transmitting, pursuant to law, a report on the Washington Convention Center; to the Committee on Governmental Affairs.

EC-4384. A communication from the Assistant Secretary for Health of the Department of Health and Human Services transmitting, pursuant to law, a report on a system of records on shipment of drugs of abuse to authorized researchers; to the Committee on Governmental Affairs.

EC-4385. A communication from the Assistant Secretary for Administration of the Department of Transportation transmitting, pursuant to law, a report on an alteration of a system of records; to the Committee on Governmental Affairs.

EC-4386. A communication from the Deputy Assistant Secretary of the Interior transmitting, pursuant to law, a report on a new system of records and a proposed computer matching program; to the Committee on Governmental Affairs.

EC-4387. A communication from the Secretary of the Postal Rate Commission transmitting, pursuant to law, advance notice of proposed rulemaking; to the Committee on Governmental Affairs.

EC-4388. A communication from the District of Columbia Auditor transmitting, pursuant to law, a report on a review of vendor payments processed through the District's Financial Management System; to the Committee on Governmental Affairs.

EC-4389. A communication from the District of Columbia Auditor transmitting, pursuant to law, a report on the Washington Convention Center; to the Committee on Governmental Affairs.

EC-4390. A communication from the Secretary of the Trust Committee transmitting, pursuant to law, a statement of general information for the plan year ended February 28, 1982; to the Committee on Governmental Affairs.

EC-4391. A communication from the Assistant Secretary for Health of the Department of Health and Human Services transmitting, pursuant to law, a report on a new system of records on biomedical research; to the Committee on Governmental Affairs.

EC-4392. A communication from the Secretary of Education transmitting, pursuant to law, a "Revised Report on the Definition of Indian"; to the Select Committee on Indian Affairs.

EC-4393. A communication from the Assistant Secretary of Indian Affairs of the Department of the Interior transmitting, pursuant to law, a proposed plan for the use and distribution of judgment funds awarded to the Red Lake Band of Chippewa Indians of the Red Lake Reservation, Minnesota; to the Select Committee on Indian Affairs.

EC-4394. A communication from the Commissioner of the Immigration and Natural-

ization Service of the Department of Justice transmitting, pursuant to law, copies of orders suspending deportation and a list of the persons involved; to the Committee on the Judiciary.

EC-4395. A communication from the Attorney General transmitting a draft of the administration's proposed Immigration Emergency Act; to the Committee on the Judiciary.

EC-4396. A communication from the Secretary of Education transmitting, pursuant to law, the annual report on the Centers for Educational Media and Materials for the Handicapped; to the Committee on Labor and Human Resources.

EC-4397. A communication from the Secretary of Health and Human Services transmitting, pursuant to law, a report on assessing efficiency and effectiveness of State social service programs and the feasibility of a Federal incentive system in these programs; to the Committee on Labor and Human Resources.

EC-4398. A communication from the Secretary of Education transmitting, pursuant to law, the 1982 annual report of the Women's Education Equity Act Program; to the Committee on Labor and Human Resources.

EC-4399. A communication from the Acting Under Secretary for International Affairs and Commodity Programs of the Department of Agriculture transmitting, pursuant to law, the initial commodity and country allocation table showing the planned programming of food assistance under title I-III of Public Law 480 for fiscal year 1983; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4400. A communication from the Under Secretary for International Affairs and Commodity Programs of the Department of Agriculture transmitting, pursuant to law, a table showing the final Public Law 480 title I-III country and commodity allocations for fiscal year 1982; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4401. A communication from the Director of the Office of Management and Budget transmitting, pursuant to law, the fiscal year 1982 cumulative report on rescissions and deferrals; to the Committee on the Budget and the Committee on Appropriations, jointly, pursuant to the order of January 30, 1975.

EC-4402. A communication from the Acting Assistant Secretary of Defense (Comptroller) transmitting, pursuant to law, notification of transfer of funds; to the Committee on Appropriations.

EC-4403. A communication from the Secretary of the Navy transmitting a notification concerning a quarterly unit cost report for the LAMPS MK III Program; to the Committee on Armed Services.

EC-4404. A communication from the Assistant Secretary of the Navy (Shipbuilding and Logistics) transmitting, pursuant to law, notification of a study conducted at the Public Works Center, Norfolk, Va.; to the Committee on Armed Services.

EC-4405. A communication from the Director of the Mission Analysis and Systems Acquisition Division of the General Accounting Office transmitting information regarding Trident II (D-5) Missile configured Trident submarine costs and schedule; to the Committee on Armed Services.

EC-4406. A communication from the Secretary of Housing and Urban Development transmitting the Department's report on recent evidence regarding the costs of HUD

housing subsidy programs; to the Committee on Banking, Housing, and Urban Affairs.

EC-4407. A communication from the President and Chairman of the Export-Import Bank of the United States transmitting, pursuant to law, a report on loan, guarantee, and insurance transactions supported by Eximbank during August 1982 to Communist countries; to the Committee on Banking, Housing, and Urban Affairs.

EC-4408. A communication from the Vice President for Government Affairs of the National Railroad Passenger Corporation transmitting, pursuant to law, a report on rail passenger service for the month of July 1982; to the Committee on Commerce, Science, and Transportation.

EC-4409. A communication from the Assistant Secretary for Territorial and International Affairs of the Department of the Interior transmitting, pursuant to law, the annual report on the fiscal condition of the Government of Guam for the year ended September 30, 1981; to the Committee on Energy and Natural Resources.

EC-4410. A communication from the Director of the Division of Congressional Liaison of the Federal Energy Regulatory Commission transmitting a report on the impact of 1982-83 winter gas supply for 24 pipeline companies, covering the period November 1982 through March 1983; to the Committee on Energy and Natural Resources.

EC-4411. A communication from the Director of the Minerals Management Service of the Department of the Interior transmitting, pursuant to law, notification of a refund to be made to Union Texas Petroleum and the Superior Oil Co.; to the Committee on Energy and Natural Resources.

EC-4412. A communication from the Director of the Minerals Management Service of the Department of the Interior transmitting, pursuant to law, a summary of refunds due Texaco Inc. and The Superior Oil Co. under section 10 of the Outer Continental Shelf Lands Act; to the Committee on Energy and Natural Resources.

EC-4413. A communication from the Comptroller General of the United States transmitting a report to the Congress on public rangeland improvement; to the Committee on Energy and Natural Resources.

EC-4414. A communication from the General Counsel of the Department of Energy transmitting, pursuant to law, notice of a meeting related to the International Energy Program; to the Committee on Energy and Natural Resources.

EC-4415. A communication from the General Counsel of the Department of Energy transmitting, pursuant to law, notice of a meeting related to the International Energy Program; to the Committee on Energy and Natural Resources.

EC-4416. A communication from the Secretary of Energy transmitting, pursuant to law, a report on the performance of wind systems installed under the Federal Wind Program; to the Committee on Energy and Natural Resources.

EC-4417. A communication from the Acting Assistant Legal Adviser for Treaty Affairs of the Department of State transmitting, pursuant to law, a list of international agreements, other than treaties, entered into by the United States within the last 60 days; to the Committee on Foreign Relations.

EC-4418. A communication from the Deputy Assistant Secretary of Defense transmitting, pursuant to law, a report of an altered record system entitled "Family Advocacy Case Management Files"; to the Committee on Governmental Affairs.

EC-4419. A communication from the Deputy Assistant Secretary of Defense transmitting, pursuant to law, a report of an altered system of records entitled "Investigatory (Fraud) System"; to the Committee on Governmental Affairs.

EC-4420. A communication from the Assistant Secretary of Health of the Department of Health and Human Services transmitting, pursuant to law, a report of an altered Privacy Act system of records; to the Committee on Governmental Affairs.

EC-4421. A communication from the Comptroller General of the United States transmitting, pursuant to law, a list of General Accounting Office reports from September 1982; to the Committee on Governmental Affairs.

EC-4422. A communication from the Secretary of Health and Human Services transmitting, pursuant to law, a report of hospital prospective payment systems; to the Committee on Finance.

EC-4423. A communication from the Administrator of the Veterans' Administration transmitting a draft of proposed legislation clarifying the Administrator's authority to approve the release of information from VA record systems; to the Committee on Veterans Affairs.

EC-4424. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a cumulative report on budget rescissions and deferrals for November 1982; pursuant to the order of January 30, 1975, referred jointly to the Committee on the Budget, the Committee on Appropriations, the Committee on Agriculture, Nutrition, and Forestry, the Committee on Commerce, Science, and Transportation, the Committee on Armed Services, the Committee on Energy and Natural Resources, the Committee on Labor and Human Resources, the Committee on Foreign Relations, the Committee on Finance, and the Committee on Governmental Affairs.

EC-4425. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report on the President's first special message for fiscal year 1983; pursuant to the order of January 30, 1975, referred jointly to the Committee on the Budget, the Committee on Appropriations, the Committee on Agriculture, Nutrition, and Forestry, the Committee on Commerce, Science, and Transportation, the Committee on Armed Services, the Committee on Energy and Natural Resources, the Committee on Labor and Human Resources, the Committee on Foreign Relations, the Committee on Finance, and the Committee on Governmental Affairs.

EC-4426. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report on a certain deferral of budget authority; pursuant to the order of January 30, 1975, referred jointly to the Committee on the Budget, the Committee on Appropriations, the Committee on Commerce, Science, and Transportation, and the Committee on Foreign Relations.

EC-4427. A communication from the Clerk of the U.S. Claims Court, transmitting, pursuant to law, a copy of the court's judgment in the case *Shoshone-Bannock Tribes, etc., v. the United States*; to the Committee on Appropriations.

EC-4428. A communication from the Administrator of the Panama Canal Commission, transmitting, pursuant to law, a report

on an accident in the Canal; to the Committee on Armed Services.

EC-4429. A communication from the Administrator of the Panama Canal Commission, transmitting, pursuant to law, a report on an accident in the Canal; to the Committee on Armed Services.

EC-4430. A communication from the Acting Assistant Secretary of Defense (Comptroller), transmitting, pursuant to law, a report on contract award information from the period October 15, 1982 to December 15, 1982; to the Committee on Armed Services.

EC-4431. A communication from the Acting Assistant Secretary of Defense (Comptroller), transmitting, pursuant to law, selected acquisition reports for the period ending September 30, 1982; to the Committee on Armed Services.

EC-4432. A communication from the Deputy Assistant Secretary of Defense (Administration), transmitting, pursuant to law, a report on the intention of the Department of the Navy to exclude certain records from examination by the Comptroller General; to the Committee on Armed Services.

EC-4433. A communication from the Deputy Assistant Secretary of Defense (Comptroller), transmitting, pursuant to law, a report on the intention of the Department of the Navy to exclude certain records from examination by the Comptroller General; to the Committee on Armed Services.

EC-4434. A communication from the Secretary of the Navy, transmitting, pursuant to law, a report on the cost of a selected major defense weapon system; to the Committee on Armed Services.

EC-4435. A communication from the Acting Fiscal Assistant Secretary of the Treasury, transmitting, pursuant to law, a report on the actual amount of revenues deposited in the Panama Canal Commission Fund during fiscal year 1982; to the Committee on Armed Services.

EC-4436. A communication from the Principal Deputy Assistant Secretary of Defense (Comptroller), transmitting, pursuant to law, a report of the value of property, supplies, and commodities provided by the Berlin Magistrate and under the German Offset Agreement for the quarter ended September 30, 1982; to the Committee on Armed Services.

EC-4437. A communication from the Secretary of the Air Force, transmitting, pursuant to law, a report on the cost of a selected major weapon system; to the Committee on Armed Services.

EC-4438. A communication from the Director of the Federal Emergency Management Agency, transmitting, pursuant to law, a report on property acquisition of emergency supplies and equipment; to the Committee on Armed Services.

EC-4439. A communication from the Deputy Assistant Secretary of Defense (Comptroller), transmitting, pursuant to law, a report on the intention of the Department of the Navy to exclude certain records from examination by the Comptroller General; to the Committee on Armed Services.

EC-4440. A communication from the Deputy Assistant Secretary of Defense (Comptroller), transmitting, pursuant to law, a report on the intention of the Department of the Army to exclude certain records from examination by the Comptroller General; to the Committee on Armed Services.

EC-4441. A communication from the Director of the Defense Security Assistance Agency, transmitting, pursuant to law, a report on a Presidential determination re-

garding the sale of communications equipment to Lebanon; to the Committee on Armed Services.

EC-4442. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Improving The Air Force Modification Process Will Benefit Management of Spare Parts In The Air Force and Defense Logistics Agency"; to the Committee on Armed Services.

EC-4443. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "The 1978 Navy Shipbuilding Claim Settlement At Electric Boat—Status As Of December 26, 1981"; to the Committee on Armed Services.

EC-4444. A communication from the Assistant Secretary of the Army (Installations, Logistics, and Financial Management), transmitting, pursuant to law, a report on the conversion of a certain function to contractor performance; to the Committee on Armed Services.

EC-4445. A communication from the Principal Deputy Assistant Secretary of the Navy (Shipbuilding and Logistics), transmitting, pursuant to law, a report on the conversion of a certain function to contractor performance; to the Committee on Armed Services.

EC-4446. A communication from the Principal Deputy Assistant Secretary of the Navy (Shipbuilding and Logistics), transmitting, pursuant to law, a report on the conversion of a certain function to contractor performance; to the Committee on Armed Services.

EC-4447. A communication from the Principal Deputy Assistant Secretary of the Navy (Shipbuilding and Logistics), transmitting, pursuant to law, a report on the conversion of a function to contractor performance; to the Committee on Armed Services.

EC-4448. A communication from the Principal Deputy Assistant Secretary of the Navy (Shipbuilding and Logistics), transmitting, pursuant to law, a report on the conversion of a function to contractor performance; to the Committee on Armed Services.

EC-4449. A communication from the Principal Deputy Assistant Secretary of the Navy (Shipbuilding and Logistics), transmitting, pursuant to law, a report on the conversion of a function to contractor performance; to the Committee on Armed Services.

EC-4450. A communication from the Principal Deputy Assistant Secretary of the Navy (Shipbuilding and Logistics), transmitting, pursuant to law, a report on the conversion of a function to contractor performance; to the Committee on Armed Services.

EC-4451. A communication from the Principal Deputy Assistant Secretary of the Navy (Shipbuilding and Logistics), transmitting, pursuant to law, a report on the conversion of a function to contractor performance; to the Committee on Armed Services.

EC-4452. A communication from the Principal Deputy Assistant Secretary of the Navy (Shipbuilding and Logistics), transmitting, pursuant to law, a report on the conversion of a function to contractor performance; to the Committee on Armed Services.

EC-4453. A communication from the Principal Deputy Assistant Secretary of the Navy (Shipbuilding and Logistics), transmitting, pursuant to law, a report on the conversion of a function to contractor performance; to the Committee on Armed Services.

EC-4454. A communication from the Principal Deputy Assistant Secretary of the Navy (Shipbuilding and Logistics), transmit-

ting, pursuant to law, a report on the conversion of a function to contractor performance; to the Committee on Armed Services.

EC-4455. A communication from the Principal Deputy Assistant Secretary of the Navy (Shipbuilding and Logistics), transmitting, pursuant to law, a report on the conversion of a function to contractor performance; to the Committee on Armed Services.

EC-4456. A communication from the Principal Deputy Assistant Secretary of the Navy (Shipbuilding and Logistics), transmitting, pursuant to law, a report on the conversion of a function to contractor performance; to the Committee on Armed Services.

EC-4457. A communication from the Principal Deputy Assistant Secretary of the Navy (Shipbuilding and Logistics), transmitting, pursuant to law, a report on the conversion of a function to contractor performance; to the Committee on Armed Services.

EC-4458. A communication from the Principal Deputy Assistant Secretary of the Navy (Shipbuilding and Logistics), transmitting, pursuant to law, a report on the conversion of a function to contractor performance; to the Committee on Armed Services.

EC-4459. A communication from the Principal Deputy Assistant Secretary of the Navy (Shipbuilding and Logistics), transmitting, pursuant to law, a report on the conversion of a function to contractor performance; to the Committee on Armed Services.

EC-4460. A communication from the Principal Deputy Assistant Secretary of the Navy (Shipbuilding and Logistics), transmitting, pursuant to law, a report on the conversion of a function to contractor performance; to the Committee on Armed Services.

EC-4461. A communication from the Principal Deputy Assistant Secretary of the Navy for Shipbuilding and Logistics transmitting, pursuant to law, notice of decision to study the conversion to contractor performance of a commercial or industrial-type function then being performed by Defense employees; to the Committee on Armed Services.

EC-4462. A communication from the President and Chairman of the Export-Import Bank of the United States transmitting, pursuant to law, a report of an increase in the financing to be provided by Eximbank for a project in Indonesia; to the Committee on Banking, Housing, and Urban Affairs.

EC-4463. A communication from the executive director of the Neighborhood Reinvestment Corp. transmitting, pursuant to law, a report on the activities and fiscal status of the Neighborhood Reinvestment Corp.; to the Committee on Banking, Housing, and Urban Affairs.

EC-4464. A communication from the Secretary of Housing and Urban Development transmitting, pursuant to law, a report of the recapture of front-end investment cost for withdrawn section 8 units; to the Committee on Banking, Housing, and Urban Affairs.

EC-4465. A communication from the Comptroller General of the United States transmitting, pursuant to law, a report on the examination of the Export-Import Bank's fiscal year 1981 financial operations and related issues; to the Committee on Banking, Housing, and Urban Affairs.

EC-4466. A communication from the Acting Comptroller General of the United States transmitting a report on the extent to which lower income persons benefit from the community development block grant program; to the Committee on Banking, Housing, and Urban Affairs.

EC-4467. A communication from the Secretary of Transportation transmitting a draft of a proposed bill to amend title 14, United States Code, to provide for selective preappointment travel to the Coast Guard Academy for cadet applicants; to the Committee on Commerce, Science, and Transportation.

EC-4468. A communication from the Secretary of Commerce transmitting, pursuant to law, the annual report on the activities of the U.S. Travel Service for fiscal year 1981; to the Committee on Commerce, Science, and Transportation.

EC-4469. A communication from the Secretary of the Interstate Commerce Commission transmitting, pursuant to law, a proposal of an extension of the specified 180-day period on a decision in *Mobil Chemical Company v. Seaboard Coast Line Railroad Company*; to the Committee on Commerce, Science, and Transportation.

EC-4470. A communication from the Chairman of the Federal Trade Commission transmitting, pursuant to law, the updated 1980 report on sales and advertising data under the Federal Cigarette Labeling and Advertising Act; to the Committee on Commerce, Science, and Transportation.

EC-4471. A communication from the Vice President for Government Affairs of Amtrak transmitting, pursuant to law, passenger and train information for the month of August 1982 of the National Railroad Passenger Corporation; to the Committee on Commerce, Science, and Transportation.

EC-4472. A communication from the Administrator of the Federal Aviation Administration transmitting, pursuant to law, the semiannual report on the effectiveness of the civil aviation security program; to the Committee on Commerce, Science, and Transportation.

EC-4473. A communication from the Chairman of the Interstate Commerce Commission transmitting, pursuant to law, a report on the joint rate problems of rail carriers; to the Committee on Commerce, Science, and Transportation.

EC-4474. A communication from the Administrator of the National Oceanic and Atmospheric Administration transmitting, pursuant to law, biennial report of the findings of the program of research and monitoring for early detection of stratospheric ozone change; to the Committee on Commerce, Science, and Transportation.

EC-4475. A communication from the Secretary of Commerce transmitting, pursuant to law, a report on the long range plan for public telecommunications facilities; to the Committee on Commerce, Science, and Transportation.

EC-4476. A communication from the Director of the Minerals Management Service of the Department of the Interior transmitting, pursuant to law, a report on review and revision of royalty payments for fiscal years 1980 and 1981 for Federal onshore and Outer Continental Shelf oil and gas leases; to the Committee on Energy and Natural Resources.

EC-4477. A communication from the Federal Inspector of the Alaska Natural Gas System transmitting, pursuant to law, the quarterly report for July through September 1982 on the status of the Alaska Natural Gas Transportation System; to the Committee on Energy and Natural Resources.

EC-4478. A communication from the Director of the Minerals Management Service transmitting, pursuant to law, notice of a refund of an excess royalty payment to

Conoco Inc.; to the Committee on Energy and Natural Resources.

EC-4479. A communication from the Director of the Minerals Management Service transmitting, pursuant to law, notice of a refund of an excess royalty payment to Conoco Inc.; to the Committee on Energy and Natural Resources.

EC-4480. A communication from the Director of the Minerals Management Service transmitting, pursuant to law, notice of a refund of an excess royalty payment to ARCO Oil and Gas Co.; to the Committee on Energy and Natural Resources.

EC-4481. A communication from the Acting Secretary of the Interior transmitting, pursuant to law, a notice on leasing systems for the Oil and Gas Lease Sale No. 69 Gulf of Mexico; to the Committee on Energy and Natural Resources.

EC-4482. A communication from the Director of the Minerals Management Service transmitting, pursuant to law, notice of refund of an excess royalty payment to McMorna Oil & Gas Co., Conoco Inc., Phillips Petroleum Co., Getty Oil Co., and Texas Gas Exploration Corp.; to the Committee on Energy and Natural Resources.

EC-4483. A communication from the Director of the Minerals Management Service transmitting, pursuant to law, notice of refund of an excess royalty payment to Shell Oil Co.; to the Committee on Energy and Natural Resources.

EC-4484. A communication from the Director of the Minerals Management Service transmitting, pursuant to law, notice of a refund of an excess royalty payment to General American Oil Co. of Texas, Amoco Production Co., Gulf Oil Corp., Getty Oil Co., and Conoco Inc.; to the Committee on Energy and Natural Resources.

EC-4485. A communication from the Director of the Minerals Management Service transmitting, pursuant to law, notice of refund of an excess royalty payment to Gulf Oil Corp.; to the Committee on Energy and Natural Resources.

EC-4486. A communication from the Acting Secretary of the Interior transmitting, pursuant to law, notice of an application for a loan from the East Bench Gravity Co.; to the Committee on Energy and Natural Resources.

EC-4487. A communication from the Assistant Secretary for Conservation and Renewable Energy of the Department of Energy transmitting, pursuant to law, the annual report for fiscal year 1981 on Federal activities and programs in geothermal energy; to the Committee on Energy and Natural Resources.

EC-4488. A communication from the Assistant Secretary for Territorial and International Affairs of the Department of the Interior transmitting, pursuant to law, the annual report on the financial condition of the Commonwealth of the Northern Mariana Islands for the fiscal year ended September 30, 1981; to the Committee on Energy and Natural Resources.

EC-4489. A communication from the Administrator of the Energy Information Administration of the Department of Energy transmitting, pursuant to law, a report on Energy Company Development Patterns in the Postembargo Era, 1974-80; to the Committee on Energy and Natural Resources.

EC-4490. A communication from the Deputy Administrator of the General Services Administration transmitting, pursuant to law, a list of lease prospectuses; to the Committee on Environment and Public Works; to the Committee on Environment and Public Works.

EC-4491. A communication from the managing trustee of the Federal old-age and survivors insurance trust fund, transmitting, pursuant to law, notice that such fund has borrowed \$581,252,899.48 from the Federal disability insurance trust fund; to the Committee on Finance.

EC-4492. A communication from the Secretary of Health and Human Services transmitting, pursuant to law, the Department's report on State Medicaid program compliance with the Social Security Act; to the Committee on Finance.

EC-4493. A communication from the Deputy U.S. Trade Representative transmitting, pursuant to law, a report on the operation and effect of the International Sugar Agreement; to the Committee on Finance.

EC-4494. A communication from the Chairman of the U.S. International Trade Commission transmitting, pursuant to law, a report on the operation of U.S. trade agreements during 1980 and 1981; to the Committee on Finance.

EC-4495. A communication from the Chairman of the Board of Foreign Scholarships transmitting, pursuant to law, a report entitled "Fulbright Program Exchanges, 1981"; to the Committee on Foreign Relations.

EC-4496. A communication from the Director of the Defense Security Assistance Agency transmitting, pursuant to law, a report on the provision of emergency military assistance to El Salvador totaling \$55 million; to the Committee on Foreign Relations.

EC-4497. A communication from the Chairman of the National Advisory Council on International Monetary and Financial Policies transmitting, pursuant to law, the annual report of the Council for fiscal year 1981; to the Committee on Foreign Relations.

EC-4498. A communication from the Acting Assistant Legal Adviser for Treaty Affairs transmitting, pursuant to law, copies of international agreements, other than treaties, entered into by the United States within the previous 60 days; to the Committee on Foreign Relations.

EC-4499. A communication from the Acting Assistant Legal Adviser for Treaty Affairs transmitting, pursuant to law, copies of international agreements, other than treaties, entered into by the United States within the previous 60 days; to the Committee on Foreign Relations.

EC-4500. A communication from the Acting Assistant Legal Adviser for Treaty Affairs transmitting, pursuant to law, copies of international agreements, other than treaties, entered into by the United States within the previous 60 days; to the Committee on Foreign Relations.

EC-4501. A communication from the Acting Assistant Legal Adviser for Treaty Affairs transmitting, pursuant to law, copies of international agreements, other than treaties, entered into by the United States within the previous 60 days; to the Committee on Foreign Relations.

EC-4502. A communication from the Acting Assistant Legal Adviser for Treaty Affairs transmitting, pursuant to law, copies of international agreements, other than treaties, entered into by the United States within the previous 60 days; to the Committee on Foreign Relations.

EC-4503. A communication from the Acting Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, copies of international agreements, other than treaties, entered

into by the United States within the previous 60 days; to the Committee on Foreign Relations.

EC-4504. A communication from the Secretary of the U.S. Postal Rate Commission transmitting, pursuant to law, notice of proposed rulemaking promulgated by the Commission; to the Committee on Governmental Affairs.

EC-4505. A communication from the Secretary of Commerce transmitting, pursuant to law, the report of the Inspector General of the Department of Commerce for the period April 1 to September 30, 1982; to the Committee on Governmental Affairs.

EC-4506. A communication from the Assistant Secretary of the Treasury for Administration transmitting, pursuant to law, a report on a new Privacy Act system of records; to the Committee on Governmental Affairs.

EC-4507. A communication from the Under Secretary of State for Management transmitting, pursuant to law, a report on a new Privacy Act system of records; to the Committee on Governmental Affairs.

EC-4508. A communication from the Deputy Assistant Secretary of Defense for Administration transmitting, pursuant to law, a report on a new Privacy Act system of records; to the Committee on Governmental Affairs.

EC-4509. A communication from the Inspector General of the Department of Health and Human Services transmitting, pursuant to law, a copy of the Pharmacy Investigative Manual; to the Committee on Governmental Affairs.

EC-4510. A communication from the custodian of the Army central retirement fund transmitting, pursuant to law, a report on the U.S. Army nonappropriated fund employee retirement plan for fiscal year 1981; to the Committee on Governmental Affairs.

EC-4511. A communication from the Secretary of Transportation transmitting, pursuant to law, a report on the valuation of the U.S. Coast Guard retirement system for 1981; to the Committee on Governmental Affairs.

EC-4512. A communication from the Administrator of the General Services Administration transmitting, pursuant to law, a report on the disposal of surplus Federal real property for historic monument purposes for fiscal year 1982; to the Committee on Governmental Affairs.

EC-4513. A communication from the Comptroller General of the United States transmitting, pursuant to law, a list of the General Accounting Office reports released in October 1982; to the Committee on Governmental Affairs.

EC-4514. A communication from the Administrator of the Agency for International Development transmitting, pursuant to law, the semiannual report of the Agency's Inspector General; to the Committee on Governmental Affairs.

EC-4515. A communication from the Assistant Secretary of Housing and Urban Development for Administration transmitting, pursuant to law, a report on a new Privacy Act system of records; to the Committee on Governmental Affairs.

EC-4516. A communication from the Chairman of the Federal Labor Relations Authority transmitting, pursuant to law, a report of the Authority on its implementation of the Government in the Sunshine Act for calendar year 1981; to the Committee on Governmental Affairs.

EC-4517. A communication from the Chairman of the Federal Labor Relations

Authority transmitting, pursuant to law, a report on the implementation of the Government in the Sunshine Act for calendar year 1980; to the Committee on Governmental Affairs.

EC-4518. A communication from the Special Counsel of the U.S. Merit Systems Protection Board transmitting, pursuant to law, the annual report of the Special Counsel for calendar year 1981; to the Committee on Governmental Affairs.

EC-4519. A communication from the Comptroller General of the United States transmitting, pursuant to law, a report entitled "Inadequate Internal Controls Affect Quality and Reliability of the Civil Service Retirement System's Annual Report"; to the Committee on Governmental Affairs.

EC-4520. A communication from the Chairman of the District of Columbia Council transmitting, pursuant to law, a copy of D.C. Initiative Measure No. 9; to the Committee on Governmental Affairs.

EC-4521. A communication from the Chairman of the District of Columbia Council transmitting, pursuant to law, a copy of D.C. Act 4-245; to the Committee on Governmental Affairs.

EC-4522. A communication from the Chairman of the District of Columbia Council transmitting, pursuant to law, a copy of D.C. Act 4-243; to the Committee on Governmental Affairs.

EC-4523. A communication from the Chairman of the District of Columbia Council transmitting, pursuant to law, a copy of D.C. Act 4-244; to the Committee on Governmental Affairs.

EC-4524. A communication from the Secretary to the District of Columbia Council transmitting, pursuant to law, a copy of D.C. Resolution 4-638; to the Committee on Governmental Affairs.

EC-4525. A communication from the Secretary to the District of Columbia Council transmitting, pursuant to law, a copy of D.C. Resolution 4-633; to the Committee on Governmental Affairs.

EC-4526. A communication from the District of Columbia Auditor transmitting, pursuant to law, a followup audit report on the Board of Election and Ethics; to the Committee on Governmental Affairs.

EC-4527. A communication from the District of Columbia Auditor transmitting, pursuant to law, a report entitled "Collection of Outstanding Ticket Fines for Low Numbered Plates 1-1250"; to the Committee on Governmental Affairs.

EC-4528. A communication from the Chairman of the District of Columbia Council transmitting, pursuant to law, a copy of D.C. Act 4-241; to the Committee on Governmental Affairs.

EC-4529. A communication from the Chairman of the District of Columbia Council transmitting, pursuant to law, a copy of D.C. Act 4-242; to the Committee on Governmental Affairs.

EC-4530. A communication from the District of Columbia Auditor transmitting, pursuant to law, a report on the University of the District of Columbia Athletic Department; to the Committee on Governmental Affairs.

EC-4531. A communication from the Secretary of the U.S. Postal Rate Commission transmitting, pursuant to law, a report on a decision to provide uniform parcel size and weight limitations; to the Committee on Governmental Affairs.

EC-4532. A communication from the Assistant Secretary-Treasurer, Seventh Farm Credit District transmitting, pursuant to

law, a report on the retirement plan for employees of the district; to the Committee on Governmental Affairs.

EC-4533. A communication from the Assistant vice president and director of human resources of the Farm Credit Banks of Springfield transmitting, pursuant to law, the annual report on the group retirement plan for the first farm credit district; to the Committee on Governmental Affairs.

EC-4534. A communication from the plan administrator, Eighth Farm Credit District employee benefit trust, transmitting, pursuant to law, the report from the Farm Credit Banks of Omaha; to the Committee on Governmental Affairs.

EC-4535. A communication from the Secretary of the U.S. Postal Rate Commission transmitting, pursuant to law, notice of proposed rulemaking; to the Committee on Governmental Affairs.

EC-4536. A communication from the Acting Assistant Secretary of the Interior for Indian Affairs transmitting, pursuant to law, a proposed plan for the distribution of Maricopa Ak-Chin Indian judgment funds; to the Select Committee on Indian Affairs.

EC-4537. A communication from the Governors of Maryland and Pennsylvania transmitting, pursuant to law, a copy of the Interstate Emergency Management and Civil Defense Compact entered into by the State of Maryland and the State of Pennsylvania; to the Committee on the Judiciary.

EC-4538. A communication from the Secretary of Labor transmitting, pursuant to law, the annual report of the Department of Labor under the Freedom of Information Act; to the Committee on the Judiciary.

EC-4539. A communication from the Attorney General of the United States transmitting, pursuant to law, a report on the implementation of the Parental Kidnapping Prevention Act; to the Committee on the Judiciary.

EC-4540. A communication from the Acting Comptroller General of the United States transmitting, pursuant to law, a report entitled "Comprehensive Approach Needed To Help Control Prescription Drug Abuse"; to the Committee on the Judiciary.

EC-4541. A communication from the Attorney General of the United States transmitting, pursuant to law, a report on the administration of the Foreign Agents Registration Act; to the Committee on the Judiciary.

EC-4542. A communication from the Commissioner of the Immigration and Naturalization Service transmitting, pursuant to law, a report on orders suspending certain deportations under section 244(a)(1) of the Immigration and Nationality Act; to the Committee on the Judiciary.

EC-4543. A communication from the Secretary of Education transmitting, pursuant to law, a report on certain waivers of eligibility requirements under the Higher Education Act for certain institutions; to the Committee on Labor and Human Resources.

EC-4544. A communication from the Executive Director of the Intergovernmental Advisory Council on Education transmitting, pursuant to law, a report on the activities of the Council from September 1980 through September 1982; to the Committee on Labor and Human Resources.

EC-4546. A communication from the Director of ACTION transmitting, pursuant to law, a report on the financial notice of guidelines for the fixed income consumer counseling program; to the Committee on Labor and Human Resources.

EC-4547. A communication from the Secretary of Labor transmitting, pursuant to

law, the ERISA annual report for 1981; to the Committee on Labor and Human Resources.

EC-4548. A communication from the Secretary of the Treasury transmitting, pursuant to law, the annual audit for calendar year 1981 of the Student Loan Marketing Association; to the Committee on Labor and Human Resources.

EC-4549. A communication from the Acting Director of the National Institution of Education transmitting, pursuant to law, the Sixth Annual Report of the Institute; to the Committee on Labor and Human Resources.

EC-4550. A communication from the Secretary of Health and Human Services transmitting, pursuant to law, the report on financial disclosure of federally qualified health maintenance organizations; to the Committee on Labor and Human Resources.

EC-4551. A communication from the Chairman of the National Mediation Board transmitting, pursuant to law, the annual report of the National Mediation Board including the report of the National Railroad Adjustment Board; to the Committee on Labor and Human Resources.

EC-4552. A communication from the Secretary of Education transmitting, pursuant to law, final regulations for chapter 1 of the Education Consolidation and Improvement Act; to the Committee on Labor and Human Resources.

EC-4553. A communication from the Executive Secretary of the Office of the Secretary of Defense transmitting, pursuant to law, the report of the Department on its procurement from small and other business firms for October 1981 through August 1982; to the Committee on Small Business.

EC-4554. A communication from the Executive Secretary of the Office of the Secretary of Defense transmitting, pursuant to law, the report on procurement from small and other business firms for October 1981 through July 1982; to the Committee on Small Business.

EC-4555. A communication from the Secretary of Commerce transmitting, pursuant to law, a report on the status of the small business export development assistance program; to the Committee on Small Business.

EC-4556. A communication from the Comptroller General of the United States transmitting, pursuant to law, a report entitled "Proposals for Minimizing the Impact of the 8(a) Program on Defense Procurement"; to the Committee on Small Business.

EC-4557. A communication from the Comptroller General of the United States transmitting, pursuant to law, a report entitled "VA's Agent Orange Examination Program: Actions Needed to More Effectively Address Veterans' Health Concerns"; to the Committee on Veterans' Affairs.

EC-4558. A communication from the Chairman of the Board of the U.S. Synthetic Fuels Corporation, transmitting, pursuant to law, the quarterly report of the Corporation for the period ending June 30, 1982; to the Committee on Energy and Natural Resources.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PACKWOOD, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 2469. A bill to amend the Communications Act of 1934 to provide for improved international telecommunications, and for other purposes (with additional views) (Rept. No. 97-669).

By Mr. DOMENICI, from the Committee on the Budget, without amendment:

S. Res. 474. A resolution waiving section 402(c) of the Congressional Budget Act of 1974 with respect to the consideration of S. 2411.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. SPECTER:

S. 3045. A bill to amend the Internal Revenue Code of 1954 to allow home equity conversions through sale-leaseback arrangements; to the Committee on Finance.

By Mr. PERCY:

S. 3046. A bill for the relief of Mrs. Spyros Agriopoulos; to the Committee on the Judiciary.

By Mr. KASTEN:

S. 3047. A bill to repeal the withholding of tax from interest and dividends and to require statements to be filed by the taxpayer with respect to interest, dividends, and patronage dividends; to the Committee on Finance.

By Mr. THURMOND (for himself, Mr. EAST and Mr. BIDEN):

S. 3048. A bill to amend Title 18, United States Code, to combat, deter, and punish individuals who adulterate or otherwise tamper with food, drug, cosmetic and other products with intent to cause personal injury, death, or other harm; to the Committee on the Judiciary.

By Mr. MATTINGLY:

S. 3049. A bill to authorize the Secretary of Agriculture to make available stocks of corn of the Commodity Credit Corporation to poultry and egg producers in the United States in order to encourage the development of export markets for poultry; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. HELMS (for himself and Mr. THURMOND):

S. 3050. A bill to limit the use of appropriated funds to increase the pay of Members of Congress, and for other purposes; to the Committee on Governmental Affairs.

By Mr. SASSER:

S. 3051. A bill for the relief of John Smitherman; to the Committee on the Judiciary.

By Mr. PERCY (by request):

S. 3052. A bill to amend the Board for International Broadcasting Act of 1973 to authorize an amended appropriation for fiscal year 1983; to the Committee on Foreign Relations.

By Mr. D'AMATO (for himself, Mr. MURKOWSKI, Mr. BAUCUS, Mr. MOYNIHAN, Mr. HEFLIN, Mr. KASTEN, Mr. SASSER, Mr. PROXMIER, Mr. THURMOND, Mr. BOREN, and Mr. PRESSLER):

S. 3053. A bill to amend the Agriculture Act of 1949 to modify the dairy price support program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. KASSEBAUM:

S. 3054. A bill to amend the Natural Gas Policy Act of 1978, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MURKOWSKI:

S. Res. 497. A resolution relating to the crisis in Poland and the imprisonment of Polish patriot Lech Walesa; to the Committee on the Judiciary.

By Mr. ROBERT C. BYRD:

S. Con. Res. 128. A concurrent resolution relating to monetary policy; to the Committee on Banking, Housing, and Urban Affairs.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SPECTER:

S. 3045. A bill to amend the Internal Revenue Code of 1954 to allow home equity conversions through sale-leaseback arrangements; to the Committee on Finance.

(The remarks of Mr. SPECTER on this legislation appear earlier in today's RECORD.)

By Mr. THURMOND (for himself, Mr. EAST, and Mr. BIDEN):

S. 3048. A bill to amend title 18, United States Code, to combat, deter, and punish individuals who adulterate or otherwise tamper with food, drug, cosmetic, and other products with intent to cause personal injury, death, or other harm; to the Committee on the Judiciary.

FEDERAL ANTI-TAMPERING ACT

Mr. THURMOND. Mr. President, recently the people of this country have been terrorized by a series of events so reprehensible that most of us would not have thought them possible in this country. This reign of terror began in Chicago, where one or more persons, still unknown, inserted cyanide in capsules of Tylenol, which were then sold to unsuspecting customers of a local drug store. As we all know, several deaths resulted from these poisoned capsules, including three people from a single family. No sooner had accounts of these deaths appeared in the news media, than copycat crimes began to occur in other parts of the country, with other products, such as eyedrops, being adulterated so as to cause harm to unsuspecting customers. The fear that any product, no matter how innocent, might pose a threat of death became so widespread that many parents throughout the country refused to permit their children to go trick or treating on Halloween.

Mr. President, I can think of few things more despicable than the types of actions I have described. To poison capsules of headache remedies or to substitute acid for eyedrops and then return these items to a drug store shelf, not caring who will purchase them or whether those purchasers will be seriously injured or even killed is almost incomprehensible in its vicious-

ness and callous disregard of human life.

For this reason, Mr. President, I am today introducing legislation that will make such activity a crime punishable by up to life in prison if death or personal injury occurs as a result of it and by a maximum of up to 20 years in prison where no such injury results. These penalties will apply not only where the intent of the perpetrator is to actually cause harm to another but also where his intention in committing such acts is to damage the reputation of another's business. In other words, the perpetrator of such an act will not be allowed to escape penalty by pleading that he did not really want to hurt anyone. Regardless of the intent, the conduct this bill would address is so malicious as to merit this type of punishment.

It should be noted that this bill will encourage the use of Federal investigative resources to discover and apprehend those who commit these acts in appropriate circumstances. Although it appears not to have been the case with respect to the Tylenol deaths in Chicago, it is easy to imagine a situation where a product is poisoned in one State and shipped into another, where an injury or death then occurs. In such an instance, the State where the victim resides would be limited in its investigative capability by the confines of its borders and investigative assistance at the Federal level is appropriate.

Mr. President, it is my hope that this bill will serve as a vehicle through which the Senate can consider an extremely serious problem that now confronts us and devise an appropriate remedy for it.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3048

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Anti-Tampering Act."

SEC. 2. Title 18, United States Code, is amended by adding the following new chapter:

"Chapter 56—ADULTERATION

"§ 1211. Malicious Injury by Adulterating a Product

"(a) Whoever, with intent to injure, kill, or endanger the health or safety of any person, or with intent to cause damage or injury to the business reputation of an individual, partnership, corporation, association, or other business entity (1) does any act which results in a food, drug, device, or cosmetic being adulterated or attempts to do any such act or (2) tampers or attempts to tamper with any hazardous substance or any other article, product, or commodity of any kind or class which is produced or distributed for consumption by individuals or

use by individuals for purposes of personal care or in the performance of services rendered within the household, if such act of adulteration or tampering occurs before the food, drug, device, cosmetic, hazardous substance or other article, product or commodity is introduced or delivered for introduction into interstate commerce, while such item is in interstate commerce, while such item is held for sale (whether or not the first sale) after shipment in interstate commerce or if such act of adulteration or tampering otherwise affects interstate commerce, shall be punished by imprisonment for not more than twenty years or fined not more than \$20,000, or both, or, if personal injury or death results to another, by imprisonment for any term of years or for life.

"(b) Whoever, with willful and malicious intent, imparts or conveys or causes to be imparted or conveyed false information, knowing the information to be false, concerning an attempt or alleged attempt being made or to be made, to do any act which would constitute a violation of subsection (a) shall be punished by imprisonment for not more than twenty years or fined not more than \$20,000, or both, or, if personal injury or death results to another, by imprisonment for any terms of years or for life.

"(c) As used in subsection (a), 'food,' 'drug,' 'device,' 'cosmetic,' and 'adulterated' shall have the meanings ascribed to those terms in the Federal Food, Drug, and Cosmetic Act, as amended, 21 U.S.C. 301-392; 'hazardous substance' shall have the meaning ascribed to that term in the Federal Hazardous Substances Act, 15 U.S.C. 1261(f)."

SEC. 3. If any provision of this Act is held invalid, all valid provisions that are severable shall remain in effect. If a provision of this act is held invalid in one or more of its applications, the provision shall remain in effect in all of its valid applications that are severable.

SEC. 4. The analysis of Part I of Title 18, United States Code, is amended by adding the following:

"56. Adulteration..... 1211"

By Mr. MATTINGLY:

S. 3049. A bill to authorize the Secretary of Agriculture to make available stocks of corn of the Commodity Credit Corporation to poultry and egg producers in the United States in order to encourage the development of export markets for poultry; to the Committee on Agriculture, Nutrition, and Forestry.

(The remarks of Mr. MATTINGLY on this legislation appear earlier in today's RECORD.)

By Mr. HELMS (for himself and Mr. THURMOND):

S. 3050. A bill to limit the use of appropriated funds to increase the pay of Members of Congress, and for other purposes to the Committee on Governmental Affairs.

PAY INCREASES FOR MEMBERS OF CONGRESS

Mr. HELMS. Mr. President, today I am introducing legislation to require an affirmative vote of Congress before Members of Congress receive any increase in pay, benefits, or other emoluments.

I have always objected to the process by which Members of Congress are eligible to receive annual salary increases without voting for them. This backdoor pay raise system is repugnant to most Americans, and properly so. Moreover, Mr. President, I am persuaded that the credibility of Congress is at stake.

Mr. President, how did this process evolve and why? I think the answer is obvious. Certain Members of Congress, somewhere back in the eons of time, wanted to guarantee themselves a pay raise without having to face the voters after the fact. So they created the present system. The salaries of Members of Congress are tied to the salaries of white-collar Federal employees. Members of Congress and white-collar Federal employees receive an automatic raise each year—unless Congress blocks the raise. Here is how the system works:

Federal law—the Pay Comparability Act—requires the salaries of white-collar Federal employees, and thus Members of Congress, to be adjusted to achieve comparability with the wages paid persons performing comparable jobs in the private sector. The President's pay advisers are required to report to the President the pay raise necessary to achieve comparability. This year, for example, the pay advisers set that figure at 18.47 percent.

Now, Mr. President, is there any wonder that there is growing cynicism across America about things going on in Washington, D.C.?

Mr. President, this recommendation takes effect automatically unless the President recommends a lower figure. Congress can accept that figure by doing nothing or veto it, in which case the pay advisers' recommendation will take effect.

A pay increase for Members of Congress is perhaps the most controversial issue to come before the Congress since I came to the Senate in 1973. The vast majority of those who are taxed to pay the salaries of Members of Congress make nowhere near as much money as a Member of Congress.

As of now the legal rate of pay for Members of Congress is \$74,300 per year, but because the pay cap is in effect the present salary of a Senator or Representative is \$60,667.50. But if the pay cap comes off, up go the salaries, automatically, to \$74,300.

Mr. President, if Members of Congress are willing to vote themselves a raise, fine. I will not vote with them, but they have a right to do so if they choose. What is unconscionable, however, is that Members could receive a hefty pay raise without voting for it.

I propose to do whatever I can to change this system, Mr. President, and I urge my colleagues to support my legislation, whether it be in the form

of a freestanding bill or as an amendment to other legislation.

Mr. President, I ask that the bill be appropriately referred, and that it be printed in the RECORD at this point.

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

S. 3050

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provision of law—

(1) no appropriated funds shall be obligated or expended to increase the pay, rate of compensation, or other emoluments of any Member of Congress unless the increase is previously authorized by a law setting forth specifically the precise amount of such increase; and

(2) in no event shall any such increase take effect for the Congress authorizing the increase.

By Mr. PERCY (by request):

S. 3052. A bill to amend the Board for International Broadcasting Act of 1973 to authorize an amended appropriation for fiscal year 1983; to the Committee on Foreign Relations.

BOARD FOR INTERNATIONAL BROADCASTING AUTHORIZATION ACT, FISCAL YEARS 1982 AND 1983

● Mr. PERCY. Mr. President, by request, I introduce for appropriate reference a bill to amend the Board for International Broadcasting Act of 1973.

This legislation has been requested by the BIB and I am introducing the proposed legislation in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill be printed in the RECORD at this point, together with the letter from the Chairman of the Board for International Broadcasting to the President of the Senate dated November 23, 1982.

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

S. 3052

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 Board for International Broadcasting Authorization Act, Fiscal Years 1982 and 1983".

AUTHORIZATION OF APPROPRIATIONS

SEC. 1. Subparagraph A of section 8(a)(1) of the Board for International Broadcasting Act of 1973 (22 U.S.C. 2877(a)(1)(A)) is amended by striking after "and" "\$98,317,000" and inserting in lieu thereof "\$111,600,000".

BOARD FOR INTERNATIONAL
BROADCASTING

Washington, D.C., November 23, 1982.

Hon. GEORGE BUSH,
President of the Senate,
U.S. Senate, Washington, D.C.

DEAR MR. PRESIDENT: On November 4 the President sent a letter to you asking the Congress to consider an amended appropriation request for the Board for International Broadcasting (BIB) in the amount of \$21.3 million for fiscal year 1983.

This request exceeds the current fiscal year 1983 authorization by \$13,283,000. I therefore ask the Congress to increase the BIB authorization to \$111.6 million. There is transmitted herewith proposed legislation to make the required amendment to the BIB Act of 1973 which would authorize the \$21.3 million appropriation request.

A sectional analysis of the proposed legislation is also enclosed.

The Office of Management and Budget has advised the BIB that there is no objection to the presentation of this proposal to the Congress and that its enactment would be in accord with the program of the President.

Respectfully,

FRANK SHAKESPEARE, *Chairman.*
Enclosure.

SECTIONAL ANALYSIS

Section 1. This paragraph authorizes an amended appropriation of funds to the Board for International Broadcasting for improvements in the programs and facilities of Radio Free Europe/Radio Liberty, Inc. in fiscal year 1983.●

By Mr. D'AMATO (for himself,
Mr. MURKOWSKI, Mr. BAUCUS,
Mr. MOYNIHAN, Mr. HEFLIN,
Mr. KASTEN, Mr. SASSER, Mr.
PROXMIER, Mr. THURMOND, Mr.
BOREN, and Mr. PRESSLER):

S. 3053. A bill to amend the Agricultural Act of 1949 to modify the dairy price support program; to the Committee on Agriculture, Nutrition, and Forestry.

MODIFICATION OF DAIRY PRICE SUPPORT
PROGRAM

● Mr. D'AMATO. Mr. President, today I am introducing legislation which would repeal the Secretary of Agriculture's authority to deduct 50 cents from the hundredweight of milk marketed commercially by producers. Scheduled to begin on December 1, 1982. This bill would also repeal the Secretary's authority to impose a second 50-cent assessment on April 1, 1983, should the Commodity Credit Corporation (CCC) projected purchases exceed 7.5 billion pounds of milk equivalent for the current marketing year. Such authority was granted to the Secretary in the Omnibus Reconciliation Act of 1982, which became Public Law 97-253 on September 8, 1982.

Mr. President, we are all well aware that the costs to the Federal Government of the dairy support program have escalated substantially in recent years. Although there is unanimous agreement amongst all concerned parties that the program is in dire need of comprehensive revision, the 97th Con-

gress has been stymied in its attempts to formulate workable alternatives to the current system. Under the pressures of the budget process a frustrated Congress hastily devised the 50-cent deduction in a well-intentioned effort to curb the runaway costs of the dairy support program. Since enactment of the reconciliation bill, everyone agrees that the 50-cent assessment is a glaring mistake which only exacerbates the fundamental problems inherent in the price support program leaving future Congresses with bigger problems which sooner or later must be confronted. Just today, it was reported in the Washington Post that 50,000 dairy farmers are "curdly mad at Secretary Block." Notwithstanding that the comments recorded at the Agriculture Department are running 50,000 to 20 in opposition, the Secretary is planning to begin collecting this fee on Wednesday.

The foremost problem facing this country's dairy industry is surplus dairy products that are piling higher and higher in Government warehouses at an enormous expense to the American taxpayer. As the dairy support program is currently constituted, it has become profitable for dairy farmers to produce with the sole intention of selling their products to the Federal Government. More than \$3 billion of surplus butter, cheese, and dry milk purchased by the CCC is presently kept in Federal storage facilities at a cost of more than \$100 million per year.

Instead of solving the surplus problem the 50-cent assessment will only compound it. It is reported from around the country that dairy farmers are increasing their production in order to meet their current costs in light of the new 50-cent deduction. Such a reaction will increase the quantity of surplus which the Government must purchase under the current program. In fact, the deduction will only curtail production by forcing the young and efficient farmers out of business due to their inability to meet heavy debt commitments at exorbitant interest rates.

Additionally, the 50-cent deduction will not result in lower prices for dairy products in the commercial market. With prices remaining at current levels, no incentive will be provided to American consumers to purchase more dairy products, which would alleviate the multiplying accumulation of Government surplus.

It would seem that any logically formulated revision of the support program would have as its highest priorities the removal of existing surplus held by the Government and, more importantly, the trimming of future surplus production. The 50-cent deduction, however, would not accomplish either of these two goals.

There is virtually unanimous agreement that the dairy support program is a complex problem that requires further study in order for a workable and lasting solution to be formulated. Indeed, such a study was mandated by Congress in the Agriculture and Food Act of 1981 (Public Law 97-98). Therein, Congress requested a report from the Secretary of Agriculture "describing the strengths and weaknesses of existing Federal programs, and the consequences of possible new programs, for controlling * * * surpluses of fluid milk and products thereof." The Secretary is expected to release interim results of the study by December 31, 1982.

I am confident that the findings of the Secretary will shed new light on the dairy support program giving the 98th Congress an improved informational base with which it can effectively confront the program's fundamental problems. More immediately, however, I believe the 50-cent deduction is a hastily considered compromise which will have unintended and untoward effects on the dairy industry.

Thus, in proposing to repeal the Secretary's authority to implement this assessment, this bill offers the 97th Congress the opportunity to correct this mistake. I urge immediate action by the 98th Congress to work toward a revision of the dairy price support program which will have long-term, positive effects on dairy farmers, consumers, and the Federal budget.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3053

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) paragraphs (2) through (7) of section 201(d) of the Agricultural Act of 1949 (7 U.S.C. 1446(d) (2) through (7)), as amended by section 101(2) of the Omnibus Budget Reconciliation Act of 1982, are repealed.

(b) Section 201(d) of such Act, as amended by subsection (a), is amended—

(1) by striking out "(A)"; and
(2) by redesignating subparagraphs (B) and (C) as paragraphs (2) and (3), respectively.●

By Mrs. KASSEBAUM:

S. 3054. A bill to amend the Natural Gas Policy Act of 1978, and for other purposes; to the Committee on Energy and Natural Resources.

AMENDMENT OF NATURAL GAS POLICY ACT

Mrs. KASSEBAUM. Mr. President, today I am offering legislation aimed at alleviating a problem which is approaching crisis proportions for large segments of our population, that of spiraling natural gas prices. Prices that consumers must pay to heat their homes have already risen to such

levels that many people, even with careful budgeting, are unable to meet their monthly gas bills. Large numbers of commercial users are finding the price of gas so high that they are switching to alternate fuels, further increasing the costs to residential users. It is clear that something must be done.

These high natural gas prices cannot be justified by current market conditions. The natural gas market today is a distorted, inefficient allocator of our energy resources. One simple, stark fact is sufficient to establish the existence of this distorted market—the price is increasing for a commodity of which we have a surplus. It is simply unconscionable that natural gas consumers are forced to pay high rates, rapidly increasing, in a time of surplus supplies. We clearly do not need a further increase of rates in order to stimulate production.

In order to arrive at the source of this artificial price inflation, it is necessary to break down the total wellhead price increase. From mid-1981 to mid-1982, the average wellhead price of natural gas rose approximately 17 percent. Some of this increase is attributable to the increased ceiling prices for gas set in the NGPA. According to figures released by the Energy Information Administration, however, more than 75 percent of the increase is due to increasing purchases of high cost, section 107 gas. This trend is strikingly evident in the vast Hugoton gas field in Kansas. There, gas with an average price of \$0.50 per Mcf is being shut-in in preference to supplies ranging from \$6 to \$9 per Mcf.

The pervasive existence of take-or-pay obligations requiring payment for gas whether it is taken or not is largely responsible for this seemingly irrational behavior of the natural gas market. High take-or-pay percentages based on open-well deliverability have so restricted the natural gas market that it cannot respond in a rational manner to changes in demand. Coupled with the mechanism of the purchased gas adjustment, these take-or-pay obligations lead to the abandonment of low-cost sources of gas first in a period of slackening demand.

My legislation attacks the problem of take-or-pay obligations by specifically granting FERC the authority to modify these obligations in cases where they are found to materially restrict the ability of a pipeline to purchase available supplies of low cost gas. My bill also adds imprudence to the list of factors contained in section 601 of the NGPA which permits FERC to disallow the passthrough of purchased gas costs.

To help insure that pipelines have sufficient incentive to purchase lower cost gas, my legislation requires FERC to apply an incentive rate-of-return

procedure in pipeline cases. The goal of such a device will be to encourage a pipeline to contract for the maximum amount of low cost gas which is consistent with that pipeline's long-term supply and demand posture and its physical characteristics.

In addition to dealing with the take-or-pay contract situation, my bill freezes the wellhead ceiling prices set by the NGPA at their October 1, 1982, levels for a 2-year period. Gas which currently has no ceiling price specified for it and which is produced from a well the surface drilling of which began after October 1, 1982, would remain free of any price restriction. I believe that this freeze is necessary to give my other proposals an opportunity to work. It is my hope that at the end of the 2-year freeze, the action of moderating the operation of the onerous take-or-pay requirements will have obviated the need for the freeze.

In the final analysis, it matters very little who is to blame for the current spiraling gas costs. What is important is that we return to the goal that led to the enactment of the NGPA in the first place: Provide adequate supplies of natural gas at prices consumers can afford. It has become increasingly clear in the last few weeks that we have failed to achieve that goal. Congress must not turn its back on the people who bear the consequences of a gas market gone awry. We must take decisive action to set us back on the road to a rational natural gas policy and away from dependence on imported oil. I welcome the support of my colleagues in my attempt to restore some measure of sanity to the natural gas marketplace.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

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

S. 3054

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subtitle A of title I of the Natural Gas Policy Act of 1978 is amended by adding at the end thereof the following:

"Sec. 111. Price freeze on natural gas.

"(a) PRICE FREEZE.—Notwithstanding any other provision of law, the maximum lawful price applicable to any first sale of any natural gas in effect on October 1, 1982, shall continue to be the maximum lawful price applicable to such sale for the period starting October 1, 1982, through January 1, 1985. Any first sale of natural gas which has a price lower than the applicable maximum lawful price on October 1, 1982, may increase by the lesser of (i) the rate provided in the contract for such sale, or (ii) the annual inflation adjustment factor as determined in section 101(a)(1); but increases permitted hereunder may not cause the first sale price to exceed the applicable maximum lawful price in effect on October 1, 1982, during the freeze period.

"(b) PRICE FREEZE ON NATURAL GAS NOT COVERED BY WELLHEAD PRICE CONTROLS.—

Notwithstanding any other provision of law, the maximum lawful price for the period commencing October 1, 1982, and ending January 1, 1985, for any first sale of natural gas from a well the surface drilling of which began by October 1, 1982, and for which there was no applicable maximum lawful price on October 1, 1982 under this title, shall be the contract price specified for deliveries of such natural gas on October 1, 1982, or if there was no contract price specified for deliveries of such natural gas on such date, the maximum lawful price shall be the average of the prices paid on October 1, 1982, for the same category of natural gas from the three nearest wells by surface location.

"(c) EXPIRATION OF PRICE FREEZE.—Following the expiration of the price freeze imposed by this section, the maximum lawful price for any first sale of natural gas for which a ceiling price is specified on October 1, 1982, shall increase from the October 1, 1982, level at the rate specified by this Act for that category of natural gas."

(b) The table of contents for subtitle A of title I of the Natural Gas Policy Act of 1978 is amended by adding at the end thereof the following:

"Section 111. Price freeze on natural gas."

Sec. 2. (a) Section 121 of subtitle B of title I of the Natural Gas Policy Act of 1978 is amended—

(1) in the matter before clause (1) of subsection (a) by striking out "January 1, 1985" and inserting in lieu thereof "January 1, 1987"; and

(2) in subsection (c), by striking out "July 1, 1987" and inserting in lieu thereof "July 1, 1989".

(b) Section 122 of such Act is amended—

(1) by striking out subsection (b)(1) and inserting in lieu thereof the following:

"(1) may not take effect earlier than July 1, 1987, nor later than June 30, 1989; and"; and

(2) in subsection (c), by striking out "May 31, 1985" both places it appears and inserting in lieu thereof "May 31, 1987".

(c) Section 123(a) of such Act is amended by striking out "On or before January 1, 1984, and on or before January 1, 1985," and inserting in lieu thereof "On or before January 1, 1986, and on or before January 1, 1987,".

Sec. 3. (a) Subsection (c)(2) of section 601 of title VI of the Natural Gas Policy Act of 1978 is amended (1) by inserting "imprudence," immediately after "abuse," and (2) by adding the following new paragraph:

"(3) Whenever the Commission, after a hearing had upon its own motion or upon petition of any party, shall find that any gas sales or purchase contract contains a provision which the Commission determines prevents the purchaser from responding to the demands of customers or other market forces by requiring the purchaser to pay for a minimum contract quantity of gas whether or not such gas is taken, the Commission shall have the authority to take such appropriate action as it may deem necessary including the rescission, annulment, or modification of such contract provision."

(b) The Federal Energy Regulatory Commission shall take such action as may be necessary, within the 90-day period following the date of the enactment of this Act, to devise and put into effect an incentive procedure for determining the appropriate rate of return that a pipeline company may earn under section 4 of the Natural Gas Act. The purpose of this procedure shall be to stimulate the purchase of the maximum amount

of lower-cost gas which is consistent with gas availability and the need for a steady supply.

ADDITIONAL COSPONSORS

S. 1581

At the request of Mr. JEPSEN, the name of the Senator from California (Mr. HAYAKAWA) was added as a cosponsor of S. 1581, a bill to amend the Internal Revenue Code of 1954 to allow the taxpayer the choice of a tax credit or a deduction for each household which includes a dependent person who is at least 65 years old.

S. 1939

At the request of Mr. GOLDWATER, the names of the Senator from Maine (Mr. MITCHELL), the Senator from Wyoming (Mr. SIMPSON), the Senator from Kentucky (Mr. HUDDLESTON), the Senator from Texas (Mr. BENTSEN), the Senator from New Hampshire (Mr. HUMPHREY), and the Senator from Minnesota (Mr. DURENBERGER) were added as cosponsors of S. 1939, a bill to amend the Public Health Service Act to establish a National Institute on Arthritis and Musculoskeletal Diseases.

S. 1956

At the request of Mr. THURMOND, the name of the Senator from New Hampshire (Mr. HUMPHREY) was added as a cosponsor of S. 1956, a bill to amend title 38, United States Code, to authorize reimbursement for the reasonable charge for chiropractic services provided to certain veterans.

S. 2061

At the request of Mr. MOYNIHAN, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 2061, a bill to provide for the conservation, rehabilitation, and improvement of natural and cultural resources located on public and Indian lands, and for other purposes.

S. 2300

At the request of Mr. RIEGLE, the name of the Senator from California (Mr. CRANSTON) was added as a cosponsor of S. 2300, a bill to establish domestic content requirements for motor vehicles sold in the United States, and for other purposes.

S. 2804

At the request of Mr. PELL, the name of the Senator from Nevada (Mr. CANNON) was added as a cosponsor of S. 2804, a bill to authorize the Secretary of Education to provide financial assistance to States for use in expanding educational programs in juvenile and adult correctional institutions to assist in the rehabilitation of criminal offenders, and for other purposes.

S. 2919

At the request of Mr. LUGAR, the names of the Senator from New Jersey (Mr. BRADLEY), and the Senator from Ohio (Mr. GLENN) were added as cosponsors of S. 2919, a bill to help

insure the Nation's independent factual knowledge of Soviet-bloc countries, to help maintain the national capability for advanced research and training on which that knowledge depends, and to provide partial financial support for national programs to serve both purposes.

S. 2953

At the request of Mr. PELL, the names of the Senator from Hawaii (Mr. INOUE), and the Senator from Connecticut (Mr. WEICKER) were added as cosponsors of S. 2953, a bill to provide for a program of financial assistance to States in order to strengthen instruction in mathematics, science, computer education, foreign languages, and vocational education, and for other purposes.

S. 2954

At the request of Mr. PELL, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 2954, a bill to amend part E of the Higher Education Act of 1965 to provide cancellation of loans for certain teachers who enter the teaching profession in the field of mathematics, science, or computer education.

SENATE JOINT RESOLUTION 222

At the request of Mr. WEICKER, the names of the Senator from New Jersey (Mr. BRADLEY), the Senator from Florida (Mr. CHILES), and the Senator from Alabama (Mr. HEFLIN) were added as cosponsors of Senate Joint Resolution 222, a joint resolution to designate the week of February 13 through February 19, 1983, as "National Police Athletic League Week."

SENATE JOINT RESOLUTION 254

At the request of Mr. JEPSEN, the names of the Senator from Mississippi (Mr. COCHRAN), the Senator from Montana (Mr. BAUCUS), the Senator from Indiana (Mr. LUGAR), the Senator from Illinois (Mr. PERCY), the Senator from Georgia (Mr. MATTINGLY), the Senator from Massachusetts (Mr. TSONGAS), the Senator from Arizona (Mr. DECONCINI), the Senator from Texas (Mr. TOWER), and the Senator from New York (Mr. D'AMATO) were added as cosponsors of Senate Joint Resolution 254, a joint resolution designating September 22, 1983, as "American Business Women's Day."

SENATE JOINT RESOLUTION 255

At the request of Mr. HEFLIN, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of Senate Joint Resolution 255, a joint resolution to designate the week of October 10, 1982, through October 16, 1982, as "Freedom Week U.S.A."

SENATE JOINT RESOLUTION 258

At the request of Mr. WEICKER, the names of the Senator from Minnesota (Mr. BOSCHWITZ), the Senator from North Dakota (Mr. BURDICK), the Senator from Nevada (Mr. CANNON), the Senator from Mississippi (Mr. COCHRAN), the Senator from New York (Mr.

D'AMATO), the Senator from Arizona (Mr. DECONCINI), the Senator from Illinois (Mr. DIXON), the Senator from Kansas (Mr. DOLE), the Senator from Minnesota (Mr. DURENBERGER), the Senator from Washington (Mr. GORTON), the Senator from Oregon (Mr. HATFIELD), the Senator from California (Mr. HAYAKAWA), the Senator from Pennsylvania (Mr. HEINZ), the Senator from Hawaii (Mr. INOUE), the Senator from Louisiana (Mr. JOHNSTON), the Senator from Kansas (Mrs. KASSEBAUM), the Senator from Wisconsin (Mr. KASTEN), the Senator from Vermont (Mr. LEAHY), the Senator from Indiana (Mr. LUGAR), the Senator from Maryland (Mr. MATHIAS), the Senator from Ohio (Mr. METZENBAUM), the Senator from Georgia (Mr. NUNN), the Senator from Illinois (Mr. PERCY), and the Senator from Michigan (Mr. RIEGLE) were added as cosponsors of Senate Joint Resolution 258, a joint resolution to authorize and request the President to designate the month of December 1982 as "National Close-Captioned Television Month."

SENATE CONCURRENT RESOLUTION 124

At the request of Mr. SASSER, the names of the Senator from South Dakota (Mr. PRESSLER), and the Senator from Iowa (Mr. JEPSEN) were added as cosponsors of Senate Concurrent Resolution 124, a concurrent resolution concerning the administration's study of hydroelectric power.

SENATE CONCURRENT RESOLUTION 128—CONCURRENT RESOLUTION RELATING TO MONETARY POLICY

Mr. ROBERT C. BYRD submitted the following concurrent resolution; which was referred to the Committee on Banking, Housing, and Urban Affairs:

S. CON. RES. 128

Whereas the Nation's economy is entering the seventeenth month of a severe recession, with few signs of recovery;

Whereas nearly twenty million people are underemployed or unemployed due to this recession;

Whereas our Nation's steel, auto, housing industries, and agricultural sector remain mired in a depression;

Whereas given the current underutilization of both labor and capital, lower interest rates will not rekindle inflation; and

Whereas lower interest rates are the key to higher employment, higher production and sustained economic growth: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), The Board of Governors of the Federal Reserve and the Federal Open Market Committee should take such actions as are necessary to achieve and maintain a level of interest rates low enough to generate significant economic growth and thereby reduce the current intolerable level of unemployment.

SENATE RESOLUTION 497—RESOLUTION RELATING TO POLISH SOLIDARITY

Mr. MURKOWSKI submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 497

Whereas the American people and the people of Poland share a close and lasting friendship which is founded upon an unflinching respect for freedom; and,

Whereas the imposition of martial law and the eradication of the Polish worker's chosen trade union Solidarity represent grave abridgements of the civil rights and personal liberties of the Polish people; and,

Whereas a military government has engaged in a systematic and brutal suppression of human freedoms in Poland since December 13, 1981; and,

Whereas the people's chosen trade union representative, Lech Walesa, was imprisoned for several months and deprived of the voice of leadership democratically conferred upon him by the Polish people; and,

Whereas the martial law regime continues in Poland to engage in acts of violence and repression against its own citizens in contravention of the inalienable right of the Polish people to determine their own future:

Now, therefore, be it

Resolved, That it is the sense of the United States Senate that:

(1) the Senate fully supports the efforts of the Polish people to secure and express the privileges and immunities of democratic freedom;

(2) the Senate condemns and abhors the suppression of civil liberties and human rights by the martial law government in Poland;

(3) the American people respect and admire the commitment to the ideals of freedom and independence manifested by the Polish people and Mr. Lech Walesa in particular;

(4) the Polish people have an unalienable right to choose their representatives in all matters, free from external influence or coercion;

(5) the President and his advisors should strive to explore possible means of solving the crisis in Poland in concert with America's allies so as to remove the obstacles to the democratization process in Poland;

(6) that December 13, 1982, should be declared Polish Solidarity Day, a day on which all Americans should pause to consider the plight of the Polish people and thereafter reaffirm their commitment to maintaining the dream of freedom, as an expression of solidarity with the Polish people.

Mr. MURKOWSKI. Mr. President, I am submitting today a resolution pertaining to the continuing crisis in Poland. Most Americans are aware that martial law was imposed in Poland late in the evening of December 13, 1981. The 21-member Polish military junta led by General Jaruzelski has, since that date, engaged in a systematic eradication of the precious few civil liberties which the Polish citizens and their chosen trade representative, Solidarity, had previously negotiated. The brief period of democratization which Poland experienced during the months before last

December 13 has ended, but must not be forgotten.

The Polish people stand today deprived of basic human rights and freedoms by General Jaruzelski's regime. The swiftness with which the military moved and the severity of the military's response to opposition in Poland were startling. The brutality and oppression which the Polish people have suffered at the hands of their own Communist government should be recognized and remembered by the citizens of all free nations as evidence of the need for unflinching vigilance in defense of democracy.

The purpose of this resolution is to establish December 13, 1982, as "Polish Solidarity Day," a day of national prayer and reflection on which all Americans pause to consider the plight of the Polish people and to reaffirm their commitment to the ideals of freedom and democracy. I hope that through this expression of support and unity, all Americans can symbolically demonstrate to the people of Poland and to the world our commitment to the goal of freedom.

AMENDMENTS SUBMITTED FOR PRINTING

FURTHER CONTINUING APPROPRIATIONS, 1983

AMENDMENT NO. 3639

(Ordered to be printed and to lie on the table.)

Mr. PRESSLER submitted an amendment intended to be proposed by him to a joint resolution to be considered making further continuing appropriations for the fiscal year ending 1983, and for other purposes.

AUTOMATIC PAY RAISE

● Mr. PRESSLER. Mr. President, I send to the desk an amendment that will block the automatic pay raise Congress would otherwise receive December 17, 1982, on the expiration of the current continuing resolution.

My objections to this pay raise are the same as those of almost every other American citizen. Quite simply, it is not right for Congress to increase its salary automatically in light of the hardships many sections of the economy currently are facing.

Some Members of Congress may disagree with me, and say that congressional pay is not high enough. However, there can be no doubt that the method being used to achieve this pay hike is a repeat of past efforts to avoid a direct up-or-down vote on the matter of Senators' and Representatives' salaries.

If a pay raise is needed, then the question should stand alone and not be an amendment to some other legislation. The implementation of a pay raise should not be automatic. These efforts seeking "backdoor" pay raises

probably will always fail because a majority of Congress feels as I do—that we should address the question of pay raises openly and honestly.

I ask unanimous consent that the full text of my amendment be printed at this point in the RECORD.

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

At the appropriate place in the joint resolution, insert the following:

Sec. . (a) For the purposes of this section, the term "Member" means an individual who is a Senator, Member of the House of Representatives, Delegate to the House of Representatives, Resident Commissioner from Puerto Rico, President pro tempore of the Senate, Deputy President pro tempore of the Senate, Majority Leader of the Senate, Minority Leader of the Senate, Majority Leader of the House of Representatives, Minority Leader of the House of Representatives, or Speaker of the House of Representatives.

(b) No part of the funds appropriated for the fiscal year ending September 30, 1983, by this Act or any other Act may be used to pay any Member at an annual rate of pay which exceeds the annual rate (or maximum annual rate, if higher) of pay payable to such Member for September 30, 1982.

(c) For purposes of administering any provisions of law, rule, or regulation which provides retirement, life insurance, or other employee benefit, which requires any deduction or contribution, or which imposes any requirement or limitation, on the basis of a rate of pay, the rate of pay payable after the application of this section shall be treated as the rate of pay.●

COMMITTEE AUTHORITY TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. STEVENS. Madam President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, December 1, at 10 a.m., to hold a hearing to consider the nominations of Donald P. Hodel, of Oregon, to be the Secretary of Energy; and Martha O. Hesse, of Illinois, to be an Assistant Secretary of Energy.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. STEVENS. Madam President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, December 1, at 2:30 p.m., to hold a secret level consultation to discuss the Guatemalan situation.

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

NOTICES OF HEARINGS

COMMITTEE ON RULES AND ADMINISTRATION

Mr. BAKER (for Mr. MATHIAS). Mr. President, the Committee on Rules

and Administration will hold a meeting on Thursday, December 2, 1982, at 9:30 a.m., in room 301, Russell Senate Office Building, to receive testimony on two measures currently pending before the committee: Senate Concurrent Resolution 32 and House Concurrent Resolution 153, both to authorize a bust or statue of the late Dr. Martin Luther King, Jr., to be placed in the U.S. Capitol.

Senators and Representatives wishing to testify and those wishing to submit a statement for the record should contact Anthony L. Harvey of the Rules Committee staff on 224-9078.

Mr. President, on Wednesday, December 8, 1982, at 10 a.m., in room 301, Russell Senate Office Building, the Committee on Rules and Administration will meet to receive testimony from Senators and from officials of the electronics industry on computer and communication systems and services for the 1980's.

Anyone wishing to testify or to submit a statement for the record should contact John K. Swearingen of the Rules Committee staff on 224-305.

Mr. President, at 9:30 a.m. on Thursday, December 9, 1982, the Committee on Rules and Administration will have a business meeting in room 301, Russell Senate Office Building, to consider legislative and administrative business items currently pending before it.

For further information regarding this meeting, please contact Carole Blessington of the Rules Committee staff on x40278.

COMMITTEE ON SMALL BUSINESS

Mr. WEICKER. Mr. President, I would like to announce that the Senate Small Business Committee and the House Small Business Committee will hold a joint hearing on "the Findings of the Securities and Exchange Commission Government-Business Forum on Small Business Capital Formation," on December 1, 1982, in room 2359A of the Rayburn House Office Building, beginning at 2 p.m. Senator D'AMATO and Representative NOWAK will cochair the hearing. For further information, contact Mike Haynes at 224-8487.

Mr. President, I would like to announce that the Senate Small Business Committee will conduct an Oversight hearing on "the Small Business Administration's SBIC Program," December 16, 1982, in room 424 of the Russell Senate Office Building, beginning at 9:30 a.m. For further information, contact Mike Haynes at 224-8487.

ADDITIONAL STATEMENTS

APPOINTMENT OF CALVERT BRAND

● Mr. LUGAR. Mr. President, today I rise to bring to the attention of my

colleagues an appointment made by the administration during the recess. I am pleased to inform the Senate that my good friend, Calvert Brand, has been named General Deputy Assistant Secretary for Housing-Federal Housing Commissioner at HUD.

This is an important post with significant responsibility for the quarter-trillion-dollar subsidized housing program and the equally important FHA programs. Fortunately, Cal Brand is a man uniquely qualified for service in this position. His background combines experiences as a businessman, a housing developer, a legislator, and a government executive. One might be able to imagine a background better suited to managing Federal housing policy at such a critical time in our Nation's history but it would not be easy.

Cal Brand is a native of Columbus, Ind., where he has played an important role in the development of that progressive city while building a very successful business in lumber and building materials. However, he is much more than a public spirited businessman.

In 1955, he began his service as an elected representative, first as a city councilman and then in the Indiana State Legislature. In the legislature, he was chairman of the house budget and ways and means committees.

In 1970, he joined the staff of Gov. Edgar D. Whitcomb, first serving as administrative assistant and then as State budget director. In each of these positions, he had a reputation for integrity, imagination, hard work, and the highest levels of public service.

He began his Federal service last year as a Deputy Assistant Secretary for Policy and Budget at HUD. He has come to Washington at great cost both in the personal sense as well as the financial sense.

Cal Brand does not need this job. He has agreed to help the Reagan administration out of a sense of responsibility and duty. He has the knowledge, experience, and skills needed to administer one of the most difficult Federal agencies during a time of great turmoil. We are fortunate to have him in Government and I am fortunate to have him as a friend. ●

DEDICATION OF A VIETNAM WAR MEMORIAL

● Mr. PELL. Mr. President, during the recent congressional recess I had the honor of participating in the dedication of a memorial to those who served and died in the war in Vietnam. This memorial was erected in the village of Harrisville, R.I., under the sponsorship of the Berard-Desjarlais Post of the American Legion. Otis E. Jolly, commander of the post, led the effort to erect the memorial, assisted by Norman H. Manville, town clerk of the town of Burrillville within which the village of Harrisville is located.

Harrisville is the kind of picturesque village we envision when we think of small towns in New England. There are white church steeples, a town common and a dam forming a still pond which reflects the surrounding homes and trees of the close-knit community. It is by that pond on a small patch of grass that Harrisville chose to honor the memory of six young men who left their lives in Rhode Island and lost their lives in Vietnam.

To a town the size of Harrisville, six is an enormous number of deaths. To a community as close as Harrisville, even one is a burden.

Whatever thoughts the individual residents of Harrisville may have about the course of the war in Vietnam, it was evident at this dedication that they are united in honoring the memory of the young men who lost their lives in the service of their country in this conflict. The memorial lists their names: Pfc. James A. Blanchard, Maj. Walter F. DeCorta, Sp. Peter Kapas, Jr., Capt. Edward A. Lapierre, Sgt. Owen S. McCann, and Pfc. Allen B. McCutcheon.

The dedication ceremony included a moving address by State Senator Irene P. Smith, who represents Harrisville in the Rhode Island General Assembly. Senator Smith eloquently expressed the thoughts of many Americans today about the war in Vietnam and about the men and women who fought in it. I ask that the text of her address be printed at this point in the RECORD.

The address follows:

REMARKS BY SENATOR IRENE P. SMITH

"Memory" said Cicero, "is the treasury and guardian of all things." "Praising what is lost," said Shakespeare, "makes the remembrance dear."

We come here today in that spirit. We are gathered to treasure and praise those who have been lost to us, and thereby to make the memory even more meaningful.

The function of this gathering is to renew the memory of the impact on our lives of those whose journey through life preceded ours. We are reminded here of what that journey left behind.

Life is a long highway, with twists and turns to our lives—some get off the highway after only a few miles, and some stay on the highway for many miles. Those we honor here today, journeyed only a few short miles on this road to life.

But, we have not come together here today, however, just to reinforce our individual memories of those so well worth remembering. We came also for a very real purpose of trying to show those nearest and dearest to them that their deep sense of loss is shared—shared by us as individuals, shared by a community.

We hope that in some way, by showing our own sense of loss and fond remembrance, we can help further the sense of a life well lived—a time on Earth well spent—a heritage of lasting meaning.

The Vietnam conflict was different—where WWII brought Americans together—Vietnam divided us;

Where WWII saw young men, some not even old enough, flock to enlist in the

Armed Forces; Vietnam, to a very frightening extent, disaffected a substantial fraction of an entire generation.

The Vietnam conflict prompted riots and even affected elections on March 2, 1973, when the United States, the Viet Cong, the North and South Vietnamese, signed a peace treaty in Paris, that ended so many years of a far off, often questioned war—the end came like a whimper.

Unlike the headlines of the New York Daily News when WWII ended—Peace Breaks Out!!!—a truly appropriate phrase, because peace is precisely that—a breakout, a break away from the grinding horrors of war. In 1945 the bands played, the crowds cheered and the churches of all denominations were packed on that night—celebrations lasted for weeks, and each time one more veteran came home, another parade, another celebration.

When Vietnam was over, it was as though we just turned the television to another channel—for some reason, and it certainly was not done intentionally—we made the Vietnam veteran feel that he had to simply slip quietly back into his own country and back into our lives. It was as though the American public said it is over—now let us get back to something else.

The Vietnam war was different—its conclusions much less definitive than WWII or even Korea, and the homecomings much less triumphant, but the commitment of those who served was no less heroic.

Why, one might ask, did it happen this way. I am sure that each of you here today has a different answer depending upon which generation you belong to. Was it because our attitudes about war have changed—perhaps. But it should not lessen our sensitivities to the loss of lives.

It should not make the sacrifices made by those who died or those they left behind any less meaningful.

Let us never forget and always remember—peace and freedom, wherever it might be, has always been, and always will be very expensive. And the cost is in human lives.

I remember very well all of those young men whom we honor here today, some I knew well, some I knew casually. And as I sat here thinking about them, about their families and about the community and why we were gathered here: I asked myself what would they want us to do for the Vietnam veterans who came home to find no jobs; who came home to hospitals; and who came home to one disappointment after another.

I think they would want us to understand—to reach out and help—not pity—but be sensitive that Vietnam was a very different kind of conflict and they came back to us with very different problems, very different concerns. These veterans fought a war in and for a different culture—it tore at the very fabric of those who fought—it was psychological; it was a war of nerves.

Their problems are different, let our solutions to their problems and concerns be different—let us understand.

As we dedicate this monument to them today as a mark of our respect and our dedication to peace and freedom, let us be assured that they did not sacrifice their lives in vain, because the greatest monument to them and to their bravery, is the peace and freedom we enjoy today. Let us guard it well. Let us be very jealous of our freedom.

Christopher Wren's epitaph in St. Paul's in London, reads, "If you would see their monument—look around." I would like to paraphrase that here today, "If you would

see the real monument to those human beings we memorialize today, look around." It is in your faces, it is in your hearts.●

SOLZHENITSYN TELLS TAIWAN TO RELY ON ITSELF

(By request of Mr. BAKER, the following statement was ordered to be printed in the RECORD:)

● Mr. GOLDWATER. Mr. President, one of the greatest writers of this century, a man who is a brilliant observer of historical trends, Alexandr Solzhenitsyn, recently gave an important speech in Taipei, Taiwan, in which he warned Free China not to rely on support by the United States for its future survival.

Mr. Solzhenitsyn, who was a Nobel Prize winner in 1970, was invited to give a lecture in Taipei by the Wu Shan-lien Literature Foundation. In his Taipei speech, which was delivered before an audience of academics and students on October 23, Mr. Solzhenitsyn expressed his amazement at the abandonment of Taiwan by nations of the world which should be able to clearly perceive the difference between democratic developments and economic progress on Taiwan and the totalitarian brutality and economic poverty of the Communist system.

According to Mr. Solzhenitsyn, the problem lies in the fact that the Free Western World is less and less prepared to pay for the price of freedom. Western nations are even afraid to sell Taiwan weapons for its own defense out of fear of angering Peking.

Solzhenitsyn believes the United States has also succumbed to the general world trend to leave the Republic of China to its perils. We have abrogated diplomatic relations and a defense treaty with Taiwan, promised to reduce military support and have denied much of what Taiwan needs.

Mr. Solzhenitsyn warns Taiwan that it can rely only on its own strength. He raises hope, however, that the destructive elements of communism will finally bring about its own collapse.

Mr. President, I believe Mr. Solzhenitsyn's message offers a valuable lesson for all persons who love liberty. I submit the text of his speech for the RECORD.

[From the Washington Times, Oct. 25, 1982]

WEST'S "FEAR" SEEN A THREAT TO TAIWAN

(By Alexandr Solzhevityn)

For 33 years, Taiwan, I believe, has attracted, by its specific fate, the attention of many people throughout the world. I myself felt that way long ago. Three score countries have already fallen under the yoke of communism. Scarcely one of them has been fortunate enough to retain even a tiny patch of its independent national territory, where its state authority could continue to develop despite the disruption, and through comparison show the world the difference between itself and communist disorganization. In Russia, such a patch of land could have been Wrangel's Crimea. But lacking any external support and abandoned by its unfaithful former allies, it was soon crushed

by the communists. But in China, thanks to a wide strait, a fragment of the former state became the Republic of China on Taiwan, which, for a third of a century, has proved to the world what heights of development could have been reached if the whole of China had not fallen under the yoke of communism. Today, the Republic of China on Taiwan differs from others in its development, its industrial achievements and the well-being of its population, thereby proving how logically the forces of a nation can be guided, if they are not in inimical hands.

It would seem that the population of our planet should clearly perceive such an instructive comparison and should have its eyes opened to see how peoples who escape communism flourish and how those who fall victim to communist tenets perish by the millions. The history of communist destructions in the Soviet Union, Poland and Cambodia are now known to all. The history of the millions destroyed in China, Vietnam or North Korea is yet to be revealed in detail, but many signs allow us to judge this history even now.

But no. It is free China which has had to endure and suffer from the greatest injustices and ignoble attitudes of other countries. The United Nations, long degraded to an irresponsible side show, disgraced itself by expelling from membership the 17 millions of Free China. The majority of countries on our planet treacherously expelled your country from the U.N., whose delegates, adding insult to injury, whistled, jeered and shouted. The majority of Third World countries behaved like madmen who don't know the price of freedom but are themselves waiting for the kick of the boot.

For centuries the Western world has known very well the price of freedom. But with years passing and well-being achieved, it is less and less prepared to pay for it. The western people value their state systems but are less and less inclined to defend them with their own bodies. From decade to decade, the West has become increasingly senile and unable to defend itself. The betrayal of one country after another had already begun before the second world war. Afterward, no scruples were felt in abrogating the whole of Eastern Europe just for the sake of the West's own well-being. How easy it was to betray the government of Mikolaychik, how easy it was to withdraw support from one's ally Chiang Kai-shek. And soon we shall witness how one country will betray another for the price of surviving just a little longer. Should it be surprising that the majority of the frightened western countries are even afraid to sell you weapons for fear of angering Peking. That's how much their drive and concern for freedom is worth. Meanwhile, threatened Europe should understand your position better but is so cowardly that it fails to recognize that the Republic of China and other countries of Asia are themselves endangered. Just recently, the former premier of Japan declared that the arming of Free China would destabilize the Far East. What more can be said?

They are all obsessed with the search for self-protection and the quest for a stand-in. So there emerged an attractive myth—that there are "bad" and "good" communisms. And out of such a myth grew the image of Communist China as a good-natured peace-maker. But should that be surprising—when in South Korea, which herself survived a Communist assault, there exists a myth that actually the Soviet Union is not directly hostile to them, not so much an enemy,

not like North Korea. The South Koreans have also been doing their utmost to curry favor with Peking. Now they are hesitating about whether to give a defecting Red Chinese aircraft to Free China.

No, it is not out of short sightedness, not out of stupidity, that such myths are believed, but out of despair, out of the loss of spirit.

In a particular relationship to you is the United States of America. Up to this day, the United States provides the only outside guaranty restraining the Communists from attacking your island. But how difficult it becomes for the United States to remain faithful to Taiwan, how much has already been lost on the way. The Americans have also succumbed to the general world trend to leave the Republic of China to its perils, to abandon it to its fate. America moved to abrogate its diplomatic relations with the R.O.C. for what? For what fault of hers? Only to follow the futile western dream of gaining an ally in Communist China. America has restricted its connections with you, curtailed its military support and is denying you much of what you need.

What pressures have been exerted upon American presidents, urging surrender of Taiwan. Not all of them could bear the strain. Here we have a former president, just back from a visit to China, where he flattered his hosts by saying that "A strong Communist China is a guarantee for peace" and that America seems to be interested in a strong Red China. Such people in former years have governed the United States and there is no guarantee that another such person might not succeed President Reagan.

The United States is highly heterogeneous. There are many currents, of which the capitulatory tides are quite powerful. Extremely powerful circles are leaning toward betrayal of a free country in favor of a friendship with a totalitarian one. They gladly picked up the hypocritical offer from Communist China on "peaceful unification." Many American journalists cry from the housetops that Peking is now "bound by promises" to effect unification peacefully. They wanted to forget, and therefore successfully forgot, how many times the communists have already cheated. The experience of "governments in concert with communists" in postwar Eastern Europe has taught no lesson. This helpless experiment now is being conducted in Cambodia. Similarly, according to Kissinger's agreement, North Vietnam was "bound by a ceasefire"—until it set the day for the seizure of South Vietnam. And leading American newsmen reached such heights of stupidity as to write that the United States doesn't make mistakes. If Red China "breaks its promise" and seizes Taiwan by force—then—only then—America would be freed from obligations and could again start to deliver arms . . . to whom, then? . . . Yes, such delirium appears on the pages of leading American newspapers, and they don't realize what they are doing.

And thus the influential circles in the United States want to force Taiwan to accept capitulatory negotiations, to relinquish voluntarily its freedom and power.

What, then, does Communist China want from you? Certainly, it is eager to grab your blossoming economy to plunder and devour it. After all that has happened in the 20th century, only shortsighted simpletons can trust Peking's promises that it will totally preserve your economic and social system, and even your armed forces along with some elements of freedom. But the main issue is

not to take away from wealth, to steal the fruits of your hard work. The main thing is that the communist system does not tolerate any deviation in anything or anywhere. Not even the wealth of your island is important, what matters is the deviation from their system. Communist China hates you for your economic and social superiority. For them it is not permissible that other Chinese should know that there can be a better life without communism. The communist ideology does not tolerate any islets of freedom. And so, with all their might, the communists want to cut off the sale to you even of defensive arms, to try to weaken your defense capability, to disturb your balance of power in the strait—and thus to bring closer the day of intrusion into your island.

In order to nurture the apathy of the United States, Red China plays speculatively on the negotiations between Peking and Moscow on matters of China-Soviet rapprochement. Such rapprochement is not make-believe. It is a very realistic perspective. Both governments have long had common roots, a fact which everybody seems to forget. As far back as 1923, a Soviet agent Grusemberg, alias "Borodin," prepared a communist coup, and it was he who promoted Mao Tse-Tung and Chou En-Lai to the highest positions in the party.

All that I am telling you—because of the deadly danger in which you find yourself—is understood well by many, if not yet by all. The threat is understood better here than in South Korea, where the young generation, the students, have quite forgotten the brief horrors of communist intrusion, so that the present freedom seems to them not enough. But they will remember and revalue their present "nonfreedom" when, after a command "hands back," they are driven under armed guards into concentration camps.

It seems to be fashionable in the West: to demand from all who stand in the forefront of defense, under machine-gun fire, to demand the widest democracy, and not just simple but absolute democracy, bordering on total dissoluteness, on state treason, on the right to destroy their own state and country—such freedom as western countries tolerate. Such is the price the West demands from each menaced country, including yours. But it seems that on your island the logical limits are known and will sustain your struggle.

There is another danger stalking you. Your economic successes, your living standards and well-being are of a two fold nature. There are the bright hope of all the Chinese people. But they also can become your weakness. All prosperous people tend to lose the awareness of danger, an addiction of the good living conditions of today, and consequently lose their will for resistance. I hope and I urge you to avoid such a weakening. Don't permit the youth of your country to become soft and placid, to become slaves to material goods, until finally they will prefer captivity and slavery to the struggle for freedom. That for 33 years you lived peacefully does not mean that you might not be attacked in the following three years. You are not a serene, care-free island, you are an army, constantly under the menace of war.

You are 18 millions, about as many as there are Jews in the world and your problem is of the same dimensions. But the Jewish problem attracts the attention of all states and has become one of the central problems of contemporary times. Comparing this with the uniqueness of your posi-

tion, I don't perceive why the fate of Taiwan should not command the equal attention of the world.

But in today's world betrayal from weakness reigns supreme, and it is only your own strength upon which you can really rely. But there is also one more big and bigger hope: the peoples of the enslaved nations, who will not endure indefinitely but who will rise in one menacing hour—menacing to their communist rulers.

In your books you write that your island is "a bastion of national recovery." So be it. Not only defense, not only self-preservation should be your goal—but help, but the liberation of your compatriots suffering on the mainland, and first of all, free and courageous radio broadcasts.

It may seem, since no one comes to mind, that you have no firm, reliable allies, although they might appear in the hour of destruction. But you have the most formidable ally in the world: One billion Chinese people. Their sympathy is your moral and spiritual support. Just a few days ago, you had an encouraging signal from your compatriots through the act of defection of a Red Chinese air force pilot. Often I think of still anonymous prisoners of the Chinese gulags whose true story might not be told until the 21st century.

All the oppressed people, including the peoples of the Soviet Union, cannot rely on outside help, only on their own strength. At the best, the whole world would watch indifferently by possibly with a great deal of relief, if the mad rulers of China and the USSR should unleash war among them. I hope that won't happen. But in any case, let us testify here and now to the mutual amicability and trust between the Chinese and Russian peoples, to the absence of contradictions amongst them, even more, let us hope for a union of our long suffering compatriots against both communist governments. Whatever might happen between these two self-interested, anti-national governments, let us preserve mutual understanding, mutual compassion and friendship. Let's not allow them to blind our eyes and deaden our ears through fruitless national hatred.

We don't know how long the plague of communism will affect our world. One hundred and thirty-five years ago, who would have told the leaders of the then great empires that the tiny group of utopists—communists who organized themselves in Europe—would conquer them all with iron and blood and force to their knees their might and pride? They would not even have smiled at such a prophecy. Such forces could not then be seen anywhere. The strength of the communists was based on their drive and their cruelty, the weakness of the West was rooted in the absence of the will to fight.

We don't know what whimsical zigzags human history will follow. I have already expressed a supposition that would communism will outlive both Soviet and Chinese communist regimes and spread over other countries, many of which are still eager to experience communism. But in our two countries national common sense shall finally prevail.

Anyway, both our peoples have suffered too much, lost too much. They are already moving along the way of liberation and recovery.●

ARMANDO VALLADARES

● Mr. JACKSON. Mr. President, after 22 years of imprisonment in Cuban jails as a political prisoner Armando Valladares was released by the Castro government last month. He is at last a free man and we rejoice in his release.

Mr. Valladares' refusal to bow to the arbitrary and inhumane dictates of the Castro regime is particularly remarkable and attests to his extraordinary courage and integrity. And, his long and cruel imprisonment for his religious and philosophical views is yet another example of the lengths to which the Castro government will go to silence dissenting points of view.

Mr. President, I ask that an October 24 article from the New York Times and a November 17 article from the Washington Post relating to Mr. Valladares' release from Cuba be printed in the RECORD.

The articles follow:

[From the New York Times, Oct. 24, 1982]

POET FREED BY HAVANA TELLS OF 7 YEARS IN UNLIGHTED CELL

(By John Vinocur)

PARIS, October 24.—Armando Valladares, a Cuban poet who was freed in Havana last week after 22 years in prison, said tonight that he had been kept for seven years in a cell without light.

The poet arrived in Paris Friday after his release following a personal appeal from President Francois Mitterrand to Fidel Castro, the Cuban leader. He said he had been informed of the decision only three or four days before he was placed aboard a plane in Havana on Thursday.

The French Government had expressed particular interest in his case, and Régis Debray, Mr. Mitterrand's special counselor for cultural affairs, and a friend of the late Ernesto Che Guevara, the Latin American revolutionary, visited Havana to discuss the matter earlier this month.

Mr. Valladares's comments tonight were made in brief, fragmentary interviews with two of the French television networks. The translation of his replies to two reporters' questions was broadcast over the poet's own voice and it was impossible to hear his remarks in Spanish.

AVERAGE DAY DESCRIBED

Mr. Valladares said in the interview that he was never a terrorist or an operative of the United States Central Intelligence Agency. Rather, he told the television network, he was accused of being an enemy of the revolution.

Mr. Valladares gave no details on his isolation in the cell, but described an average day as one in which he got up at 4 a.m. to crush stones in withering heat until 6 or 7 p.m. "It was forced labor," he said. On return to his cell, he went on, there was only a little water in which to wash.

When asked if he had been tortured, Mr. Valladares replied: "I can't really reply in three minutes. I'll tell it all in my book."

Normally, Mr. Valladares would have been released from prison in 1986. He was sentenced to a 30-year term in 1961 for what was charged was his involvement in terrorist activities but his sentence was later reduced.

During his time in prison the poet was able to communicate to friends outside of Cuba that his legs had become paralyzed,

and the title of a collection of his work was called "From My Wheelchair."

ABLE TO WALK AGAIN

In the interviews today, Mr. Valladares said he had received treatment in Cuba from late 1978 until his release. Six months after the treatments began, the poet said, he was once again able to walk. He told of being furnished orthopedic devices for his knees and ankles. Accompanying pictures showed the poet, who is 45 years old, walking in the streets with his wife.

When one of the interviewers asked what event had impressed him most since leaving prison, Mr. Valladares replied that it was the situation in Poland. "There was a true alliance there between workers and students to change the Communist system," he said.

In answer to another question about the difference between the Batista and Castro dictatorships in Cuba, the poet said, "The most awful dictatorship that humanity has known is the dictatorship of the proletariat."

[From the Washington Post, Nov. 17, 1982]

RELEASED POET DESCRIBES LIFE AS POLITICAL PRISONER INSIDE CUBA

(By Karen DeYoung)

PARIS.—Twenty-two years ago, Armando Valladares, a young Cuban working as a minor bureaucrat in the new revolutionary government of Fidel Castro, was arrested and sentenced to 30 years in prison as an enemy of the state.

Last month, eight years short of the completion of his sentence, Valladares was abruptly released as a "good-will gesture" to France following a personal appeal to Castro by French President Francois Mitterrand. Quickly flown out of the country, he now lives with Marta, the Cuban woman he married in a 1969 prison ceremony, in a small hotel in downtown Paris while he decides what to do with the rest of his life.

Thousands of political prisoners were arrested in the first years after Castro's 1959 takeover, most of them, like Valladares, anonymous. But Valladares' case has been special since 1977, when a book of poems he had smuggled out of jail was published abroad. Titled "From My Wheelchair," its story of how the young prisoner had become paralyzed due to prison-induced starvation brought international sympathy and demands for his release.

Cuba said the paralysis was faked to discredit the Castro regime. But it presented no public proof of his health, and cancelled his visit and letter-writing privileges. From 1979 until recently, no one from the outside saw or heard directly from Valladares.

When his imminent release was announced, there was considerable curiosity. The first photographs were taken in Cuba, showing a frail, pale Valladares walking unaided up the ramp of an Air France jet, and he has not been seen in a wheelchair since. Those who had believed his story from the first said they were glad of his recovery. Others, including some French officials familiar with the case, said they were suspicious.

But even the most skeptical agree, as one official here noted, that "there is no mystery for us. The man spent 22 years in prison, and I don't care about the state of his legs or his head or anything else." These officials deny there was a "deal" involved in Valladares' release—the promise of an invitation, much coveted by Castro, for an official state visit to France—as has also been suggested in the French press.

It was a question of "principle" that prompted Mitterrand first to write Castro about the poet nearly a year ago, French officials said, after he received an appeal from the Spanish writer Fernando Arrabal. On Oct. 18, with only a few days' warning, Valladares was brought to the airport in Havana and handed over to Régis Debray, Mitterrand's adviser on Third World affairs.

The story Valladares tells, with little malice but a constant tapping of his fingers on the table top is one of faith and fortitude in the face of the arbitrary, almost casual injustice of an all-powerful state. Unlike others before him, he does not denounce his captors, and makes no profound political statements. He survived his imprisonment, he says, because of "my indestructible [Roman Catholic] religious conviction, and the love of my wife. Because of this, there is not one atom of hatred in my heart for anyone, not even my jailers."

A slight man, Valladares appears younger than his 45 years, with a quick, gamine-like vitality that matches the rapid speech of his homeland. There is no evidence of paralysis, and as he describes his 1961 trial as a counter-revolutionary, he kicks his feet easily up on the table in imitation of the guerrilla judge who read a newspaper during the proceedings and casually sentenced him to 30 years.

"I was arrested on Dec. 28, 1960. I had no explosives, no arms, no subversive literature, nothing to implicate me as a conspirator. There were two periods of interrogation, each lasting 15 minutes. There was no proof against me, but they said they knew I was a 'potential enemy of the state.'"

Although the government charged that Valladares had been a member of the police force of Fulgencio Batista, whom Castro overthrew, he denies this.

"I worked in an office giving tests to police applicants, working part-time, 8:30 to 11 a.m., to earn money" for his studies in administration at the University of Havana. After Castro's victory, he was investigated by a revolutionary "purge commission" and got a minor bureaucratic job in the Communications Ministry.

He was arrested nearly a year later, Valladares said, because, "in my workplace, in assemblies, I had spoken out against communism. I refused to join the militia. I wouldn't put on a uniform. I'm not a criminal or a terrorist. I was never involved in violence. If I had been involved in any activities, they would have shot me that first day."

Instead, they held him until Jan. 11, when, with no charges and no witnesses, he was brought before a revolutionary tribunal. Two days later he was in prison at the Isle of Pines, off Cuba's southern shore, sentenced to 30 years.

"It all happened so fast," he said. Three months later, he said, charges were entered associating him with sabotage and bombing, although there was no new trial and no proof submitted.

[A Cuban diplomat in Washington said that Valladares was found guilty of "conspiratorial and terrorist acts" involving a number of bombings, as part of a "group led by someone who was connected to Batista."]

Valladares appears to remember things in blocks of years—the years he was in solitary, the years the prisoners got no letters, the year he was moved from one prison to another, the years of visits and those of none. In 1967, political prisoners were ordered to put on the same uniforms as common criminals and those who had

agreed to submit to a "rehabilitation" program. Some accepted, Valladares said, but 900 refused, and "we went naked."

In 1969 he and Marta, whom he met when she visited her prisoner father in 1961 at the Isle of Pines, were permitted to marry in a 15-minute prison ceremony.

Marta left Cuba in 1972. From 1970 to 1978, he said, no visits were permitted for those who refused to participate in the rehabilitation program.

It was in 1974, during one of the periodic battles of will between the jailed and their jailers, Valladares said, that he and a number of others were deprived of food for 46 days.

"Six of us ended up in wheelchairs," he said.

Valladares pulled out what appeared to be documents from the Cuban Health Ministry, sent to Amnesty International, describing his condition as "polyneuropathy." Medical dictionaries describe it as a flaccidity of the muscles, sometimes leading to paralysis of the lower extremities, that can be caused by malnutrition.

The condition is reversible with therapy, and although he tried to exercise his muscles, Valladares said he received no professional treatment until 1979. That was the year Castro released about 3,600 political prisoners in one of his sporadic good-will gestures. While other imprisoned invalids were pardoned, Valladares was not, because, he said, the authorities were angry about the book of poems published in 1977.

The first poem in the book speaks of the day when "my wheel chair will grow wings/ [and] I will fly over parks/ carpeted with children and violets./ My wheelchair will be a winged dream/ without the alienating obsession of the prison bars."

Instead, he was sent to a hospital "on the street," outside the prison. He was there nearly a year and a half, and learned to walk fairly well with braces, before being sent back to Combinado del Este prison on the edge of Havana. There, he said, he was kept in virtual solitary confinement, led into another room twice daily for therapy. "They wanted me to be ready," he said. "They wanted to say I was never crippled."

Other than waiting for relatives to join him here, marrying in a religious ceremony, and "doing what I can" to help free what he says are still about 330 "old" political prisoners from the early days of the Castro government, Valladares said he has no plans.

"I'm not going to write any more poetry. That is what I did in jail, to think, to express myself."●

DAVID STOCKMAN, WHERE ARE YOU?

● Mr. ABDNOR. Mr. President, the November 12, 1982, edition of the Wall Street Journal contained an article by a professor of political science at Texas A&M University which should be required reading for every Member of Congress.

There is little doubt in my mind that although Congress ordered this Outlook, most of the copies delivered to Capitol Hill wound up in the circular file beside some staffer's desk. If Mr. Payne's assessment of its worth is on target, the waste of its publication would be compounded by the waste of anyone's time.

One wonders how many more of these bagatelles we have out there—and when we will get around to calling a halt to such nonsense.

I ask that the article be printed in the RECORD.

The article follows:

[From the Wall Street Journal, Nov. 12, 1982]

THE HIGH COST OF WRITING A BOOK FOR CONGRESS

(By James L. Payne)

Last January, I received a book to review for Science Books and Films, a magazine put out by the American Association for the Advancement of Science. The volume was "Outlook for Science and Technology: The Next Five Years," written by the National Research Council and published in 1982 by W. H. Freeman. I have no idea how I was selected to handle the volume, but in retrospect, the AAAS probably commissioned one of the best qualified reviewers they could have found. My education in science is quite strong, especially in chemistry, biochemistry, and electronics, and my various hobbies and interests have kept me in touch with a wide variety of technical fields, from geology to psychophysics. As a political scientist, I was qualified to comment on the public policy aspects of science and technology—the ostensible focus of the volume. And finally, I was independent of the scientific establishment that had produced the volume, and therefore disinterested.

I found the volume disappointing, and, feeling myself under an obligation to try to explain the failure, I began to look into its background. It turned out that the book was the product of a \$367,000 federal grant given by the National Science Foundation to the National Research Council. This grant, in turn, represented the implementation of an act of Congress, the National Science and Technology Policy, Organization and Priorities Act of 1976.

I dug out the law in question, and, sure enough, buried in the torrent of platitudes and redundancies was the injunction that someone keep Congress informed about "problems of national significance that are identified through scientific research." Whether congressmen actually had specific "problems" in mind when they approved this pretty-sounding language is doubtful. If, for example, scientists discovered a giant meteor hurtling on a collision course with the Earth, it hardly seems that a special federal bureaucracy would be needed to bring the matter to our attention.

If Congress wanted accounts of more mundane scientific developments, all it had to do was buy a subscription to, say, Scientific American for about one ten-thousandth of the cost of an NSF/NRC report. (If congressmen proved to be avid readers, two subscriptions could be entered, one for the House and one for the Senate.)

Naturally, the bureaucrats never pointed out that Congress had empowered them to deliver a bagatelle. They simply played the game out to its wasteful end. Scores of scientists, diverted from their own research by the honoraria dangled before them, were set to writing what a steering committee guessed congressmen might have wanted in a report they never intended to read. The result was the book in question.

I wrote my review, compressing the critique into the 200-word limit, and mailed it off in time to make the requested deadline. It never appeared in Science Books and Films, and apparently never will. In explain-

ing why she killed the review, the editor declared that her action was "dictated" by "procedures" which, owing to certain inefficiencies, could not be followed in this case. Cynics will say that that doesn't sound very logical, and point to the vested interest of the AAAS, as an academic lobby for federal bucks, in suppressing any suggestion that these bucks sometimes go astray. Personally, I believe the editor because her voice on the telephone had a ring of sincerity to it. Anyway, here's the review they never published:

"This book is unlikely to have users—a not surprising result for a volume conceived and written by committees expending government funds to fulfill a congressional whim.

"The 17 chapter topics follow no discernible principle of selection; they range from plant diseases to cognition, from nutrition to the sun. The chapters themselves lack focus or purpose. The bits and pieces they contain are not integrated into any detectable theme, message or conclusion. The level of treatment varies both in depth and style, from superficial generalizations (in the ecology and water quality chapters, for example), to narrow, technical presentations (the chemical synthesis chapter, for example).

"It is almost as if someone had entered a science and technology library and torn pages from all the volumes at random and then pasted them together in this book. There is nothing particularly wrong with the individual paragraphs, but combined together by 112 members of 17 subcommittees, the result is an unreadable hodgepodge. And since the coverage of each topic is so fragmentary, the volume cannot even serve as a reference book.

"The Preface reports that the NSF and NRC intend to continue to inflict these pointless 'Outlook' volumes upon us every other year or so forever. David Stockman, where are you?"●

JULIA MIRANDA

Mr. JACKSON. Mr. President, today Mia Miranda, the document clerk of the Committee on Energy and Natural Resources, has an especially difficult task. This afternoon funeral services were held for her young daughter, Julia, who died unexpectedly last week.

Julia visited us often in room 3200 of the Dirksen Senate Office Building, where her mother manages, with competence and poise, the availability to staff and the public of copies of bills, printed hearing records, committee reports and other documents published by the Committee on Energy and Natural Resources.

Julia was, quite simply, a pleasure to all who knew her. There is very little we can say to make sense of the untimely loss of someone so young and so perfect. We can try to make our feelings of loss known and offer to her mother, a valued friend and colleague, our deepest sympathy.

It just seems so inadequate.

A CONGRESSIONAL SALUTE TO DR. CHARLES KELMAN

● Mr. D'AMATO. Mr. President, the God-given gift of sight is one of our most treasured abilities thus it is altogether proper and fitting that I take this opportunity to pay tribute to Dr. Charles Kelman of Glen Oaks, N.Y., who has restored the sight of thousands of people who would otherwise know a world of darkness and shadow.

To tell you about Charles Kelman, the physician, would indeed be shortsighted. Rather, I want you all to know Charles Kelman, the musician, the author, the pilot, the professional golfer, and above all, the humanitarian. He is a man who routinely donates his operative skills to restore the sight of those who cannot afford surgery.

In fact, in December Dr. Kelman will operate on a 4-month-old infant from Italy, afflicted with both congenital eye defects and cataracts. The operation will be the first in a hands-across-the-sea humanitarian project sponsored by the Nassau County, L.I., New York Sons of Italy in cooperation with Lydia E. Hall Hospital in Freeport, N.Y., where Dr. Kelman is chief of ophthalmology. Lydia E. Hall Hospital will absorb most of the expenses of the baby's surgery and Dr. Kelman will contribute his services. The Sons of Italy hope to bring at least 12 children to this country for eye surgery.

In the highly technological world of ophthalmology, Dr. Kelman is best known as the man who pioneered cataract phacoemulsification. Stated simply, an ultrasonic tool, also developed by Dr. Kelman, fragments the cataract, which is then drawn out of the eye through a tiny incision in the cornea. Prior to phacoemulsification, which Dr. Kelman developed in the late sixties, cataract surgery was at best a difficult and risky procedure that required weeks of hospitalization and recovery. Today, 30 percent of cataract surgery throughout the world utilizes Dr. Kelman's revolutionary 7-minute procedure, and hospitalization is a brief 1 day or shorter.

Dr. Kelman's story has appeared in *Newsday*, the *New York Times*, *People Magazine*, even *Reader's Digest*. He has appeared on "The Tonight Show," "Real People," and "The Tomorrow Show." His patients have included such notables as jazz great Lionel Hampton, screen legend Hedy Lamarr, disc jockey William B. Williams, boxer Joe Frazier, opera star Jan Peerce, and actress Ann Miller.

While Charles Kelman is at home in the operating theater, so too does he perform in theaters all over the world, where he has entertained thousands with his saxophone, his own songs, and comedy. He has performed at Carnegie Hall, Fountainsbleu Hotel in Miami Beach, Summit Hotel in Manhattan, and the Concord Hotel in the Catskill Mountains. Once every few

months, Dr. Kelman takes to the stage for his patients, so, as he puts it "they can see my other side." I salute Dr. Kelman and his musical talents, which he frequently calls upon for the benefit of the Louis Braille Foundation for Blind Musicians and the Ichilov Hospital in Tel Aviv.

I have focused on Dr. Kelman, the physician, the musician, and the humanitarian. There is also Charles Kelman, the teacher. Not satisfied with helping only the patients who can come to his New York facilities, Dr. Kelman has traveled around the world, at his own expense, to teach phacoemulsification to more than 1,400 ophthalmologists. He spends about 40 percent of his time teaching others at Lydia E. Hall Hospital and at New York Medical College, where he is a full professor of ophthalmology. Dedicated to informing the world about cataracts, and in an effort to ease the fears of potential patients, Dr. Kelman has just written "Cataracts: What You Need To Know About Them."

No tribute to Charles Kelman would be complete without mentioning his prowess on the golf course—where he performed well enough to win a class A award last year—to his expertise in the sky—at the controls of his own helicopter.

Mr. President, my esteemed colleagues, please join me in saying thank you to Dr. Charles Kelman for giving so many people the gift of sight, the sound of music, and the benefits of his outstanding intellectual skills.●

ATHLETIC ACHIEVEMENTS OF THE SEIBEL FAMILY OF VERMILLION, S. DAK.

● Mr. ABDNOR. Mr. President, as a graduate of the University of Nebraska, I took great pride and pleasure from the Cornhuskers' win over Oklahoma last week that clinched another Big Eight championship. As a South Dakotan, though, last week's game took on an additional meaning.

Kevin Seibel, Nebraska's kicker, was perfect on all of his extra point attempts to give the Cornhuskers their 4-point victory margin. His efforts capped an incredible year for Seibel and three of his brothers, all of whom are kickers for college or high school grid squads.

It is unusual enough for one family to have four boys playing at the same position at the same sport but, to top it off, they have all achieved great success in their specialty. Each of the Seibel siblings have made at least 60 percent of their fieldgoal attempts and they have combined for a remarkable 61-of-63 record in extra point tries.

And, on October 25 of this year, they pulled off another remarkable feat. Each of them kicked their respective teams to victory. Kevin kicked three

fieldgoals in Nebraska's 23-19 win over Missouri. One younger brother, Kurt, kicked a fieldgoal with 3:32 to play to give the University of South Dakota a 13-10 victory over Morningside College.

Kent Seibel, a freshman at Augustana College in Sioux Falls, kicked two fieldgoals to pace Augustana to a 13-10 win over South Dakota State, and Kyle Seibel booted 3 extra points in a Vermillion High School victory over Canton.

Of course, the Seibel siblings cannot take total credit for their achievements. Much of that kicking talent must have been inherited from their father Willie, who played for Herreid High School and the University of South Dakota as a kicker.

And those talented toes are not limited to the father and his four eldest sons. Look out for Karl Seibel, now a seventh-grade linebacker and wingback who will begin kicking for his team next season.

Mr. President, I ask to include the attached material in the CONGRESSIONAL RECORD.

The material follows:

KICKING FOOTBALLS TO HELP TEAMS' WIN A FAMILY ACT FOR SEIBELS

(By Steve Matthies)

VERMILLION, S.D.—Kurt Seibel stood on the turf of the University of South Dakota's Dakota Dome Saturday night looking for anyone who had heard how Augustana College and South Dakota State University fared.

When the score was announced his eyes twinkled in the darkened Dome.

"That means we all won. It's the first time this season we've all won on the same day," Seibel, a junior placekicker for USD, said.

It was a football day that saw:

Kevin Seibel, a senior, kick three field goals and two extra points as the University of Nebraska beat Missouri 23-19.

Kurt Seibel, a junior, kick two field goals and an extra point as USD beat Morningside College 13-10, his second field goal coming with 3 minutes and 32 seconds to play.

Kent Seibel, a freshman, kick two field goals and an extra point as Augustana beat SDSU 13-10, his second field goal coming with 3:28 to play.

Kyle Seibel, a senior, kick three extra points as Vermillion High School beat Canton 21-8.

"We made all four games, too," Willie Seibel, the boys' father said.

"Lois, my wife, went to Nebraska with her mother (Billie Bruyer). I drove my motorcycle to Canton so Kyle could use it to go watch Augustana play and I came home with the (Tanager) team on the bus to watch the University."

Such is the Saturday life of Willie and Lois Seibel—and family.

"We make our plans the first of the week as to who's going where," Willie, who is an assistant football and the head wrestling coach at Vermillion High, said.

"One weekend, Kyle and I went to Nebraska and then hustled back to watch Augustana play," he said. "It makes for a long day when you start out around 7:30 a.m. and finish after the last game. But I'm glad we

can do it. And I'm glad all the schools are near the interstate (29)."

Seibel said he doesn't know how many miles he and his family have traveled to get their kicks out of football.

"The only thing I worry about is having enough money to put gas in the car and buy a hot dog when I get there," he laughed.

But, before the season is out, things will get a little easier.

"November the sixth," Willie said. "It's a big day. We've chartered a private plane and will go to Nebraska. They're honoring Kevin, as they do all the seniors, and it's his turn. We want to be able to stay for a little bit of the reception. Then we'll fly back for the University's game against Augustana (in the Dakota Dome)."

The 1982 family travel schedule—that often includes Bruyer, who is better known around the house as Mrs. B's—is something none of the Seibels had sights on when the boys first began kicking in the Punt, Pass and Kick competition sponsored by the Ford Motor Company.

"It all started 13 years ago," Willie said, "with an ad in the paper for the Punt, Pass and Kick competition, and we're thankful for it and Jack Stewart, who runs it in Vermillion."

"We talked to the boys about it and encouraged them. One thing led to another. We won a lot of trips."

And a little notoriety.

"After the first year, we talked about it and said wouldn't it be nice if one of the boys became a national (PP&K) champion. It came true with Kurt (in 1974). Kyle missed out by 2½ feet in the semifinals."

The idea that the four oldest boys would all be kicking for a college or high school on the same day, however, was never a thought.

Making sure each one got an education has been more important, Willie said. That education has been family oriented, as well as at school.

"This has brought a lot of respect and unity for each other. We have our ups and downs, but whenever there's a communications problem, we get right on it. Without communications, everything goes haywire."

Only when Kevin Seibel began kicking for Nebraska's Cornhuskers did the thought of the Seibel boys all kicking in college become a thought for the family.

Kevin had the fortune of kicking for four years at Vermillion High. Kent kicked for three years. Kurt and Kyle will have one-year kicking careers for the Tanagers. "I wish they all could have kicked for three years, but the oldest one got to do the kicking and they understand that."

While his sons have been kicking for glory, even though their names are often confused in some sports stories and broadcasts, Willie Seibel has had to endure some heat himself. Many people thought he was pushing his boys into kicking, football and athletics.

"Through all those years, I shagged a lot of footballs and I don't regret it," he said. "But I don't feel I was pushing. We've encouraged them to participate, and I've always been willing to work with them. Athletics are our livelihood."

Dad still helps out, too.

"We usually don't talk about the bad times," he said. "We will talk about how to improve or be ready for a situation."

Only once does Willie Seibel, a three-year letterman for USD who did some kicking for the Coyotes, admit to being tense watching his boys kick.

"That was when Kevin kicked off for the first time at Nebraska," he said. "I was up in section 109, 10 minutes before the kickoff. I knew he could do it, but my knees were really shaking. That's the last time I really got nervous."

South Dakota wrestling fans might find that interesting. Willie Seibel is often the focus of close matches when his Tanagers are on the mat.

He still has plenty of chances to get nervous watching his boys kick, though.

Not only do Kurt, Kent and Kyle have collegiate eligibility remaining, but Karl is in the seventh grade. Currently a linebacker and wingback for his school team, Karl will get into kicking next year, and his father emphasized, "If he wants to."

A halfback and defensive lineman at Herreid, S.D., High School, Willie Seibel's involvement in kicking isn't anything new. "I did all the kicking there, too," he said.

CLINCH RIVER—A NET LOSS

● Mr. HUMPHREY. Mr. President, proponents of the Clinch River breeder reactor (CRBR) project, estimated to cost nearly \$9 billion by the General Accounting Office (GAO), claim the controversial project will generate anywhere from \$8 to \$20 billion in revenues from sale of electricity. This estimate is contained, for instance, in a report of the House Appropriations Committee in its energy and water development appropriations bill report. The report states that:

On a straight profit and loss basis, reasonable estimates of the value of CRBR's electricity over the cost to complete the project, would show a net return of about \$9 billion while fulfilling the project's objectives as a research, development and demonstration activity.

Proponents of Clinch are wrong about profitability. What the House Appropriations Committee report neglects to mention is that this \$9 billion net return is really an estimate of Clinch River's gross revenues in year-of-receipt dollars. This net return is bloated by inflation and fails to consider expenses of financing, construction, and operation and maintenance. When these additional costs are considered, at best the real value of Clinch River's net operating revenues turns out to be one-fifth of what proponents claim.

A Congressional Research Service (CRS) study I am releasing today drives this point home: After deflating these revenues into 1982 dollars and applying the discount rate the Tennessee Valley Authority (TVA)—the anticipated purchasers of Clinch—would use to calculate the cost of buying the plant, CRS concludes that the range of gross revenues from Clinch River over its 30-year lifetime is between \$0.76 billion—assuming a discount rate that the Office of Management and Budget now uses—to \$2.6 billion, without any discount rate. CRS also estimates Clinch River's net operating revenues, or gross revenues minus the

costs of operating and maintaining the reactor, to be between one-half to two-thirds of gross revenues. I calculate that figure to be approximately \$0.38 to \$1.72 billion.

The Department of Energy, another Clinch proponent, sets Clinch River's total cost at \$3.6 billion, or \$5.2 billion less than GAO. Using DOE's total cost estimate, it is easy to see that net revenues—what would be left after subtracting the costs of financing, construction, and operation and maintenance—are nonexistent.

Even the most optimistic estimates of Clinch River's anticipated net operating revenues are minimal. A June 1981 estimate by the Tennessee Valley Authority of Clinch's expected revenues, after subtracting operating and maintenance, shows that Clinch River would only produce \$542.4 million and are based on four optimistic assumptions: First, that Clinch would operate at 80 percent of its designated capacity compared to the industry norm of 65 percent; second, that Clinch's capacity, unlike other reactors, would not decline; third, that TVA would pay more than what they are obligated to pay for Clinch's electricity, and fourth, that reprocessing Clinch's fuel, requiring the construction of a \$1 billion plant, will cost nothing.

Other Government studies now underway are more pessimistic, suggesting that Clinch River's net operating revenues, after subtracting operation and maintenance costs, to be nonexistent. The GAO is currently completing a study that concludes there will be no net revenues from Clinch River. Even after accruing revenues from the sale of electricity, the operators of the Clinch River breeder reactor, according to GAO, will be in red ink to the tune of \$3 billion due to high operation and maintenance costs.

Given these considerations, it is difficult to imagine that TVA, which already has a large surplus of nuclear generating capacity, would be willing to buy or operate Clinch River. Indeed, there is good reason to doubt that TVA is willing to buy the plant at all. And, if TVA refuses to buy the Clinch River breeder reactor project, the Federal Government will be forced to decide either to operate the plant or to cut its losses and mothball the facility.

These points are important and should be considered before we vote on whether to continue the current lameduck session. Certainly, Congress should benefit from the same information used by the Department of Energy to determine Clinch's net revenues. Since this information, contained in the aforementioned TVA study, was conducted for the current Washington director of the breeder

project, and since the CRS study corroborates its findings, I ask that the complete text of both studies be printed in the RECORD.

The material follows:

JUNE 5, 1981.

Mr. GORDON CHIPMAN,
Room B, Rayburn House Office Building,
Washington, D.C.

DEAR MR. CHIPMAN: In response to your request for a determination of the "plant life revenues" of the Clinch River Breeder Reactor, we have prepared the following information.

Based on a 30-year life and beginning operation in 1990, the plant has been evaluated using the energy output levels provided us and listed below:

	Megawatt years
1990.....	146.25
1991.....	187.5
1992.....	225.0
1993-2020.....	281.25

We have also included the operating costs of \$544.5 million in the first five years of operation which were provided to us. Beyond the fifth year, we have used \$26.5 million (fuel) and \$15.0 million operation and maintenance expenses as provided to us. We have escalated these values at the appropriate escalation rate of 9.7 percent for fuel and 11.5 percent for operation and maintenance costs.

The enclosed table provides the detailed calculations in determining this plant life revenue. Since we do not estimate rates beyond 2000, general trends were observed

to determine the level of wholesale rates beyond that year.

Using the 14½-percent discount rate you requested, the 30-year net worth of generation from the Clinch River Breeder Reactor is approximately \$542 million (1981 dollars). For the initial five-year period of operation, this value is approximately \$63 million.

It should be noted that present contractual arrangements call for purchase of power from the Clinch River Project at the cost of generation displaced on the TVA system. This rate is generally lower than the wholesale rate.

If you have further questions, please let us know.

Sincerely,

LYNN C. MAXWELL,
Chief, Power Planning Staff,
Tennessee Valley Authority.

CLINCH RIVER BREEDER REACTOR

Year	Operating value			Operating costs (millions)			Net Value (millions)	Present worth of net value ^a
	Wholesale rate ¹	Generation ²	Operating benefits (millions)	Fuel	O&M	Total		
1990.....	73.7	1,281	\$94.4			\$108.9	-\$14.5	-\$4.3
1991.....	80.2	1,643	131.8			108.9	22.9	5.0
1992.....	86.0	1,971	169.5			108.9	60.6	5.0
1993.....	92.2	2,464	227.2			108.9	118.3	23.6
1994.....	99.1	2,464	244.2			108.9	135.3	23.6
1995.....	106.8	2,464	263.2	\$26.5	\$15.0	41.5	221.5	33.8
1996.....	115.2	2,464	283.9	29.1	16.7	45.8	238.1	31.8
1997.....	123.4	2,464	304.1	31.9	18.6	50.5	253.6	29.6
1998.....	132.6	2,464	326.7	35.0	20.8	55.8	270.9	27.6
1999.....	142.6	2,464	351.4	38.4	23.2	61.6	289.8	25.8
2000.....	153.7	2,464	378.7	42.1	25.9	68.0	310.7	24.2
2001.....	166.8	2,464	411.0	46.2	28.8	75.0	336.0	22.9
2002.....	181.6	2,464	447.5	50.7	32.1	82.8	364.7	21.7
2003.....	198.0	2,464	487.9	55.6	35.8	91.4	396.5	20.7
2004.....	216.3	2,464	533.0	61.0	40.0	101.0	432.0	19.7
2005.....	236.6	2,464	583.0	66.9	44.5	111.4	471.6	18.8
2006.....	259.4	2,464	639.2	73.4	49.7	123.1	516.1	18.0
2007.....	284.8	2,464	701.7	80.5	55.4	135.9	565.8	17.2
2008.....	313.3	2,464	772.0	88.3	61.8	150.1	621.9	16.6
2009.....	345.3	2,464	850.8	96.9	68.9	165.8	685.0	15.9
2010.....	379.9	2,464	936.1	106.3	76.8	183.1	753.0	15.3
2011.....	416.0	2,464	1,025.0	116.6	85.6	202.2	822.8	14.6
2012.....	455.5	2,464	1,122.4	127.9	95.4	223.3	899.1	14.0
2013.....	498.8	2,464	1,229.0	140.3	106.4	246.7	982.3	13.4
2014.....	546.2	2,464	1,345.8	153.9	118.7	272.6	1,073.2	12.8
2015.....	598.1	2,464	1,473.7	168.8	132.3	301.1	1,172.6	12.2
2016.....	654.9	2,464	1,613.7	185.2	147.5	332.7	1,281.0	11.6
2017.....	717.1	2,464	1,766.9	203.1	164.5	367.6	1,399.3	11.1
2018.....	785.2	2,464	1,934.7	222.8	183.4	406.2	1,528.5	10.6
2019.....	859.8	2,464	2,118.5	244.5	204.5	449.0	1,669.5	10.1
2020.....	941.5	2,464	2,319.9	268.2	228.0	496.2	1,823.7	9.7
30-year sum.....							19,701.8	\$42.4

¹ Dollars per Mega Watt hours. ² Kilowatt hours in millions. ^a 1981 dollars at 14.38 percent.

CONGRESSIONAL RESEARCH SERVICE,
THE LIBRARY OF CONGRESS,
Washington, D.C., October 26, 1982.

Attention: Henry Sokolski.

To: Hon. Gordon J. Humphrey.

From: Robert L. Civiak, Analyst in Energy
Technology, Science Policy Research Division.

Subject: Clinch River Breeder Reactor Revenues.

In response to your request, enclosed is a report on the projected revenues from the sale of electricity from the Clinch River Breeder Reactor (CRBR). This report expands upon a September 27 memorandum that I prepared for you on CRBR revenues.

We hope you will find this useful. Please call if we can be of further assistance (237-7055).

PROJECTED REVENUES FROM THE CLINCH RIVER BREEDER REACTOR

There is considerable debate in Congress over whether to continue funding for the controversial Clinch River Breeder Reactor (CRBR). One issue of contention is the amount of gross revenue that can be expected to be received from the sale of the elec-

tricity produced by the plant. This report shows that dramatically different estimates of CRBR gross revenues—\$769 million to \$19.2 billion over 30 years—are within the realm of possibility depending upon the assumptions used. It should be emphasized that the above figures are for gross revenues. Net revenues are even less certain, but would be considerably lower. Net operating revenues would be gross revenues minus fuel, operating, and maintenance costs. Net revenues would be net operating revenues minus capital costs.

In order to project CRBR revenues, one must estimate a rate for the sale of a kilowatt-hour (kw-hr) of electricity, what percentage of its maximum output the plant will produce (capacity factor), the future rate of inflation, and any possible deviation of electricity rates from the general inflation rate. Different estimates of these variables contribute to the variance between projections of CRBR gross revenues. However, perhaps the greatest variance comes from different assumptions about the discount rate to apply to future revenues¹ and from presenting revenues in terms of dollars

of different value (i.e., different base years). In this report mid-range values for the first four variables are assumed; CRBR gross revenues are then calculated for a wide range of discount rates and base year dollars, and the results compared.

Gross revenues are projected both for the first 5 years of CRBR operation and for the full 30-year expected life of the plant. The revenues during the first 5 years are significant, because according to current contracts for the construction and operation of the plant the gross revenues are to be returned to the U.S. Treasury.² At the end of 5 years the Tennessee Valley Administration (TVA) may buy the plant from the Government. While this means that revenues received after the first 5 years may not be returned to the Treasury, the value of CRBR at the time of the sale may depend upon the expected net operating revenues, which are of course substantially less than the gross revenues.

Assumptions

In the revenue projections presented below it is assumed that CRBR begins oper-

ation in 1989, as currently planned by the Department of Energy (DOE), and that it operates at its 350 megawatt design capacity for the full 30-year design lifetime.

The general inflation rate used in the projections is 8.0 percent, which is the rate that DOE uses in estimating the cost to build CRBR. It is further assumed that electricity prices will increase at a rate of 1 percent per year faster than inflation for the entire period studied. This latter assumption may be compared to the Energy Information Administration's projection that electricity prices will increase between 1½ and 2 percent faster than inflation until 1995,³ but at a rate of less than one-tenth of one percent per year above inflation from 2000 to 2020.⁴

According to the contract between TVA and DOE, TVA will buy the electricity produced by CRBR at a price equivalent to the cost to TVA to produce the power it replaces. Using TVA's 1981 costs, DOE estimates a rate of 3.06 cents per kw-hr in 1981 dollars as a base for projecting CRBR revenues.⁵ In the projections below, an equivalent rate of 3.3 cents per kw-hr in 1982 dollars has been used.

The average capacity factors used are 60 percent for the first 5 years and 68.5 percent for the full 30 years. These compare to an average capacity factor of about 65 percent for nuclear reactors in operation in the United States over the past 5 years. It is assumed that CRBR's capacity factor will be slightly lower than the national average during its first 5 years because it is a demonstration reactor with an untried design. The 30-year average capacity factor of 68.5 percent is the same as that used by the Nuclear Regulatory Commission in its 1977 Environmental Impact Statement on CRBR.¹

When these assumptions are combined, the estimate gross revenue from the sale of electricity produced by CRBR in its first year of operation is: 350 megawatts X .60 capacity X 24 hours/day X 365 days/year X 3.3 cents/kw-hr X 1.08⁷ (for inflation) X 1.01⁷ (electricity prices),⁷ which equals \$111.5 million in 1989 dollars. Similarly, for a 68.5 percent capacity factor, the "base year" gross revenue is calculated to be \$127.3 million in 1989 dollars.

Results

Projected gross revenues from the sale of the electricity generated by CRBR in its first 5 years of operation are given in table 1, and gross revenues for the full 30-year design life of the plant are given in table 2. Revenues are given for three different ways of valuing dollars and for four discount rates. In the first column in each table gross revenues are shown in undiscounted, year-of-receipt dollars. For this calculation, the revenue in the "nth" year of CRBR operation is taken as the revenue in the base year times (1.08 X 1.01)ⁿ. The factor of 1.08 accounts for general inflation and the factor of 1.01 is for the extra increase in electricity price above inflation.

TABLE 1.—PROJECTED GROSS REVENUES FROM THE FIRST 5 YEARS OF CRBR OPERATION

Discount rate (percent)	Gross revenues (millions of dollars)			
	Undiscounted	Discounted to 1989		
	Year-of-receipt (dollars)	1989 (dollars)	1982 (dollars)	
0	729	574	335	
3.7	729	515	300	
5.6	729	489	285	
10.0	729	435	254	

In the second column in each table the gross revenues are calculated in 1989 dollars, discounted to 1989 (the planned first year of CRBR operation), at discount rates of 0, 3.7, 5.6 and 10.0 percent. For this column the revenue in the nth year is the base year revenue times $[(1.01)/(1+i)]^n$, where i is the relevant discount rate.⁸ In this case the factor of 1.08 does not appear because the calculation is in constant 1989 dollars, but the factor of 1.01 is retained to account for the assumption that electricity prices increase faster than inflation.

In the third column in each table the gross revenues are discounted to 1989, but shown in 1982 dollars. For this column the results of column two are divided by (1.08)⁷.

TABLE 2.—PROJECTED GROSS REVENUES FROM 30 YEARS OF OPERATION OF CRBR

Discount rate (percent)	Gross revenues (billions of dollars)			
	Undiscounted	Discounted to 1989		
	Year-of-receipt (dollars)	1989 (dollars)	1982 (dollars)	
0	19.21	4.472	2.609	
3.7	19.21	2.604	1.519	
5.6	19.21	2.061	1.203	
10.0	19.21	1.318	0.769	

Discussion

According to table 1, the gross revenue from the sale of the electricity produced during the first five years of CRBR operation might be projected at from \$254 million (1982 dollars discounted at 10 percent per year to 1989) to \$729 million (year-of-receipt dollars). These two numbers differ by nearly a factor of three, but there is a much greater difference between the various ways of calculating the CRBR gross revenues over a 30-year period. The 30-year gross revenues (table 2) are projected to be from \$769 million to \$19.2 billion.

Depending upon the context, it might be correct to say either that the gross revenues from CRBR will be \$769 million (1982 dollars discounted at 10 percent per year to 1989) or \$19.2 billion (undiscounted year-of-receipt dollars). The larger figure represents the actual revenues from the sale of the electricity produced as they are received, while the smaller figure represents the value of the revenues at the time the plant will begin operation (1989) in terms (1982 dollars), which are most familiar. Great care must be taken when using these figures, however. Neither is appropriate for a comparison with the cost of building the plant.

A proper cost/benefit comparison of CRBR would compare the costs of building the plant (including interest), expressed in constant year dollars of some base year (most conveniently 1989) with the discounted net operating revenues (gross revenues minus operating and fuel costs) from its operation. Depending on the discount rate used, the discounted gross revenue from the sale of electricity is estimated (table 2) at \$1.3–2.6 billion (1989 dollars) and the net operating revenues might be expected to be about 1/2 to 2/3 of the gross revenue.⁹

On the cost side, DOE estimates a total cost of \$3.7 billion to build the plant in as-spent dollars, which range from 1974 dollars to 1989 dollars.¹⁰

The comparable cost in 1989 dollars would be considerably higher. In addition, the U.S. General Accounting Office (GAO) has estimated that the cumulative interest on the money spent to build CRBR would be another \$3.9 billion (mixed 1974–1994 dol-

lars).¹¹ Hence, it is clear that the net operating revenue from CRBR is expected to be considerably less than the cost to build the plant, i.e. there is projected to be a large net cost associated with building and operating CRBR rather than a net revenue.

On the other hand, CRBR was never designed to operate at a profit. Its value is as a research, development, and demonstration facility. Benefits accruing from these functions have not been included in the above oversimplified cost/benefit analysis.

APPENDIX A

The discount rate¹²

Capital spending projects in the public sector are often evaluated by a method called cost-benefit analysis. Cost-benefit analysis involves identifying and measuring the costs and benefits associated with each project.

In order to evaluate the benefits and the costs which accrue at different rates over different periods of time, their values must be stated in terms of a common reference point. This common reference point is usually, but not necessarily, the present.

The flow of costs and benefits for an investment project are discounted to their "present value" through the application of an appropriate discount rate. The application of the discount rate is much like the compounding of interest, only it is generally backwards in time instead of forward.

The present value of a quantity may be defined as $1/(1+i)^n$ times that quantity, where i is the discount rate and n is the number of years through which the quantity is being discounted. The term present value is used even if the common reference point is not the present. Present values of costs and benefits can be compared to compute the net benefit of each individual project. The problem then is to determine the appropriate discount rate.

Many economists believe that the discount rate used to evaluate Government projects should measure the opportunity cost of capital to the Government. The opportunity cost of capital is the value of the commodity which would have been produced had the capital been invested in its most productive alternative. The alternative to public investment is private investment; thus the opportunity cost of capital to the Government is the rate of return earned on productive resources in the private sector. We are still left, however, with the difficulty of measuring the rate of return on investment of the private sector of the economy.

The Office of Management and Budget (OMB) has provided some guidance in this regard. OMB Circular A-94¹³ establishes a fixed discount rate of 10 percent for all evaluations of applicable programs and projects (water projects, real property, commercial-type services, and automatic data processing equipment are exempted). The circular states that this discount rate "represents an estimate of the average rate of return on private investment, before taxes and after inflation." Hence according to OMB, the 10 percent discount rate should be used in establishing the present value of future costs and benefits expressed in constant dollars.

A 1977 Congressional Research Service investigation¹⁴ into the question of the appropriate discount rate to be used in Government cost-benefit analysis offers another means of approximating the opportunity cost of capital to the Government. That investigation concluded that the interest rate on new, long-term Government bonds is the

best approximation of the opportunity cost of capital to the Government.

The interest rate on long-term Government bonds has recently been about 14 percent. However, that rate must be corrected for inflation to establish the discount rate to be used in determining the present value of future costs expressed in constant dollars. The discount rate is the absence of inflation, "i", is related to the discount rate that reflects the current bond market, "c", and the inflation rate, "e", by the following equation.

$$i = 1 - (1+c)/(1+e)$$

If inflation is projected to be 8 percent, then substituting 0.08 for e and 0.14 for c gives $i = 0.056$, or a discount rate of 5.6 percent for use with quantities expressed in constant dollars.

Another candidate for a discount rate comes from the Technical Assessments Guide (TAG) prepared by the Electric Power Research Institute (EPRI).¹⁵ The TAG is intended to provide "a consistent economic methodology for determining the relative cost to electric utility customers of the potential results of alternative R&D efforts." The TAG specifies a constant dollar discount rate of 3.7 percent based on EPRI's analysis of utility rates of return on their investment. It should be noted, however, that this discount rate is suggested for calculations made in an electric utility setting rather than for public sector R&D projects.

Another study of discount rates, by Econ, Inc.,¹⁶ analyzes the choice of discount rate for long-term Federal energy R&D programs (specifically fusion energy) and finds that "the use of a 10 percent discount rate is clearly unwarranted for the evaluation of long-term projects. . . . High discount rates strongly favor the selection of short-term projects and nearly doom competing long-term projects, despite the potential benefits offered." They note that the use of a 10 percent discount rate may be justified when the risks in a project are large and uncertain. However, they suggest that a discount rate in the range of 3 to 5 percent be used in the evaluation of long-term energy R&D programs when the risk is considered in the expression of the costs and benefits.

It can be seen that, while the concept of discounting may be generally accepted, there is a considerable range of discount rates suggested for use. The discount rates used in the above analysis of projected revenues from the sale of electricity produced by the Clinch River Breeder Reactor (0, 3.7, 5.6, and 10.0 percent) were chosen to span the range of suggested values.

FOOTNOTES

¹ Because receiving a dollar 10 years from now is not as desirable as receiving that dollar tomorrow (even without inflation), a technique called discounting is generally used for placing streams of revenue with different time patterns on a common basis. In its simplest terms, discounting is accomplished by dividing future revenues by a constant factor for each year in the future that they will be received. While the technique of discounting is generally accepted, there is a large variation in the discount rates that are used. Discount rates of 0, 3.7 percent, 5.6 percent, and 10.0 percent are used in this report. The choice of a discount rate is discussed in appendix A.

² The contracts are printed in: U.S. Congress, House, Committee on Science and Technology, Closeout Costs: Clinch River Breeder Reactor Project, Hearing, 97th Cong., 1st Sess., May 11, 1981, Washington, U.S. Govt. Print. Off., 1981, 321 p.

³ U.S. Energy Information Administration, Annual Report to Congress, Washington, Feb. 1982, v. 3, p. 155.

⁴ U.S. Energy Information Administration, Annual Report to Congress, Washington, Mar. 1981, v. 3, p. 161.

⁵ Letter from Gordon L. Chipman, Jr., DOE Deputy Assistant Secretary for Breeder Reactor Programs to J. Dexter Peach, U.S. General Accounting Office, Oct. 13, 1982.

⁶ U.S. Nuclear Regulatory Commission, Final Environmental Statement: Clinch River Breeder Reactor Plant, Washington, Feb. 1977, NUREG-0139, p. 10-7.

⁷ The exponent in the inflation factors is 7 because there are that many years from 1982 to 1989.

⁸ See Appendix A for a discussion of the methodology of discounting and the reasons for choosing different discount rates.

⁹ The difference between gross revenue and net operating revenue is based upon a comparison of our \$19.2 million undiscounted year-of-receipt gross revenue estimate with DOE's project operating cost of \$8.5 billion in undiscounted year-as-spent dollars presented in the letter from Gordon Chipman to J. Dexter Peach, op. cit.

¹⁰ DOE's latest official cost estimate for CRBR is \$3.6 billion, but that includes about 0.1 billion credit for projected net revenues during the first 5 years of operation.

¹¹ U.S. General Accounting Office, Interim Report on GAO's Review of the Total Cost Estimate for the Clinch River Breeder Reactor Project; Letter of Sept. 23, 1982, EMD-81-131, Washington, 1982, p. 12.

¹² This appendix is based in part upon U.S. Library of Congress, Congressional Research Service, A Critique of an ERDA Paper—The Updated Cost-Benefit Analysis of the LMFBR, Typed Report by Alvin Kaufman et al., Washington, 1978, p. 39-40.

¹³ U.S. Office of Management and Budget, Discount Rates to be Used in Evaluating Time-Distributed Costs and Benefits, OMB Circular A-94, Revised Mar. 27, 1972.

¹⁴ U.S. Library of Congress, Congressional Research Service, Calculating Discount Rates in Benefit/Cost Valuations, An Economic Appraisal, Typed Report by Warren E. Farb et al., May 23, 1977, Washington, 1977, 20 p.

¹⁵ Electric Power Research Institute, Technical Assessment Guide, EPRI, Palo Alto, Calif., May 1982, EPRI P-2410-SR.

¹⁶ Econ, Inc. Methods of Economic Analysis Applied to Fusion Research: Discount Rate Determination and the Fossil Fuel Price Effect, Prepared for the Department of Energy, Division of Magnetic Fusion Energy, Sept. 25, 1978, 169 p. DOE Rept. C00/4181-2; Econ Rept. 78-159-2.

MEMORIES OF MRS. JESSIE BAKER

Mr. GRASSLEY. Mr. President, it is a great pleasure to call to the attention of my colleagues the article sent to me by the Reverend Richard Henningfield, the Lutheran Church—Missouri Synod, of Council Bluffs, Iowa. The article relates some memories of Mrs. Jessie Baker, of the Twilight Acres Home, at Council Bluffs, Iowa. Mrs. Baker celebrated her 101st birthday on October 4, 1982. I ask that the article be printed in the RECORD.

The article follows:

MRS. JESSIE BAKER CELEBRATES 101ST BIRTHDAY

On October 4, 1982 Jessie Baker celebrated her 101 birthday at Twilight Acres. She was born in Wisconsin and moved to this area in 1887 at the age of six.

As a child, Mrs. Baker recalls Wall Lake with a dirt road main street. There was a harness shop in the spot where the current bank building now stands. Her parents operated a small hotel where the bowling alley is. Other businesses on main street at that time included another large hotel, a doctor's office and two general stores.

In those days it was an everyday occurrence to see a covered wagon pass through Wall Lake. Their extra team of horses or oxen would be tied to the back of the wagon. Most of them were headed west, going to the gold fields in California.

Some of her fondest memories are from her childhood. "Children were kept as babies for as long as they could be back then. Children today are much sharper and grow up much faster. I'm not sure that's best. The things I enjoyed most as a child were the long rides to see the circus and to see 'Little Eva' and 'Toppie' in the Tent Shows."

As a member of the "class of 1900", Mrs. Baker is the oldest living graduate of Wall Lake High School. Following her graduation she taught school in the rural Sac county school systems. She was married in 1907 and has four children. Following the death of her husband, Mrs. Baker traveled around the country visiting relatives, which included three grandchildren, seven great-grandchildren, and one great-great-grandchild.

Mrs. Baker has lived from the time of the covered wagon, to the advent of the automobile, to having a man walk on the moon. She commented on the speed of current technology by saying that "It's just too much, too fast. I just don't know how much longer it can go on this way. We didn't have any of the things that they have now, no modern machinery, no indoor plumbing, and no telephone." They used to get their news, when they picked up the paper on Saturday, on their weekly trip to town.

"Those were the good ole days. I certainly wouldn't trade them for now. I used to walk one mile to get to school." In those days it took a long time to get anywhere. It was 1907 before Mrs. Baker saw her first automobile. "It wasn't long before everyone had to have one," she added. Since that time Mrs. Baker had ridden in an automobile many, many times and now even enjoys flying in airplanes.

One of the eras that Jessie Baker has experienced was the Great Depression. When asked how it compared with today's economic conditions she responded that she didn't feel that it was as bad then as it is now. "Back then we didn't have all the payments that people do today. If you were out of a job then you could somehow manage to get by. Today, if you lose your job it's pretty near impossible because of the bills."

One example of inflated costs offered by Mrs. Baker were the doctor bills for the birth of her four sons. The bill for the first two was \$10 and the second two, \$25. The doctor bill alone for the birth of a child now runs in the neighborhood of \$500, not including hospital costs and others expenses.

The Great Depression, however, was not the most tragic portion of history for Mrs. Baker. The event that offers the most bitter memories was WWII. She and her husband lost a son aboard the "Indianapolis" when it was sank.

Another event that brings back vivid memories is the assassination of President McKinley. Mrs. Baker was working on a soap demonstration crew. "We were sitting at the breakfast table at the hotel in Lewis, Ia. when the lady who ran the hotel came over and told us the president had been shot."

Six years ago Mrs. Baker moved to Twilight Acres. Since moving there she has been two time champions at both checkers and spelling. She tied in a third spelling tournament with one of her former pupils, who also resides at Twilight Acres.

Mrs. Baker attributes her long life to the fact that she was born healthy. She is extremely proud of the claim that she takes the least medication of any of the residents at Twilight Acres. "I've never had much use for doctors. I had all the childhood illnesses

but my mother took care of me with home remedies."

NOTICE OF DETERMINATION BY THE SELECT COMMITTEE ON ETHICS

● Mr. WALLOP. Mr. President, it is required by paragraph 4 of rule 35 that I place in the CONGRESSIONAL RECORD this notice of Senate employees who proposed to participate in a program, the principal objective of which is educational, sponsored by a foreign government or a foreign educational or charitable organization involving travel to a foreign country paid for by that foreign government or organization.

The Select Committee on Ethics has received a request for a determination under rule 35 which would permit Mr. Rick Rolf, of the staff of Senator MARK HATFIELD, and Mr. Scott W. Martin, of the staff of Senator RUDY BOSCHWITZ, to participate in a program sponsored by Korea University, in South Korea, from November 12 to 21, 1982.

The committee has determined that participation by Messrs. Rolf and Martin in the program in South Korea, at the expense of Korea University, to discuss United States-South Korea relations, is in the interest of the Senate and the United States.

The Select Committee on Ethics has received a request for a determination under rule 35 which would permit Ms. Gina Despres, of the staff of Senator BILL BRADLEY, to participate in a program sponsored by Korea University in South Korea from November 12 to 21, 1982.

The committee has determined that participation by Ms. Despres in the program in South Korea, at the expense of Korea University, to participate in discussions on United States-Korea relations, is in the interest of the Senate and the United States.

The Select Committee on Ethics has received a request for a determination under rule 35 which would permit Mr. Robert Vastine, of the staff of Senator CHAFEE, Mr. Lester Rosen, of the staff of Senator QUAYLE, and Ms. Mary Hawkins, of the staff of Senator DECONCINI, to participate in a program sponsored by a foreign educational organization, Tunghai University, in the Republic of China, from November 5 to 14, 1982.

The committee has determined that participation by Messrs. Vastine and Rosen and Ms. Hawkins, in the program in the Republic of China, at the expense of Tunghai University, to participate in economic and political issue discussions, is in the interest of the Senate and the United States.

The Select Committee on Ethics has received a request for a determination under rule 35 which would permit Mr. William Canis, of the staff of Senator

CHARLES H. PERCY, to participate in a program in the Republic of Korea from November 12 to 21, 1982, sponsored by a foreign educational organization, Korea University.

The committee has determined that participation by Mr. Canis in the program in Korea, at the expense of the Asiatic Research Center of Korea University, to tour Korea's industry, government, and educational institutions, is in the interest of the Senate and the United States.

The Select Committee on Ethics has received a request for a determination under rule 35 which would permit Mr. Earl Eisenhower and Mrs. Judy Eisenhower, of the personal staff of Senator BARRY GOLDWATER, to participate in a program sponsored by Soochow University, in the Republic of China, from November 7 to 15, 1982.

The committee has determined that participation of Mr. Eisenhower and Mrs. Eisenhower in the program in the Republic of China, at the expense of Soochow University, is in the interest of the Senate and the United States.

The Select Committee on Ethics has received a request for a determination under rule 35 which would permit Ms. Lorraine Huang, of the personal staff of Senator ALAN CRANSTON, to participate in a program sponsored by a foreign educational organization, Korea University, in South Korea, from November 12 to 21, 1982.

The committee has determined that participation by Ms. Huang in the program in South Korea, at the expense of Korea University, to participate in seminars and meetings on United States-Korean economic, political, and security relations, is in the interest of the Senate and the United States.

The Select Committee on Ethics has received a request for a determination under rule 35 which would permit Ms. Dorothea Roberson, of the staff of the Select Committee on Intelligence, to participate in a program sponsored by a foreign educational organization, Soochow University, in Taiwan, from November 6 to 15, 1982.

The committee has determined that participation by Ms. Roberson in the program in Taiwan, at the expense of Soochow University, to participate in discussions regarding events in Taiwan and general issues of mutual concern, is in the interest of the Senate and the United States.

The Select Committee on Ethics has received a request for a determination under rule 35 which would permit Ms. Susan Schwab, of the staff of Senator JOHN DANFORTH, to participate in a program sponsored by the European Parliament and the Commission of the European Community in Europe from November 6 to 27, 1982.

The committee has determined that participation by Ms. Schwab in the program in Europe, at the expense of the European Parliament and the

Commission of the European Community, to discuss issues of mutual concern with Europeans who have an active interest in United States-European relations, is in the interest of the Senate and the United States.

The Select Committee on Ethics has received a request for a determination under rule 35 which would permit Ms. Kathleen Connolly, of the staff of Senator JOHN GLENN, to participate in a program sponsored by a foreign educational organization, Soochow University, in Taipei, Taiwan, from November 6-14, 1982.

The committee has determined that participation by Ms. Connolly in the program in Taipei, at the expense of Soochow University, to discuss Taiwanese culture and institutions, is in the interest of the Senate and the United States.

The Select Committee on Ethics has received a request for a determination under rule 35 which would permit Mr. Richard F. Kaufman of the staff of the Joint Economic Committee, Mr. Winslow Wheeler of the staff of Senator NANCY KASSEBAUM, and Mr. Henry J. Steenstra, Jr., of the staff of Senator DAN QUAYLE, to participate in a program sponsored by a foreign educational organization, the Japan Center for International Exchange, in Tokyo, Japan, from November 7-13, 1982.

The committee has determined that participation by Messrs. Kaufman, Wheeler, Spencer, and Steenstra in the program in Tokyo, at the expense of the Japan Center for International Exchange, to discuss United States-Japan relations, is in the interest of the Senate and the United States.

The Select Committee on Ethics has received a request for a determination under rule 35 which would permit Ms. Margo Carlisle, of the staff of Senator JAMES MCCLURE, to participate in a program sponsored by a foreign educational organization, Konrad-Adenauer-Stiftung Foundation, in Bad Godesberg, Germany, from November 19-21, 1982.

The committee has determined that participation by Ms. Carlisle in the program in Bad Godesberg, at the expense of the Konrad-Adenauer-Stiftung Foundation, is in the interest of the Senate and the United States.

The Select Committee on Ethics has received a request for a determination under rule 35 which would permit Mr. Brent Budowsky, a member of the staff of Senator MAX BAUCUS, to participate in a program sponsored by a foreign educational organization, the Japan Center for International Exchange, in Tokyo, Japan, from November 6-14, 1982.

The committee has determined that participation by Mr. Budowsky, at the expense of the Japan Center for International Exchange, to discuss United States-Japan trade relations, is in the

interest of the Senate and the United States.

The Select Committee on Ethics has received a request from Mr. Charles Mitchell, a member of the personal staff of Senator HEFLIN, to participate in a program sponsored by a foreign educational organization, Tunghai University in the Republic of China, from November 4-15, 1982.

The committee has determined that participation by Mr. Mitchell in the program in the Republic of China, at the expense of Tunghai University, to discuss trade and policy issues, is in the interest of the Senate and the United States.

The Select Committee on Ethics has received a request from Mr. Jade West, a member of the personal staff of Senator SYMMS, to participate in a program sponsored by a foreign educational organization, Tunghai University in the Republic of China, from November 5 to 14, 1982.

The committee has determined that participation by Mr. West in the program in the Republic of China, at the expense of Tunghai University, to discuss trade and policy issues, is in the interest of the Senate and the United States.

The Select Committee on Ethics has received a request for a determination under rule 35 which would permit Mr. James P. Lucier and Mrs. Mary Grace Lucier, of the staff of Senator JESSE HELMS, to participate in a program sponsored by a foreign educational organization, Soochow University, in the Republic of China, in early November 1982.

The committee has determined that participation by Mr. and Mrs. Lucier in the program in Taiwan, at the expense of Soochow University, to participate in discussions with faculty members and students of the university and leading officials of the Republic of China, is in the interest of the Senate and the United States.

The Select Committee on Ethics has received a request for a determination under rule 35 which would permit Ms. Diana Smith, of the staff of the Committee on Foreign Relations, to participate in a program sponsored by the NATO Euro-group of discussions with high level government officials of the NATO Euro-group countries from October 14 to 24, 1982.

The committee has determined that participation by Ms. Smith in the program, at the expense of the NATO Euro-group, is in the interest of the Senate and the United States.

The Select Committee on Ethics has received a request for a determination under rule 35 which would permit Messrs. Richard Finn and Drew Harker, of the staff of the Armed Services Committee, to participate in a program sponsored by the NATO Euro-group countries, to travel to Turkey, Greece, Italy, and Portugal, to

discuss foreign policy and mutual security issues from October 13 to October 24, 1982.

The committee has determined that participation by Messrs. Finn and Harker in this program, at the expense of the NATO Euro-group countries, is in the interest of the Senate and the United States.

The Select Committee on Ethics has received a request for a determination under rule 35 which would permit Messrs. Geryld Christianson, Edward G. Sanders, Patrick Balestrieri, and John Ritch, of the staff of the Committee on Foreign Relations, to participate in a program of discussions with high level government officials of the NATO Euro-group countries (Turkey, Greece, Italy, and Portugal) concerning foreign policy and security issues on the southern flank, and relations with the United States, from October 14-24, 1982.

The committee has determined that participation by Messrs. Christianson, Sanders, Balestrieri, and Ritch in the program, at the expense of the NATO group, is in the interest of the Senate and the United States.

The Select Committee on Ethics has received a request from Mr. Douglas L. Miller, a member of the personal staff of Senator LARRY PRESSLER, to participate in a program sponsored by a foreign educational organization, Tunghai University, in the Republic of China, from November 4-18, 1982.

The committee has determined that participation by Mrs. Miller in the program in the Republic of China, at the expense of Tunghai University, to discuss trade and policy issues, is in the interest of the Senate and the United States.

The Select Committee on Ethics has received a request for a determination under rule 35 which would permit Ms. Margo Carlisle, an employee of the Senate Republican Conference, to participate in a program in Guatemala from October 13 to 21, 1982, sponsored by the Guatemala Freedom Foundation.

The committee has determined that participation by Ms. Carlisle in the program in Guatemala, at the expense of the Guatemala Freedom Foundation, to participate in educational meetings, is in the interest of the Senate and the United States.●

JACK KEY'S SERVICE TO SENATE WAS EXTRAORDINARY

● Mr. NUNN. Mr. President, Jack Key, who has been a most effective member of the staff of the Senate Permanent Subcommittee on Investigations for the past 3 years, is leaving Washington to return to his native Florida where he will enter the business community of Manatee County. Jack Key has been one of my most val-

uable aides. His competence, sound judgment, and loyalty will be missed.

Jack, who was chief investigator when I was chairman of the subcommittee and now serves in that capacity on the minority staff, made many important contributions to our work, particularly in the effort to strengthen the Government's ability to combat organized crime and to immobilize the international drug syndicates.

A nationally recognized expert on organized crime and drug abuse, Jack brought to the subcommittee proven investigative ability and experience gained in nearly two decades of law enforcement work at the State, county, and local levels in Florida.

Calling upon lessons learned in a wide variety of law enforcement assignments, from undercover drug duty to security operations at the 1972 national political conventions in Miami Beach, Jack Key knows and understands police work, he knows and understands the criminal justice system and he knows and understands how the Federal Government can assist local officials. He is a unique perspective, one that constituted a great resource for the Permanent Subcommittee on Investigations as we sought to carry out our mandate to examine organized and syndicated crime and recommend methods to control it.

But Jack Key did not limit his contributions to cases relating to organized crime and drug trafficking. He played a vital role in the subcommittee's recent inquiry into the Government's ability to control the illegal diversion of militarily critical technology to the Soviet Union. The subcommittee's investigation of the Government's failures in examining the Teamsters Central States Pension Fund was very much enhanced by the participation of Jack Key. Additionally, in the waterfront corruption hearing, his many contacts in law enforcement agencies throughout the Nation resulted in the subcommittee's having the unprecedented testimony of a New Jersey State police officer who, in an undercover capacity, had penetrated the core of a major organized crime family.

Jack Key is one of the most capable men I have had the pleasure of working with. I know I speak for other members of the subcommittee when I say that we are grateful for the service he gave. We wish Jack good luck in all his future endeavors.●

THE DEATH OF MR. KORCZAK ZIOLKOWSKI

● Mr. ABDNOR. Mr. President, on October 21, South Dakota and the Nation lost one of the most remarkable individuals of our time with the death of Mr. Korczak Ziolkowski.

While there might be many who might not recognize his name, there are few that do not know of this remarkable man's efforts to turn a mountain in South Dakota into a timeless memorial.

Korczak, as he preferred to be called, was invited in 1939 by Sioux Chief Henry Standing Bear to carve an Indian memorial in the Black Hills which would honor the legendary Indian Chief Crazy Horse.

In 1948, he began work on the sculpting of an entire 600-foot mountain in the round. When completed Crazy Horse will stand taller than the Great Pyramid or the Washington Monument.

Nine years before, he began his work with \$174 in his pocket and lived in a tent at the base of Thunderhead Mountain as he struggled to carve the heritage of the Indian Nation in stone.

Up until his death at age 73, not a day went by that he did not spend on his mountain. He singlehandedly raised the needed funds to meet his expenses and twice spurned offers of Federal assistance. Day after day for 35 years he worked to move his dream nearer to reality.

In these efforts he was not alone. His beloved wife, Ruth, was his partner in every sense of the word. They were joined by their 10 children (5 boys and 5 girls) who gave their love and support to this man and his dream.

They will now carry on his dream, as he requested in his final words to his family.

Korczak once said that "when legends die, the dreams end; when the dreams end, there is no more greatness." Well, this monument to man's greatness will live on as a legend for all time—not only to Crazy Horse and the noble character he epitomizes, but also for Korczak Ziolkowski who lies buried at the foot of his beloved mountain.

Mr. President, I ask to include the following material in the CONGRESSIONAL RECORD.

The material follows:

THE THUNDER IS GONE FROM THUNDERHEAD MOUNTAIN

[From the Rapid City Journal, Oct. 22, 1982]

ZIOLKOWSKI: AN ARTIST, A DREAMER

(By Marguerite Weisbeck)

"You must keep building. The only good is in building. Crazy Horse must be finished. You must work on the mountain—but slowly, so you do it right."

Korczak Ziolkowski's last words to his wife and children.

The thunder is gone from Thunderhead Mountain. Korczak Ziolkowski is dead.

He was a strong man, a stubborn man. He knew what he wanted and he usually got it. He was independent. He made things happen. He brooked no interference.

That was the side of him so many people saw. But there was another side, he was an artist, a romantic. He was a dreamer. In

many ways, he still embodied in his bear-like frame the wonder of a child.

He was enthralled by the romance of the West and the romance of the American Indian, with the way things used to be but so seldom were any more. He was drawn to the authentic, the beautiful, the creative.

The old chiefs of the Sioux, he revered. Of Gutzon Borglum, the original mountain sculptor, he spoke with awe. He has an eye for every lovely thing on his mountain, from the grain of the rust in the granite, to the long views from the mountaintop, to the patterns of ancient lichens on ancient stone.

"I believe I'm just about the only white man ever invited out here by the Indians," he said once, with satisfaction. He would take no money from the government to help with the work on Crazy Horse Monument. He had promised the Indians a humanitarian project, with health and educational centers, and he didn't believe the government would keep a promise to build them any better than they had kept any other promises to the Indian people.

Like a child, he believed implicitly in his dream. He couldn't understand that some people don't believe in dreams, that some people don't dream at all. "When the legends die, the dreams end. When the dreams end, there is no more greatness," he would quote with relish, not remembering who has said it, but liking the philosophy.

He aspired to greatness. The first plan for the monument was small, a carving on a mountain. Soon, it became a carving of a mountain. It would be the biggest, the most dramatic, the most unforgettable monument even seen. Nobody in the history of the world had carved a heroic figure, in the round, out of a mountain.

But he was also the most realistic of men. He carved his own coffin out of pine grown on his own land and kept it in the art gallery that contained the other treasures of his hands, the wood and stone carvings, the furniture and the history of his work told in newspaper and magazine clippings that covered an entire wall.

"Maybe it's like carrying an umbrella," he said of the coffin. "As long as you carry it, it doesn't rain."

And he carved his own tomb out of the rock of the valley floor and designed the great metal door that swings shut at the touch of a finger. He planned his own funeral.

Korczak the strong man is dead. But Korczak the dreamer lives on in his dream. When the long arm of the figure on the mountain is finished and gleams white in the sun, when the words on Crazy Horse are repeated on the wide veranda where thousands of visitors come to view the mountain: "My lands are where my dead lie buried," Korczak will be there.

[From the Rapid City Journal, Oct. 22, 1982]

KORCZAK ZIOLKOWSKI—MAN ON THE MOUNTAIN

Korczak Ziolkowski left his mark on the Black Hills in more ways than one.

For 35 years he devoted his life and considerable talent to a dream he shared with Sioux Indian elders of a generation ago—a gigantic monument to the great Sioux leader, Crazy Horse.

To fulfill that dream, he purchased the land surrounding Thunderhead Mountain north of Custer to be the site not only of the monument but of an Indian university and medical center.

Early on, Ziolkowski exhibited his single-mindedness and fierce independence (some

would call it stubbornness) by refusing financial help from the federal government because it was conditioned on abandoning plans for the university and medical center and concentrating on the monument.

Having to depend on contributions from benefactors and tourists slowed work on the monument. Often Ziolkowski worked alone blasting rock and pushing it from the mountain to rough out the form of Crazy Horse astride a horse with his arm outstretched over the horse's head. The monument was to depict an incident in which Crazy Horse answered the taunts of a soldier by saying, "My lands are where my dead lie buried."

Ziolkowski was a man of contrasts. At times his language was from the gutter, at other times from the drawing room. He could tell a crude story or discuss fine arts. He easily made the transition from dirty buckskins and battered western hat to a silk-lined cape and top hat. Over the years he cut off people who had been friends, supporters or benefactors, often for insignificant reasons. A genial host, he was difficult to get to see. He had harsh words for his critics. If you weren't for him, you were against him.

Even though he fell behind his timetable, and the years began to take their toll on his massive frame, he persisted in saying the Crazy Horse Monument would be finished. Finally realizing it couldn't be done in his lifetime, he trained some of his children to carry on the work.

Whether the monument to Crazy Horse ever emerges or remains nothing more than a scar on Thunderhead Mountain, Ziolkowski's name will remain etched on the pages of South Dakota history.

Here was a man who was as flinty and stubborn as the Black Hills granite which challenged his determination and talent and kept him from realizing his dream.

[From the Argus Leader, Sioux Falls, S. Dak., Oct. 22, 1982]

ZIOLKOWSKI: LEGEND LIKE CRAZY HORSE MOUNTAIN

South Dakota's man on the mountain—Korczak Ziolkowski—didn't get the six more good years that he wanted to work on his sculpture of Crazy Horse in the Black Hills. But he got one year—1981—and hope for another before he died Wednesday night at age 74.

According to spokesman Rob DeWall, the sculptor's family will carry on the work of completing his monument to the great Sioux Indian Chief Crazy Horse. That's appropriate for the honoree and the sculptor Ziolkowski was a great South Dakotan and American artist.

He worked 35 years on Crazy Horse Mountain and became a legend himself—so much a part of the Black Hills and South Dakota that it's easy to forget his origin and how he began the monument.

Ziolkowski was orphaned in Boston when he was a year old. He came to the Black Hills in 1939 to work for sculptor Gutzon Borglum on Mount Rushmore. That was the year that Sioux Chief Henry Standing Bear asked Ziolkowski to carve a mountain memorial to Crazy Horse.

Ziolkowski began the task after World War II, blasting 7.2 million tons of rock from the mountain before he died. Another 2 million tons must be removed before detail work can be started.

Throughout his work on Crazy Horse mountain, Ziolkowski saved the most difficult and dangerous tasks for himself. His

wife, Ruth, and his children have helped him with the project; sons worked on the mountain with him. His daughters assisted Mrs. Ziolkowski with the operation of the visitor's complex. One daughter made models of Crazy Horse Memorial as part of the money-raising effort.

Ziolkowski consistently refused federal aid for his project, relying instead on admission fees and private financing. It is estimated that 1.1 million visitors saw Crazy Horse Mountain in 1981.

The U.S. Post Office issued the Crazy Horse 13-cent postage stamp at the memorial last January. Other recent notable recognition for Ziolkowski came from Northwestern Bell. The company put a color photo of the sculptor and his wife and Crazy Horse Mountain on the cover of its South Dakota phone books.

There are many anecdotes about Ziolkowski, his attention to detail and his all-consuming interest in the project. At the same time, he was a devoted family man and a friend of innumerable South Dakotans and others who visited him at Crazy Horse.

Ziolkowski's research about Native Americans led to admiration for them and disgust with the federal government's breaking innumerable treaties with the tribes. He met with many Sioux leaders and also with Mari Sandoz, the famed Nebraska author, to gain insight for his monument.

Ziolkowski persisted in working on the mountain in recent years despite several back operations. His death resulted from complications following recent heart surgery.

His plans for his family to carry on the work were made carefully.

Now it's up to them to carry on—and complete the dream Ziolkowski had for Crazy Horse Mountain. ●

EXTREMISTS SUPPORT NUCLEAR FREEZE

● Mr. EAST. Mr. President, in the last 2 months several major newspapers and public figures have made charges of a "revival of McCarthyism" in response to allegations made by President Reagan, Senator DENTON, and others that the so-called nuclear freeze movement has been penetrated and influenced by Communists, pro-Soviet elements, and far left activists. While I believe that those Americans who support the freeze are mistaken in their support, the majority of those who do support the freeze are nevertheless patriotic citizens who are unaware of the ulterior motives that are harbored by some of the leaders and more prominent figures who promote the freeze.

I shall provide here extensive documentation from reliable and publicly available sources for the allegation that pro-Soviet, Communist, Communist Party front groups, and far left activists are indeed present in the freeze movement and have exerted considerable influence within it. I am submitting these articles today not in order to expose the freeze movement but in order to inform other Americans—especially those who are not aware of the far left influences within

it—of the presence and influence of those elements.

While it is certainly the right of American citizens to support those policies in which they believe, I would ask supporters of the freeze movement to ask themselves about the goals and purposes of that movement and about the security of their own country and its institutions:

First, why does the Soviet Union want a nuclear freeze? Is it because the largest totalitarian state in the world—a nation that persecutes its own citizens and is currently invading and destroying Afghanistan and other nations behind the Iron Curtain—is really interested in peace? Is it because the Soviet Union—which in the last 15 years embarked on the largest nuclear buildup in history—wants an end to the arms race? There is in fact no arms race on the part of the United States, since we have not deployed a single new land-based nuclear weapon system since the early 1970's. Or does the Soviet Union support a nuclear arms freeze because it now enjoys nuclear superiority in the European theater and elsewhere and knows that its superiority would be ended by the planned deployment of Pershing II and ground-launched cruise missiles by the United States in NATO by the end of 1983?

Second, is it not likely that the Soviet Union would use its immense propaganda assets in the KGB, the international department and the information department of the Central Committee of the Soviet Communist Party, in the Communist Parties of the world and their front groups, and other assets as well to promote a policy that the Soviets deem to be in their interest? Is that an unreasonable possibility?

Third, are those persons really interested in peace and disarmament who have taken the side of the Soviet Union, Cuba, North Vietnam, and other Communist states over the years; who have traveled to the Soviet Union to take part in "peace" conferences sponsored by the Soviet Government and presided over by known Communist Party members; who have denounced the United States and its foreign and military policies repeatedly as well as its fundamental institutions; or who have generally supported anti-American and anti-Western causes, countries, and movements? Or are such persons and organizations really motivated by some other desire than the security and best interests of the United States?

Fourth, are those leaders of the freeze movement who have not been explicitly or implicitly pro-Communist or anti-American in their rhetoric or activities but who dismiss charges of a Communist presence in the freeze movement as absurd or who say it is irrelevant—are such leaders acting re-

sponsibly and in a manner intended to promote the best interests of the United States?

Mr. President, I pray that all Americans will ask themselves these questions about the freeze movement and seek serious answers to them as they read the articles and materials below, and I ask that the articles be printed in the CONGRESSIONAL RECORD in full at the conclusion of these remarks.

The articles are as follows:

(1) Robert Moss, "The Intelligence War—Long Arm of KGB on Disarmers," Daily Telegraph (London), November 2, 1981, p. 5.

(2) "The Nuclear Freeze Network," Peace Through Strength Report (American Security Council), April 17, 1982.

(3) "How Far Left Is Manipulating U.S. Nuclear Freeze Movement," Human Events, April 17, 1982.

(4) Allan Brownfeld, "'Peace' Visitors Sing a Soviet Song," Washington Times, April 21, 1982, p. 8A.

(5) Jeffrey G. Barlow, "Moscow and the Peace Offensive," (Background No. 184) Heritage Foundation, May 14, 1982.

(6) Vladimir Bukovsky, "The Peace Movement and the Soviet Union," Commentary (May 1982), pp. 25-41.

(7) "The Nuclear Weapons Freeze Movement," Washington Report (American Security Council), June 1982.

(8) Rael Jean and Erich Isaac, "The Counterfeit Peacemakers: Atomic Freeze," The American Spectator, June 1982.

(9) Dorothy Rabinowitz, "The Building Blocks of the Freeze Movement," Wall Street Journal, June 10, 1982, p. 18.

(10) John Barron, "Nuclear Freeze Campaign Instigated by KGB," (opinion editorial), Washington Times, October 18, 1982, p. 11A.

(11) "The KGB's Role in Vermont's Nuclear Freeze Referendum," Human Events, October 30, 1982, p. 5.

(12) "The Activists: Familiar Faces, A Familiar Fight, Different Arena," Washington Post, October 1, 1982, p. A12.

THE INTELLIGENCE WAR—LONG ARM OF KGB ON DISARMERS

(By Robert Moss)

Evidence has come to light of the direct involvement by the KGB, the Russian secret police, in efforts to promote unilateral disarmament campaigns in NATO countries.

Last April, the Dutch government expelled a 31-year-old Russian called Vadim Vassilevich Leonov, supposedly a correspondent for the Tass news agency in Holland.

Mr. Leonov had been identified by the Dutch security service as a KGB officer who was actively engaged in espionage and covert operations.

Mr. Leonov's primary role was to maintain contacts with leaders of the Ban-the-Bomb movement.

He was to help orchestrate mass demonstrations and propaganda operations according to instructions forwarded from Moscow via the top-secret telex in the KGB Referentura (or code-room) inside the Soviet Embassy in The Hague.

Several months after Mr. Leonov's expulsion, a Dutch religious newspaper, the Reformatorisch Dagblad, published some remarkable disclosures by an unidentified church activist who had been cultivated by the KGB man.

According to the newspaper report, Mr. Leonov had boasted one evening that "if Moscow decides that 50,000 demonstrators must take to the streets in Holland, then they take to the streets."

"A message through my channels is sufficient."

"Everything is organized with military precision under the leadership of people who are essentially conscientious objectors."

"I should know," Mr. Leonov went on, "because not only am I involved in these clandestine activities on a daily basis, but I am also one of those who transmit the orders coming from Moscow."

Mr. Leonov's indiscretion—no doubt expressed to his confidant while never suspecting that he would later be quoted in print—is singularly revealing.

BAN CIRCUMVENTED

On the other side of the Atlantic, Mr. Leonov's role appears to be paralleled by that of Yuri Kapralov, whose nominal post is that of counsellor at the Soviet Embassy in Washington.

Mr. Kapralov has become a familiar figure at rallies and seminars organized to oppose the Reagan Administration's defence programme.

Last August, he was scheduled to address a disarmament rally that was to be held at the end of a march between the symbolically-named Vermont towns of Washington and Moscow.

The State Department intervened to prohibit Mr. Kapralov from speaking in Washington, Moscow, or two other towns along the route.

But the order failed to mention a fifth village along the line of the march, so Mr. Kapralov was able to make his speech at the Wesley Methodist Church in Waterbury, Vermont.

He spoke in support of a moratorium on the development of both nuclear and conventional arms by the two superpowers—a freeze that would confirm the present superiority enjoyed by the Soviet Union.

THE NUCLEAR FREEZE NETWORK

A well-organized international campaign to freeze U.S.-Soviet nuclear arms is now well underway in this country. The subject of extensive coverage in the national news, including a cover story in *Time* magazine last month, this is without question the largest and best-organized disarmament campaign yet. The flurry of freeze activity has already led to significant Congressional action, and a major co-ordinating effort will be concentrated in this month's Ground Zero Week.

A joint Congressional Resolution, introduced by Sens. Edward Kennedy (D-Mass.) and Mark Hatfield (R-Ore.) and Reps. Edward Markey (D-Mass.) and Silvio Conte (R-Mass.) has also garnered the support of 179 Congressmen. Also actively lobbying on behalf of the freeze are prominent social activists such as Screen Actors Guild president Ed Asner, composer-conductor Leonard Bernstein, entertainer Joan Baez, and politicians George McGovern and Bella Abzug.

Scheduled to begin April 19, Ground Zero Week's goal is to reach as many Americans as possible in some 300 targeted communities nationwide through teach-ins, seminars, lectures and other presentations with the message that nuclear weapons "are the biggest threat in the world." Rapidly gaining momentum in more than 100 free nations, the movement is building up to a climax in June when massive lobbying efforts and rallies are expected throughout the world, ac-

cording to the Communist newspaper *Daily World*. In fact, key organizers of the international freeze campaign are the World Peace Council and its American affiliate, the U.S. Peace Council. President Reagan has already publicly described the Council as being "bought and paid for by the Soviet Union."

Critics of the freeze initiative argue that it does not address the issue of historic Soviet expansionism and is based on the assumption that the U.S. and Soviet Union have equal nuclear arsenals, while leading defense experts report the USSR has more than double the nuclear destructive force possessed by the U.S.

Calling the nuclear arms race the first step to the possible "annihilation of humanity," Sen. Kennedy said, "The only sure choice is for both sides to halt and then to reverse the race." He suggested the planet Earth is "an endangered species" because "we are nearing a time when the world as we know it will be only a second away from nothingness."

The anti-nuclear advocates have created a broad network of member groups dedicated to the implementation of such a proposed freeze. As such, while a relatively small number of core organizations co-ordinate strategy, the uprisings appear to emerge from the local—or grassroots—level.

The plan seems to be working well, as evidenced by the overwhelming success scored in New England with the American Friends Service Committee pushing for inclusion of the freeze resolution on hundreds of town warrants. Countless other groups are conducting direct-mail campaigns to solicit funds and support for the freeze, and speakers are being brought to college campuses from both the U.S. and Europe to lecture on the merits of a nuclear arms freeze.

"It would be the end of our strategic modernization program," declared Defense Secretary Caspar Weinberger of the proposed nuclear arms freeze. Calling the freeze an "open invitation" to the Soviet Union to keep up its military drive, Weinberger added that the Soviets have been consistently out-investing the U.S. in defense hardware.

Professor William Van Cleave, Defense Department transition team leader and head of a strategic studies program at the University of Southern California, explained that "every single, relevant, strategic index, with the possible exception of nuclear warheads, and that's very debatable, now favors the Soviet Union. The Soviets are ahead in equivalent megatonnage, hard-target kill capability, number of launchers, and in my view, even warheads, when you include the Backfire Bomber and Soviet missile reload capabilities. . . ."

Bearing Banners with such slogans as "Babies Can't Survive Nuclear War" and a butterfly-emblazoned sign reading "Give Children Dreams, Not Nuclear Nightmares," such groups as SANE, the Union of Concerned Scientists, International Physicians for the Prevention of Nuclear War, the Lawyer's Alliance for Nuclear Arms Control, the Business Alert to Nuclear War, and Artists for Survival, among a whole host of others, are converging to make nuclear weapons so frightening that sufficient fear is inspired to have citizens demand a halt to the production of nuclear weapons at all costs.

Politically-savvy Linda Jones, editor of *The Maine Paper*, a Hallowell, Maine-based bi-weekly, suggests that by moving from the universities and "think tanks" into "middle-of-the-road" communities, organizer-activists manage to influence local people to sup-

port their concepts and thus succeed in creating the illusion of a "grass-roots uprising."

"To produce the necessary ground swell," Jones explained, "a great many pamphlets have to be dispatched to community groups, churches and organizational affiliates."

"Initiatives are introduced at the local level to bring the mandate back up through the U.S. populace to complete the process," she continued, "making the demand on Congress from grassroots America."

NUCLEAR WEAPONS FREEZE CAMPAIGN NATIONAL CLEARINGHOUSE

One extraordinarily successful group, largely responsible for getting the arms freeze proposal on town meeting warrants in scores of New England communities, is the St. Louis, Missouri based Nuclear Weapons Freeze Campaign National Clearinghouse.

Former Freeze Campaign director and current member of the Massachusetts-based Institute for Defense and Disarmament, Mark Neidergang, told us that St. Louis was chosen because "we felt that if this issue were going to convince the broad majority of the people, we needed to demonstrate that we were sort of symbolically 'middle-of-the-road,' not an east coast liberal establishment movement, or a west coast flaky movement."

Over 60 groups operate nationally under the wings of the Freeze Campaign, including Clergy and Laity Concerned (CALC), and the American Friends Service Committee.

CLERGY AND LAITY CONCERNED (CALC)

Clergy and Laity Concerned (CALC) was formed in 1965 as the "Emergency Committee of Clergy and Laymen Concerned about Vietnam," and they had over 50,000 members by 1970. CALC currently boasts 20,000 members and hopes to add another 3,000 this year.

CALC calls the nuclear freeze its top priority and plans to co-sponsor with the American Friends Service Committee a two-week visit by ten major European "peace leaders" next month. This delegation will split into groups of two and lecture in a total of 36 cities during their U.S. stay.

Extremely active in both the planning and development of the Nuclear Weapons Freeze Campaign, CALC is now working towards involving all 42 of its chapters in sponsorship of Freeze conferences.

AMERICAN FRIENDS SERVICE COMMITTEE

The American Friends Service Committee, originally established by and for Quaker conscientious objectors to war, has grown into an activist organization with emphasis on social issues ranging from world hunger to social justice.

Right now the main focus of the Service Committee is the weapons freeze initiative. The group was highly successful in organizing opposition at New England town meetings and its campus speakers bureau is said to be the most effective in the anti-defense community.

COALITION FOR A NEW FOREIGN AND MILITARY POLICY (CNFMP)

The Coalition for a New Foreign and Military Policy (CNFMP) is being credited by the national media as having mounted the most comprehensive anti-defense effort yet. Like the Nuclear Weapons Freeze Campaign National Clearinghouse, CNFMP is a central operation with 70 member groups running the gamut from religious organizations like the National Council of Churches to self-described progressive lobbying groups

and think-tanks, such as the Institute of Policy Studies.

Other CNFMP member groups include, again, CALC and the American Friends Service Committee, the National Center to Slash Military Spending, the International Longshoremen's Union, Members of Congress for Peace Through Law, the National Council of Churches, and Americans for Democratic Action.

There is reportedly a great deal of cross-membership among the smaller groups in these large "pulse-centers" of anti-defense activity that suggests to many an "interlocking directorate" of control.

As these organizations march and lobby to influence the remaining members of Congress to join in their call for a nuclear arms freeze, President Reagan and Caspar Weinberger will continue to argue the case for increased weapons development to "keep America strong."

HOW FAR LEFT IS MANIPULATING U.S. NUCLEAR "FREEZE" MOVEMENT

Where did the idea of a "nuclear freeze" come from? When Senators Edward Kennedy (D-Mass.) and Mark Hatfield (R-Ore.) introduced their resolution calling for such a freeze, they implied that the proposal was their own and that it was simply a response to "grass-roots" pressure. However, there is evidence to indicate that the freeze proposal is the product of the extreme left, and that identified Communist-front organizations and actual Soviet agents have had a role in promoting it.

An internal document of the anti-nuclear forces obtained by Human Events identifies a disarmament activist by the name of Randall Forsberg as the "intellectual author" of the freeze campaign. This document, dated February 22 and written by Anne B. Zill, a representative of liberal financier Stewart Mott, reveals the inner workings of the anti-nuclear movement and how it is manipulating the media.

Ms. Forsberg, who was unavailable for comment, is identified in the document as the head of the Institute for Defense and Disarmament Studies in Brookline, Mass. Formed in 1979, the group recently obtained tax-exempt status, according to the document. "With a staff of eight full-time and three part-time employees," it says, "Randall Forsberg plans to have her first newspaper in May, called 'Defense and Disarmament News.' Also in preparation is listing all American peace and peace-related organizations, both national and local. The goal is to increase the amount of cooperation."

It just so happens that Ms. Forsberg is well connected with those "peace organizations." One of the directors of her institute is Richard J. Barnet, a founder of the extreme-left Institute for Policy Studies (IPS), which has served as "watering hole" for apologists of Communist regimes such as Cuba and North Vietnam.

The Mobilizer, a newspaper of the anti-nuclear group, Mobilization for Survival (MFS), reported in its April/May 1981 issue that Ms. Forsberg delivered a "keynote address" to the December 1979 MFS conference. She then "proposed a joint U.S.-USSR freeze on all nuclear weapons as a concrete step to halt the nuclear arms race," the newspaper reported. "That idea was well-received, and Ms. Forsberg was encouraged to develop it into a full-blown proposal."

That Ms. Forsberg would attend a conference of the Mobilization for Survival is significant because the MFS is one of the most radical anti-nuclear groups on the scene. Its

affiliate members include the Communist party and the U.S. Peace Council, the American branch of the World Peace Council, an organization described by President Reagan as "bought and paid for by the Soviet Union." It is not surprising, therefore, that her freeze proposal, which would lock in Soviet nuclear superiority, would receive such a warm reception.

According to The Mobilizer, Ms. Forsberg then produced a paper, "A Call to Halt the Nuclear Arms Race," incorporating the freeze concept. The paper picked up a number of endorsements, including that of the MFS national coordinator. "Soon after this," the newspaper said, "organizational commitments began to follow, and an interim steering committee (again with MFS participation) was formed to launch the freeze as a major national campaign. That committee agreed that the first step in building the campaign should be a national strategy conference, in which local organizers and groups who had not been previously involved could both get excited about it and help shape it."

In March 1981 the first national strategy conference of the freeze campaign was held in Washington, D.C. The MFS newspaper reported that it featured almost 300 people "gathered from 33 states, Great Britain and the Soviet Union," and that Ms. Forsberg participated, as did Yuriy S. Kapralov of the Soviet Embassy.

In February 1982 the second national conference of the freeze campaign was held in Denver, Colo., and Senators Kennedy and Hatfield followed by introducing their freeze resolution in Congress. Did the Kennedy-Hatfield forces contact Ms. Forsberg's Institute for Defense and Disarmament Studies before they went ahead? "Yes, they did," replied institute spokesman Melinda Fine.

The congressional action suddenly focused national attention on the freeze campaign. Major newspapers and news magazines carried stories about a supposedly "broadly based" and "grass roots" movement, ignoring the fact that the freeze proposal had been nurtured from the beginning by the extreme left.

While the freeze proposal has attracted a number of congressional supporters, most of them liberal Democrats, and while it has generated support in town meetings, city councils and even some state legislatures, there is no reason to believe that most Americans support the Kennedy-Hatfield proposal or anything like it. A Newsweek magazine poll reported, for instance, that 61 per cent of the people opposed a nuclear freeze which gave the Soviets an edge. The Soviets, as President Reagan noted at his last news conference, do have just such an edge.

Nevertheless, the anti-nuclear forces are working hard to create the illusion of popular support for their cause. The Zill document mentioned earlier describes in detail how the anti-nuclear groups are moving their propaganda into the media.

Zill notes, for instance, that the Nuclear Weapons Freeze Campaign in St. Louis has a staff of only five people, but that a reporter for U.S. News & World Report contacted the group's coordinator and then "concluded that the push for a nuclear weapons freeze is rooted in local referenda and churches and that it is spreading through middle America."

Evidence of such popular support can't be found in the document. In fact, Zill complains that some of the "peace groups" are

poorly funded and she laments "the absence of a high-powered, effective peace lobby." She suggests that groups pool their efforts and concentrate on projects that will attract media attention.

"The three biggest calendar events of the year," she says, "are the Ground Zero Week in April, the second Special Session On Disarmament at the United Nations with an accompanying mass rally in June, and a Veterans Day repeat of last year's successful university teach-ins on November 11."

The mass rally, scheduled for June 12, has received strong backing from the U.S. Peace Council. In a recent letter to its supporters, the pro-Soviet group said the rally will be an expression of support for the U.S. disarmament session, an event which "comes at the urging of the non-aligned movement and the Socialist countries. . . ." It called the rally "a matter of great urgency."

In the face of this anti-nuclear propaganda assault, complete with the Vietnam-like street protests and demonstrations, the Administration can't afford to retreat in its effort to rebuild America's deterrent, especially in view of mounting evidence that the Soviets have already—in blatant violation of SALT II—begun to deploy the mobile SS-16 (see page 3). The American people will back the Administration, but the President's political advisers—Jim Baker, Dave Gergen and pollster Richard Wirthlin—have to allow him to make the hard-hitting statements necessary to rally the electorate.

[From the Washington Times, Apr. 21, 1982]

"PEACE" VISITORS SING A SOVIET SONG

(By Allan Brownfeld)

During April, a group of European supporters of a "nuclear freeze" is touring the U.S. under the auspices of what they call the "U.S.-European Peace Tour."

In the group are Joan Ruddeck, chairwoman, of the Coalition for Nuclear Disarmament in Great Britain and Bruce Kent, a Roman Catholic priest from England who runs the CND.

When these "peace" advocates portray themselves as supporters of a world without war, they present themselves as something other than what they are. Fortunately, several young Englishmen committed to a far different philosophy also are visiting the U.S. to tell the truth about their countrymen. They are Francis Leonard Holihan, director of the Coalition for Peace Through Security of London, and Edward Leigh, who served as correspondence secretary to Margaret Thatcher and since 1977 has been a Conservative member of the Greater London Council.

Leigh declares: "We became alarmed about the growth of the Campaign for Nuclear Disarmament. It has grown phenomenally in the last two years. They believe not in mutual disarmament but in the unilateral disarmament of the West. While in the U.S., they disguise their real purposes and pretend to be non-political and well-meaning churchmen. The Soviets are desperate that the Pershing missiles not be placed in Europe. They are convinced that the European 'peace' movement will do their work for them. Now they are bringing it to the U.S., hoping to stir public opinion in the direction of disarmament on both sides of the Atlantic."

SOVIET FUNDING

Holihan says: "We are facing a global threat from world communism but have no global strategy with which to combat it. It is essential that Americans understand the radical political nature of the so-called 'peace' movement in Europe. There is absolute proof of Soviet funding of some elements of the European 'peace' movement. There is even strong circumstantial evidence of Soviet involvement in the CND."

Evidence of Soviet involvement is growing. Last November, the Danish government expelled a Soviet diplomat, Vladimir Merkoulov, for channeling funds to the "peace" groups. Several months earlier, Denmark expelled Vadim Leonov, a KGB agent posing as a Tass news agency correspondent and link with the "peace" groups. At one point he declared: "If Moscow decides that 50,000 demonstrators must take to the streets in Holland, they will take to the streets."

The British CND group, which has growing links with American groups such as the American Friends Service Committee and Clergy and Laity Concerned, has clear Communist connections. In November 1981, when President Reagan proposed canceling U.S. loans for installing Cruise and Pershing II missiles in Europe if the Soviets would dismantle their equivalent missiles, the CND denounced the proposal as a "propaganda ploy." Novelist John Braine, a CND member who left the movement, said: "The CND reaction to the Reagan initiative once again gave the game away. Despite its great protestations of political impartiality, CND is about as independent of the Soviet line as a ventriloquist's dummy. Indeed, it provides a textbook example of the way in which Communists involved in any movement will take it over."

CHURCHES CALLED HANDICAPPED

A leading CND figure now traveling in the United States is Monsignor Bruce Kent. With 11 other full-time staffers—two of whom admit being Communist Party members—Kent states: "The churches are handicapped by profound anti-Communism at variance with Christian teaching."

When the Soviet Union invaded Afghanistan, the CND criticized not the Russians but the reaction in the West. Thus, Dr. Michael Pentz, CND national counselor, attacked President Carter and Prime Minister Thatcher for "reviving the cold war by cynically exploiting the Afghanistan crisis." A CND pamphlet said the invasion, which it called an "intervention, may well have been caused 'partly by the Soviet Union's fear of growing encirclement.'" The author: Communist Party Member Betty England.

In its July 27, 1981 issue, "The London Daily Telegraph" reported a quarter of the CND's council was in the Communist party of Great Britain. While Kent denies receiving money from the World Peace Council, clearly identified as a Soviet front, he cabled congratulations to its meeting in Bulgaria in September 1980. Speaking on the BBC World Service of May 15, 1981, Kent said NATO was "preparing for annihilation." He already had attacked Cruise missiles during a broadcast from East Berlin on Dec. 17, 1980.

TO VISIT 50 CITIES

At this time, the CND has dispatched about 30 key personnel to the United States. Their itinerary will include some 150 college campuses and 50 cities in an effort to capture control of the U.S. "peace" movement. Many churchmen in England fully recognize the truth about Monsignor Kent and

his colleagues. The Rev. William Inge, a former dean of St. Paul's Cathedral, said: "There is not much use in the sheep passing resolutions in favor of vegetarianism while there are still wolves who like mutton." Similarly, the Rev. William Oddie, an Oxford University chaplain, said: "The easy moral indignation and strident calls by some church leaders to abandon nuclear weapons unilaterally are not only dangerously naive but even constitute a form of spiritual escapism. By closing their eyes to the suffering of millions in the Soviet bloc, they demonstrate a lack of contact with reality which will make any Christian contribution towards the practical problem of genuine disarmament impossible."

Americans should not be misled by these wolves in sheep's clothing who now urge us to surrender.

(Allan Brownfeld is a Washington area writer.)

[From the Backgrounder, May 14, 1982]

MOSCOW AND THE PEACE OFFENSIVE

INTRODUCTION

The United States today confronts a task of major proportions in attempting to fulfill the 1979 NATO decision to deploy new Pershing II and ground-launched cruise missiles in Western Europe. Designed as a means of countering the Soviet theater-range missile buildup, the program now faces formidable opposition in the West. In some European NATO countries, support for the plan is plummeting under assault from increasingly strong peace and disarmament movements.

This shift in European sentiment is, in great part, the result of the Soviet Union's massive disarmament propaganda campaign. Moscow's propaganda apparatus comprises a variety of organizations primarily under the control of the Central Committee of the Communist Party of the Soviet Union. These agencies in turn influence the activities of organizations in the Western European countries that have been set up as front groups by the pro-Soviet national Communist parties.

This standard propaganda arrangement has been made even more effective in the past few years by a Soviet decision to allow the communist organizations to work on the disarmament—"safeguarding the peace"—issue with groups of almost any political character. In order to counter this effort by Moscow to prevent the deployment of NATO's new missiles, the United States must understand the nature of Soviet disarmament campaigns.

The first Soviet disarmament campaign to utilize a European front group successfully as a national mobilizing force was the fight against the "neutron bomb." With the aid of "independent" religious peace groups, the Dutch Communist Party broadened public support for its 1977-1978 "Stop the Neutron Bomb" movement far beyond the communist, leftist, and pacifist circles traditionally active in such campaigns.

Having realized the success of this broad support concept, Soviet leaders determined to use it in other "peace offensives." The Soviet Union's campaign against NATO's modernization of its theater nuclear forces proved a remarkable success in 1981, which has continued into 1982. This resulted in no small part from the USSR's decision to ally its disarmament forces with European peace groups of differing political outlook in order to present a united front on disarmament. This broadening of support has provided Soviet propaganda activities with Western European coloration—legitimizing Soviet

anti-U.S. and anti-NATO efforts in the guise of genuine European nuclear fears.

The nuclear freeze campaign now gaining momentum in the United States is a cousin to the European disarmament movement. Its roots are American, but its emotional arguments parallel those used by the Europeans, its leaders have begun receiving organizing advice from European peace movement figures, and for all its high-minded idealism, its effects prove no less beneficial to Soviet propagandists.

THE SOVIET UNION'S PROPAGANDA APPARATUS

Propaganda has always loomed large in the work of the Communist Party of the Soviet Union. Lenin maintained that the political and ideological work of the Party was distributed among three categories—theoretical activity, propaganda and agitation.¹ Theoretical activity was the preservation and elaboration of the doctrines of Marx and Lenin. Propaganda was the dissemination of doctrinal messages on specific subjects to an elite audience consisting primarily of Communist Party cadres. And agitation was the dissemination of more simplified doctrinal messages to the great mass of the common people. These last two categories are commonly recognized today as propaganda.

The Soviet Union uses a variety of agencies—overt and covert—to target the West with its propaganda. The Central Intelligence Agency estimates that the USSR spends the equivalent of some \$3.3 billion each year on these efforts. Overt activities include Radio Moscow's foreign service—broadcasting 2,022 hours a week in eighty-two languages—and TASS (Telegraph Agency of the Soviet Union), the Soviet news agency. By contrast, the United States' Voice of America broadcasts 904.75 hours a week in only forty languages. The most important USSR agency lending covert support to Soviet propaganda initiatives is the KGB or Committee for State Security.

The Politburo of the CPSU Central Committee approves the major propaganda themes and the methods to be used to disseminate them. It also rules on the use of major support actions by the KGB. Departments of the CPSU Central Committee with a direct responsibility for propaganda efforts are the International Information Department, an organization established in recent years, which directs overt propaganda activities against non-Communist countries, and the International Department, which directs relations with non-ruling Communist parties.

Heading the International Information Department is Leonid Zamyatin, a member of the CPSU Central Committee and former Director General of TASS. The Department's First Deputy Chief is Valentin Falin, the former Ambassador to the Federal Republic of Germany. Until his death on January 25, 1982, Mikhail Suslov, the CPSU's ideologist, advised Zamyatin on propaganda efforts, in connection with his role as ideological overseer for Soviet foreign policy.

The CPSU Central Committee's International Department is headed by Boris Ponomarev, Candidate Member of the Politburo and Secretary of the Central Committee, a man with twenty-five years of experience in the job. Ponomarev's First Deputy Chief is Vadim Zagladin, a member of the CPSU Central Committee. Because of its responsi-

¹ Footnotes at end of article.

bility for dealing with Communist parties in non-Communist states, the International Department funnels its covert propaganda requirements through both the Communist parties themselves and, utilizing its International Organizations Section, the various pro-Soviet international front organizations.²

The Soviet leadership's view is that national Communist parties should support CPSU policy initiatives down the line. Of course, the actual role that a particular Communist party plays in a Soviet propaganda campaign is determined in large part by the strength of its pro-Soviet alignment or, in the case of parties with basic policy disagreements with the USSR, by whether or not the propaganda issue is one of common concern. Peace and disarmament are issues of natural agreement between the Soviet Union and the vast majority of Western Europe's communist parties, because of the latter's anti-military stance.

The most prominent Soviet international front group in the disarmament effort is the World Peace Council (WPC), established in Paris in 1949 as part of Joseph Stalin's "peace offensive" of the late 1940s. The Council's first propaganda effort was its 1950 Stockholm Appeal, a "peace petition" that demanded "the outlawing of the atomic weapons as instruments of aggression" and "the strict international control" of atomic weapons. Expelled from Paris in 1951 and outlawed in Austria in 1957, the WPC remained in Vienna under the cover of a new organization, the International Institute for Peace, until it moved to its present Helsinki headquarters in 1968. The president is Romesh Chandra, a veteran Indian Communist involved in the Soviet international front movement for some twenty-five years.³

The KGB's covert role in the propaganda campaign apparatus often is to furnish disinformation to its agents of influence, to provide clandestine funding for cooperating organizations in various countries (particularly money for mass demonstrations), and to forge documents. Such "active measures" are the responsibility of Service A of the KGB's First Chief Directorate (Foreign Intelligence).⁴ Disinformation (dezinformatsiya) is defined by the Soviets as "the dissemination of false and provocative information." In practice it encompasses the distribution of forged documents and photographs, the spread of misleading rumors and erroneous information, duping non-Communist visitors to the Soviet Union, and perpetration of physical violence for psychological effect. One Soviet defector described a successful disinformation operation in which he had participated:

"One example, in Tanzania, was our 'work' to discredit the American Peace Corps. The line was that it was a CIA front organization and its subversive activity had to be 'exposed.' We tried, often successfully, to place prepared articles into local papers—preferably signed by the Tanzanians. The 'authors' were always paid well, and 'their' articles worked: Tanzania, and then Uganda, started refusing Peace Corps Services."⁵

FORMER SOVIET DISARMAMENT CAMPAIGNS

The Soviets have used peace propaganda extensively since the late 1940s, first to check America's potential use of its atomic weapons monopoly for political capital at a time when the USSR had none or only a few of such weapons and then, late, to hinder the United States' arms buildup and the American defense of South Vietnam.

Nikita Khrushchev stressed the usefulness of peace propaganda in a January 1961 strategy speech: "Every day bigger sections of the population should be drawn into the struggle for peace . . . The banner of peace enables us to rally the masses around us. By holding aloft this banner we will be even more successful." This Soviet line was immediately picked up by Gus Hall, the leader of the U.S. Communist Party, in a major report to the Party's National Committee:

"It is necessary to widen the struggle for peace, to raise its level, to involve far greater numbers, to make it an issue in every community, every people's organization, every labor union, every church, every house, every street, every point of gathering of our people. . . ."

"It is essential to give full support to the existing peace bodies, to their movements and the struggles they initiate, to building and strengthening their organizations. . . . It is also necessary to recognize the need for additional peace organizations. . . ."

"Above all, Communists will intensify their work for peace, and their efforts to build up peace organizations."⁶

PROPAGANDIZING AGAINST THE "NEUTRON BOMB"

On June 4, 1977, Washington Post staff writer Walter Pincus called attention to the Defense Department's decision to request congressional funding of the enhanced radiation warhead (ERW). In his newspaper article, Pincus stated:

"The United States is about to begin production of its first nuclear battlefield weapon specifically designed to kill people through the release of neutrons rather than to destroy military installations through heat and blast.

"Funds to start building an 'enhanced radiation' warhead for the 56-mile range Lance missile are buried in the Energy Research and Development Administration portion of the \$10.7 billion public works appropriations bill now before Congress."⁷

This Post article and the newspaper's negative editorial on the new weapon quickly gained public attention, and in the subsequent few weeks, negative reporting in influential newspapers around the country aroused a small public furor over the issue.

The Soviets joined in with an article on the "neutron bomb" in Pravda on June 19, 1977, castigating the weapon as "according to the press assessments, practically a chemical warfare weapon. . . ." On July 13, the U.S. Senate passed the appropriations legislation allowing the spending for enhanced radiation warheads. The Carter Administration, however, delayed a decision on production.

Within a few days of the Senate decision, the Soviets launched a full-scale assault on the "neutron bomb." Beginning on July 19, one Soviet international front group after another initiated formal protests against United States production of the weapon. The following week, the World Peace Council announced that an International Week Against the Neutron Bomb would be observed from August 6 to 13—dates coinciding, not surprisingly, with the annual commemorations of the Hiroshima and Nagasaki atomic bombings of World War II.

On August 20, 1977, at the initiative of the Dutch Communist Party (CPN), 130 Dutchmen launched an appeal in the Communist daily *De Waarheid* to start a widely based movement against the "neutron bomb." This movement was furnished immediate

organizational strength by two cooperation groups whose ties had begun in 1976, the Christians for Socialism (CVS), a known communist front organization, and the Inter-Church Peace Council (IKV). Throughout that fall, the "Stop the Neutron Bomb" campaign gathered momentum in the Netherlands in its avowed goal of mobilizing Dutch public opinion against the weapon, even as Dutch and Belgian Communist Party leaders were jointly discussing the campaign's strategy (one such meeting taking place in De Haan, Belgium).

By October 1977, President Carter was still undecided on whether to produce ERWs, and later that month, Secretary of Defense Harold Brown informed NATO representatives that the United States would probably not proceed with production unless a consensus in favor of the weapon's deployment could be formed by the Western European countries. The public announcement of this altered American position gave Soviet propagandists and their agents incentive to further increase their anti-neutron agitation in Europe.

By this time, local anti-neutron groups throughout Holland consisted not only of Communists, but also of pacifists and concerned Christians who had been drawn into the Communist campaign largely unaware of its real sponsorship. The active participation of the Inter-Church Peace Council was particularly useful in broadening the movement's base.

The emerging situation demonstrated the successful working relationship of the open Soviet propaganda apparatus, which orchestrated strong public denunciations of the weapon with the Soviet covert apparatus, largely used to manipulate public sentiment in Western Europe through the machinations of Western European Communist Parties and their front groups.

Anti-neutron sentiments were by now gaining strength throughout the Continent, aided by the constant attention of the media. In West Germany, where most of the neutron warheads would have been deployed, Secretary General Egon Bahr of Chancellor Schmidt's own Social Democratic Party (SPD) in July 1977 publicly denounced the "neutron bomb" as "a symbol for the perversion of human thinking." And although its public efforts in the propaganda campaign received less attention than those of the Dutch "Stop the Neutron Bomb" group, the German Peace Society-United War Service Resisters (DFG-KV), with close links to the West German Communist Party (DKP) and its affiliated organization, the Socialist German Workers' Youth (SDAJ), set aside the August 6 anniversary of Hiroshima as a day of demonstrations against the neutron weapon in more than forty German cities.

Meanwhile, overt Soviet propaganda continued. In the course of his address commemorating the sixtieth anniversary of the October Revolution, Soviet leader Leonid Brezhnev presented two "new" disarmament proposals; one urged that "agreement be reached on a simultaneous halt in the production of nuclear weapons by all states—all such weapons[,] whether atomic, hydrogen or neutron bombs or missiles."

Nevertheless, most of the Soviet propaganda was negative in nature, attempting to picture deployment of the ERW as a plot by the Carter Administration to lower the nuclear threshold in Europe.⁸ And in a December 1977 Pravda interview, Brezhnev announced that the Soviet Union would not remain a "passive onlooker" if such a

weapon were developed but would instead answer the challenge. These Soviet messages were relayed directly to President Carter by Polish leader Edward Gierick, when Carter visited Poland in late December.

On December 15, 1977, the World Peace Council announced an effort "to secure a ban on the neutron bomb in 1978." It held a series of meetings and "peace conferences" at which the "neutron bomb" was a major topic of abuse. For example, the WPC Bureau met for the first time in the United States, in Washington, D.C., in January 1978. There the group called, among other things, for all world peace forces to step up the struggle against the arms race, especially the manufacture of the "neutron bomb."

That same month, Leonid Brezhnev sent personal letters to the heads of each Western European NATO government. In harshly worded letters, the Soviet General Secretary warned that NATO should reject American efforts to produce and deploy neutron weapons. Other "official" Soviet propaganda activities included a proposal on March 9, 1978, made by the Soviet delegate to the thirty-country Geneva Disarmament Conference, to prohibit the production, stockpiling, and deployment of "neutron bombs." At about the same time, the Soviets attacked U.S. actions during the Belgrade conference assembled to review the Helsinki agreement.

On March 18, an "International Forum" supported by the CPSU was held in Amsterdam on the "neutron bomb" matter. The following day the "Stop the Neutron Bomb" movement, augmented by prominent East bloc representatives marched through the streets of Holland's largest city, more than 40,000 strong. The leaders of the movement presented Parliament with a "poll of the people"—the signatures of more than one million of people opposed to the "bomb" which their organization had been gathering since August 1977.¹⁰ It was the culmination of months of patient effort by the Dutch Communist Party and its front organizations in the Netherlands, all in service to the propaganda needs of the Communist Party of the Soviet Union.

On April 7, 1978, President Carter capitulated and announced that the United States had decided against the "incorporation of enhanced radiation features" into U.S. battlefield weapons. The final American decision, he averred, would be influenced by the degree of restraint shown by the Soviets in their future military programs and force deployments. The Soviets had won their propaganda offensive. In an address given the same day as Carter's decision, Brezhnev "scoffed at making the neutron bomb 'the subject of bargaining and tying in this weapon with unrelated issues.'"

THE SOVIET PROPAGANDA CAMPAIGN AGAINST TNF MODERNIZATION: 1979

On October 1, 1979, Brezhnev fired the opening salvo of what has since become a major propaganda offensive against the United States' latest effort to strengthen NATO's nuclear deterrent forces. The Soviet leaders apparently decided to mount such a campaign when they realized that the decision on the development and deployment of new NATO theater nuclear weapons was imminent.

For all the campaign's later momentum, its opening shot was all but inconspicuous. In an otherwise undistinguished recounting of Soviet disarmament policies made on October 1 to a Socialist International Working Group on Disarmament, Brezhnev re-

marked: "... the initiators of the arms race, including those who are now pushing plans for turning Western Europe into a launching pad for American nuclear weapons targeted on the U.S.S.R. ... are playing a dangerous game with fire." However, the Soviet leader followed up this brief statement with a major address in East Berlin five days later. He proposed a number of initiatives designed to keep NATO from procuring and deploying Pershing II ballistic missiles and ground-launched cruise missiles.

There were several threats in the Brezhnev speech. One was the warning that the USSR would be forced to strengthen its forces if NATO deployed the new theater nuclear weapons. Specifically the General Secretary noted: "The Socialist countries would not, of course, watch indifferently the efforts of the NATO militarists. We would have in such a case to take the necessary extra steps to strengthen our security. There would be no way out left to us." Another was the threat that, were the Federal Republic of Germany and other European NATO countries to allow missiles on their soil, they would suffer dire consequences if these new weapons were ever used. This threat was coupled with the assertion that the Soviet Union would "never use nuclear arms against those states that renounce the production and acquisition of such arms and do not have them on their territory."

The pledges of good will made explicit in the Soviet leader's address but clearly contingent upon NATO's decision not to deploy the new weapons were twofold—first, an announcement that the Soviet Union was prepared to reduce the number of medium-range weapons deployed in the western USSR; and second, a promise of "further expansion of measures of trust in Europe," including early agreement on notification of large exercises of ground forces (already provided for in the Helsinki Final Act), timely notification of large-scale troop movements, and the immediate commencement of SALT III talks once SALT II was ratified. Interestingly, a third pledge was not made contingent upon NATO actions but was given as a sign of Soviet "good faith." It promised the USSR's unilateral withdrawal of up to 20,000 Soviet troops, 1,000 tanks, and "also a certain amount of other military hardware" from East Germany over twelve months. This was not the first time that a Soviet leader had promised troop withdrawals in the hope of forestalling the deployment of U.S. missiles in Europe. In early January 1958, just three weeks after NATO had agreed to allow Jupiter IRBMs on European soil, Nikita Khrushchev announced that he was withdrawing 40,000 troops from Eastern Europe. And indeed some 41,000 Soviet troops were withdrawn. Yet, within six months of Khrushchev's announcement, the Soviets were again heating up the situation in Berlin.

Following the Brezhnev speech, the Soviet propaganda campaign against NATO nuclear force (TNF) modernization expanded in many directions. Articles began appearing in prominent Soviet news organs reiterating Brezhnev's points or challenging Western press interpretations of them. For example, Valentin Falin, the First Deputy Chief of the CPSU Central Committee's International Information Department (and reputed leader of the anti-TNF propaganda campaign), wrote in Pravda: "If 400 or 600 new carrier rockets were to be deployed in Western Europe ... then, of course, this would lead to the appearance in the East of sys-

tems adequate to counterbalance them." And Izvestiya criticized the Western press on October 10 for "distorting [the] clear-cut, practical and concrete proposals" which had been made by the Soviet General Secretary.

The immediate American response to the Brezhnev address was firm. At a press conference on October 9, President Carter responded: "It is not quite as constructive a proposal as at first blush it seems to be. What he is offering in effect is to continue their own rate of modernization as it has been, provided we don't modernize at all. ... The decision ought to be made to modernize the Western allies' military strength and then negotiate with a full commitment and determination mutually to lower armaments on both sides. ..."

As the days passed the Soviet press hardened its line. In maneuvers designed more for European than for American consumption, Soviet news organs began claiming that the introduction of new, medium-range, theater nuclear weapons by NATO would violate American-Soviet, understandings as set forth in SALT II, and that the Pershing II missiles were being fitted to carry "neutron warheads." The SALT-related charge was made by Falin in a Soviet television news commentary program that was quickly sent worldwide by TASS. The charge that the U.S. missiles proposed for European deployment would eventually carry "neutron" warheads was made on a television program by a senior Soviet officer and quickly distributed in the West by the Novosti Press Agency. This was obviously intended to link the new American plan to the "neutron bomb" which an earlier Soviet propaganda campaign had discredited so successfully in Western Europe the year before.

While this public propaganda effort was in full swing, the Soviet government was actively employing diplomatic pressure. Brezhnev sent each European NATO government a private letter reiterating his proposals.

Meanwhile, outside the Soviet Union, allied agents of the USSR's campaign of persuasion used their influence to good advantage. On October 17, the "parliaments" of the Warsaw Pact countries issued an appeal for Western European legislators to raise their voices against the plans for the deployment of "new types of American nuclear missile weapons on the European continent." In Brussels, a public disarmament forum was held from October 26 to 28, giving Warsaw Pact representatives a perfect opportunity to air anti-TNF views extensively. The East German government, especially, participated energetically. At the beginning of November, in Sofia, Bulgaria, Secretary General Erich Honecker of East Germany's Socialist Unity Party warned the Federal Republic of Germany that NATO approval of TNF modernization would cause deterioration of East-West relations and would specifically endanger the recently improved relationship between East Germany and West Berlin. That same week the Honecker government requested East Germans to sign petitions against the new Western weapons. In addition, the GDR dispatched a special "anti-missile" delegation, headed by Politburo member Kurt Hager, to canvas for support in Belgium, the Netherlands, and Luxembourg.

And then, the Soviet campaign was aided unintentionally by a visit to Denmark of three American arms control advocates. The men—Herbert Scoville (a former assistant

director of the Arms Control and Disarmament Agency), Arthur M. Cox, and Richard Barnett—had come to Copenhagen under the sponsorship of the Danish newspaper *Information* and the United Nations Association to meet with influential Danes to urge them to oppose the deployment of the new weapons in NATO.¹¹ The Americans argued that if NATO did not deploy the new weapons, the Soviet Union might begin withdrawing its old SS-4 and SS-5 missiles from inventory.¹² Their advice was well received by the sizeable left wing of Denmark's ruling Social Democrats, already ideologically predisposed against the new weapons; in addition, the advice had a significant impact on many centrist Danes.

The approach of the scheduled November 13-14 NATO Nuclear Planning Group (NPG) meeting, which both the United States and the Soviet Union saw as a bellwether of the North Atlantic Council's December vote, gave renewed impetus to Soviet anti-TNF agitation efforts. On October 25, in a major Pravda article, obviously directed at Western Europe, Soviet Defense Minister Dmitri Ustinov charged the United States, Great Britain, and West Germany with attempting to implement "schemes hostile to the cause of peace." He warned European leaders that "West European countries would suffer retaliation if the deployed weapons were put into operation by their masters."

That same day, the United States responded to Brezhnev's original proposal with a disarmament offer of its own. Having first discussed the idea with European allies, the Carter Administration announced that it was considering the withdrawal of up to 1,000 older nuclear warheads from Western Europe, contingent upon a favorable NATO decision on the deployment of the new weapons.¹³ Apart from its value in matching the Soviet disarmament initiative, the proposal was seen by the Carter Administration as a way of garnering additional European support for procurement and deployment of the new weapons.

With time for the NATO decision growing closer, the Soviet Union attempted to rekindle Western European interest in the Brezhnev proposals by stressing the positive aspects. On November 6, 1979, *Pravda* published a commentary by Leonid Brezhnev on the issue of immediate negotiations. In it, the General Secretary emphasized:

"As regards a practical solution of the problem of these weapons, there is only one way to follow—that of embarking on negotiations. The Soviet Union is of the view that the negotiations must be embarked on without delay. We are prepared for this. Now it is up to the Western powers. It is important, however, that no hasty actions be taken which might complicate the situation or obstruct the attainment of positive results. There will be a greater chance of obtaining such results if no decisions are taken on the production and deployment in Western Europe of the above-mentioned means pending the outcome of the negotiations. And conversely, the chances will be undermined if such decisions are taken within the framework of NATO."¹⁴

Although the new Soviet propaganda tack did not alter the outcome of the Nuclear Planning Group meeting at the Hague, it did rekindle doubts about the necessity of an immediate decision on deployment of the missiles in the parliaments of several NATO countries. On November 14, the NPG national members unofficially endorsed the United States' plan to procure and deploy

572 Pershing II and ground-launched cruise missiles in Western Europe. The Netherlands, however, withheld full approval. Noting approval of procurement of the weapons, the Dutch urged that the decision to deploy the missiles be deferred two years, during which the Soviet Union's good faith in negotiating adequate theater nuclear force reductions would be tested.

The near solidarity on the issue expressed at the NPG meeting was not lost on the Soviets. Although Soviet propaganda against theater nuclear force modernization did not slacken in the month between the NPG meeting and the December 1979 meeting of the North Atlantic Council, its emphasis gradually shifted to the possibility of TNF arms reduction negotiations. As the editors of *Soviet World Outlook* later commented:

"Soviet Foreign Minister Gromyko and other Soviet personages fanned out throughout Europe in a last-ditch effort to dissuade NATO from accepting deployment of U.S. medium-range nuclear missiles. However, a marked shift of emphasis from the stick to the carrot suggested that Moscow has already reconciled itself to the positive decision reached by the NATO on December 12 and is now intent upon frustrating implementation of the decision."

During a well-publicized visit to West Germany in late November, Gromyko told reporters that the NATO erred in its view that once it had made the decision to produce the missiles it could then start negotiations with the Soviets. He remarked: "We have openly stated that such a formulation of the matter means political preconditions. This destroys the basis for talks." Gromyko's strong statement was later modified by the Soviet government to fit with Brezhnev statements that an adverse NATO decision would undermine the potential success of future arms control talks.

With just a week to go before the momentous North Atlantic Council decision, the Soviets began a high-profile withdrawal of some 150 men and 18 T-62 tanks (a contingent of the 6th Soviet Tank Division) from East Germany, the first step in their purported 20,000-man troop withdrawal. Western reporters, including television camera crews, were treated to speeches from East German officials decrying NATO's "preparations for war." A day later, in a maneuver that came as somewhat of a surprise to Western observers, the foreign ministers of the Warsaw Pact countries issued a communique appealing for a conference on general disarmament as soon as possible. In a distinct change from the prevailing Soviet propaganda line, the communique implied that European disarmament talks could take place right up to the actual deployment of the new missiles.

On December 12, 1979, the North Atlantic Council endorsed the theater nuclear force modernization program. Only Belgium and the Netherlands withheld full approval. The immediate Soviet reaction was not unexpected. The brunt of the Soviet attack centered on the United States, which was pictured as a villain who had used "arm twisting tactics" on allies unable to stand up for themselves. This interpretation was clearly designed to enlarge the desired split between the U.S. and its European partners.

THE SOVIET PROPAGANDA CAMPAIGN AGAINST TNF MODERNIZATION: GEARING UP IN 1980

Even as the Soviet Union began readying an extensive propaganda effort against NATO's modernization of its theater nuclear forces in late 1979, Western Europe's communist parties were moving to consoli-

date their influence on the emerging national peace movements. During the last half of 1979, the Dutch Communist Party, whose "Stop the Neutron Bomb" movement had been so successful the previous year, broadened this effort into a new international campaign—"Stop the Neutron Bomb, Stop the Arms of Mass Destruction"—which could target the new NATO theater nuclear forces plan as well.¹⁵ And in West Germany, the Communist controlled Committee for Peace, Disarmament, and Cooperation staged an International Antiwar Day on September 1 which was supported by a variety of groups, including the Association of German Students, Nature Friend Youth, and local organizations of the Young Socialists and the Catholic and Protestant churches, which were to loom large in the "nonaligned" peace marches two years later.

It became clear by mid-1980 that the Communist Party of the Soviet Union had mastered the primary lesson of the "neutron bomb" campaign: that major participation in the disarmament efforts of the CPSU by pacifist, religious, and ecological groups not directly linked to the USSR could assist significantly in influencing popular and government sentiments in NATO countries on nuclear weapons issues. The CPSU could see that two measures were necessary to ensure such broadly based European support: first, to downplay differences between the CPSU and the non-Communist European Left on all non-germane issues, thereby allowing the Soviets and their European Communist allies to embrace the gamut of European leftist groups in the struggle for "peace"; and second, to manipulate carefully in Europe peace themes and popular fears about the dangers of nuclear war in order to bring into the peace movements such groups as alienated young people who would be otherwise leaderless.

This theme was stressed by Bulgarian state and party leader Todor Zhivkov in his address to the World Parliament of Peoples for Peace, in September 1980:

"We must consider the efforts of social organizations and the masses. I am talking about the activities of the World Peace Council, which is the initiator of our present international meeting, and also about the activities of all peace-loving forces. . . ."

"To state this objectively, there is no other social movement capable of joining together dozens and hundreds of millions of people, capable of organizing their efforts. . . . For the sake of this glorious goal we must together find the paths leading toward coordination of the joint initiatives of all peace-loving organizations, movements and forces on a national as well as international scale. . . ."

"The role of youths and the intelligentsia is essential in the struggle for peace. . . ."

"We are called upon to do everything in our power in order to involve the overwhelming majority of youths in the struggle for peace and happiness. . . ."

The World Peace Council came out of its Sofia meeting determined to push at all levels for the adoption of the Soviet sponsored disarmament initiatives during 1981. Increasing popular support for the various European national peace organizations became the WPC's major priority. As the Council's 1981 "Programme of Action" detailed:

"This programme seeks to make 1981 the year of the decisive offensive of peace

forces, to make the 80s the Decade for new victories for peace, for disarmament and détente, for national independence, justice, democracy and social progress.

"The World Peace Council's Programme of Action for 1981 places its main emphasis on common united mass actions by the widest range of forces, campaigns, conferences, seminars and symposia at national levels. It's directed particularly at the strengthening of national and local peace movements."¹⁷

Communist dominated front organizations were active even then in the anti-TNF modernization effort in West Germany. In November 1980, at the initiative of the German Peace Union (DFU), a long-time Communist front organization, the so-called Krefelder Apell (Krefeld Forum) was promulgated by representatives of the Green Party (Germany's left-leaning ecology party), small trade union groups, the German Communist Party, the German Peace Union, German Evangelical Church groups (particularly the Lutherans), and pacifists and conscientious objectors.¹⁸ The Forum, directed specifically against NATO, called upon the government to reverse its "erroneous and fatal decision" authorizing the stationing of new American theater nuclear weapons on German soil. Among the most prominent participants in the *Krefelder Apell* were Petra Kelly, leader of the Green Party, Pastor Martin Niemöller, a well-known German theologian and honorary member of the World Peace Council's Presidium, who had been awarded the Lenin Peace Prize by the Soviet Union in 1967, and Major General (Ret.) Gert Bastian, a former Bundeswehr Division Commander who, since retiring, had participated as one of the "Generals for Peace" in the "peace" work of various World Peace Council front groups.¹⁹ Mainly because of its seemingly non-Communist sponsorship, the Krefeld Forum was to prove very successful during 1981—signatures backing the Forum numbered 20,000 by early January and reached a reported 1.5 million by the end of the year.

THE 1981 CAMPAIGN AGAINST TNF MODERNIZATION

Soviet leaders undoubtedly were heartened to see the various national peace movements gearing up in early 1981 for massive protests against the TNF modernization plan. On January 12, 1981, *Pravda* looked to the possibility of a "mass movement" against missiles in both the Netherlands and Belgium, and the journal, *New Times*, noted in two January articles the mass campaigns in Italy and the United Kingdom and the increasing level of protests in West Germany.²⁰

Needless to say, having done so much behind the scenes to initiate the anti-NATO activities of these groups, the Soviet Union hastened into public print to deny any connection with these efforts. As TASS commentator Vadim Biryukov proclaimed: "The protest against deployment of nuclear missiles in Europe can by no means be presented as a 'hand of Moscow.' Protest is being voiced by politicians, military men, scientists, trade union leaders, peace champions."

The major Soviet anti-TNF effort for 1981 started in late February, following Brezhnev's "peace offensive" speech to the 26th Soviet Party Congress. He declared that there is "currently no more important task on the international plane for our party, our people and all the people of the world than the defense of peace."²¹ And although

the actual "peace" proposal put forth during the 26th CPSU Congress were really reworked repetitions of older Soviet proposals, Soviet propagandists used them as the basis for their renewed efforts in Western Europe. On March 9, 1981, Soviet ambassadors in the Western European countries presented letters to their host governments from Brezhnev rehashing the proposals in his February speech.²²

Meanwhile, Soviet "journalists" and "academicians" traveled around Europe providing the CPSU peace propaganda line to Western reporters. One of the most effective of these spokesmen was Georgiy Arbatov, the newly promoted full member of the CPSU Central Committee who is widely viewed in the United States as a shrewd, non-ideological observer of U.S.-Soviet matters. Arbatov's effectiveness as a propagandist and disinformation expert is directly linked to his position as director of the USSR Institute of the United States of America and Canada, an academic research institute subordinate to the Economics Department of the USSR Academy of Sciences. Despite its seeming independence from the formal Soviet propaganda apparatus, the Institute spokesmen who deal with Westerners always place the propaganda value of their comments above other considerations. In addition, the CIA has estimated that some fifteen percent of the identified personnel of the Institute have a current or former intelligence affiliation. Despite this, Arbatov and his colleagues enjoy a measure of credibility with the Western press—even Americans.

Georgiy Arbatov played on two themes in his interviews with Western European reporters—the harmlessness of ongoing Soviet theater nuclear force modernization efforts and the dangers inherent in planned U.S. and NATO efforts to counter them. In a Dutch newspaper interview, Arbatov noted: "What is the SS-20? A replacement, a modernization of old missiles known in the West as SS-4's and SS-5's. No doubt the new missiles will be a better weapon—I am no military expert—but their function is no different from that of the outdated missiles and the total number will not increase. It is unfair to say that this gives us something which the other side does not have."²³

And in a Bonn television interview, Arbatov carefully equated the proposed NATO theater nuclear force modernization effort with the Soviet Union's 1962 emplacement of strategic missiles in Cuba and then hinted darkly about the possible consequences of following through with the NATO action.²⁴

As the Soviet Union's Euromissile propaganda campaign accelerated, the efforts of all cooperating Soviet State organizations increased dramatically. KGB support tactics were used in ways almost certain to lead to exposure, such as what happened in the Netherlands in April 1981. A TASS "correspondent" named Vadim Leonov was accused of espionage and other activities and was expelled by the Dutch government. It turned out that Leonov had boasted, when intoxicated, of his role in manipulating the Dutch peace movement for Moscow. He had told his listener:

"Do you know that all those well meaning people in the Netherlands are being taken for a ride? They believe that the anti-neutron bomb movement and the reaction against the cruise missiles and other NATO activities have grown out of a pure idealism based on compassion for and concern with the fate of one's fellow man and his chil-

dren. Oh, if those people just knew that everything is taking place according to a blueprint in Moscow, how they are being manipulated by a small group of communist ideologues who receive their instructions through me.

"If Moscow decides that 50,000 demonstrators must take to the streets in the Netherlands, then they take to the streets. Do you know how you can get 50,000 demonstrators at a certain place within a week? A message through my channels is sufficient. Everything is organized with military precision under the leadership of essentially conscientious objectors. I should know because not only am I daily involved with these clandestine activities, I am also one of those who transmit the orders coming in from Moscow."²⁵

During 1981, several other such disclosures of direct KGB involvement were made. In October, the Danish government expelled Soviet Embassy Second Secretary Vladimir Merkoulou for subversive activities, after he had paid Danish author Herlov Petersen \$2,000 to buy newspaper ads promoting a "Nordic nuclear free zone." Other Merkoulou-Petersen activities apparently included attempting to influence Danish public opinion-makers by treating them to expensive lunches and gifts. Merkoulou had been working with the Cooperation Committee for Peace and Security, a Danish Communist Party front organization with links to the World Peace Council. And in late November, two Soviet diplomats were up for expulsion from Norway because of their subversive activities. One of them, Soviet Embassy First Secretary Stanislaw Chebotok, had offered money to several Norwegians to write letters against nuclear arms to Norwegian newspapers.²⁶

But because accounts of these matters were scattered while the press gave overwhelming attention to the nationalist flavor of many of the European peace groups, no public attempt was made to ask whether such covert Soviet activities were but shadows of a larger Soviet influence on the European disarmament movement.

In April 1981, the World Peace Council held its presidential meeting in Havana, Cuba. At the closing session, Romesh Chandra delivered an address which emphasized the role of mass demonstration in thwarting America's TNF modernization plans for Europe. Chandra also asserted at this meeting that the WPC had reached a "compromise with all political forces, with all governments, with all mass movements, with all organizations, with all workers, with the church, with the youth, with the women, with all existing mass movements."

During the spring and summer of 1981, the Soviet Union continued its overt propaganda for the United States to respond to Brezhnev's "generous" peace proposals. In June, in what apparently was intended as a warning to West Germany about the new missiles, Soviet propagandists reversed the previous decade's low-key propaganda line and accused the Germans of returning to "neonazism and revanchism." Obviously, all was not yet lost in the Federal Republic, since peace forces were increasing their strength there. As A. Grigoryants wrote in *Izvestiya*:

"A mass-based, truly popular movement against 'arms upgrading' is mounting in the FRG. Over 1 million people have already signed the Krefeld appeal calling on the federal government to reverse its agreement to the deployment of U.S. Pershing II missiles and cruise missiles in the FRG. Fer-

ment is growing in both ruling parties. The SPD's major land and district organizations are demanding that their leaders annul the 'arms upgrading' decision."²⁷

Later that month, the Supreme Soviet of the USSR released an "Appeal To the Parliaments and Peoples of the World." It "called on the law-making bodies of all countries resolutely to declare for business-like and honest talks with the aim of preventing a new round of the nuclear arms race."

In July, the CPSU Central Committee sent a messenger on the problems of peace and disarmament to socialist and social democratic parties throughout Western Europe: "[O]ur appeal to you is based on the belief that remedying the international situation depends not only on the Soviet Union but also on the will of other states and their political parties and movements and on their willingness to make the necessary efforts to safeguard peace." It went on to note that since the socialist and social democratic parties enjoyed influence among the masses and the trade unions, "the way in which the international situation evolves depends in many respects on the social democrats' commitment." * * *

The news on August 9, 1981, that the United States would produce and stockpile enhanced radiation warheads caused the Soviet Union to revive its anti-"neutron bomb" agitation. A TASS broadcast the same day proclaimed: "The U.S. administration has taken another extremely dangerous step towards the further spiralling of the arms race and enhancing the threat of nuclear war." And a day later Radio Moscow charged: "The proposed production of that most inhuman weapon of mass destruction signals a new step in preparations for a global nuclear holocaust."²⁸

In West Germany, Communist Party chief Herbert Mies called on all German citizens to protest the Reagan Administration's "neutron" decision. In Helsinki, the World Peace Council issued a statement condemning the decision as threatening to accelerate the U.S. arms build-up "to the point of no return." On August 14, the Soviet Committee for European Security and Cooperation called the Reagan decision a threat to Europe and acknowledged its support for mass actions by the Western Europeans against this inhuman weapon. And at sessions of the U.N. Disarmament Committee, delegations from the Soviet Union and a number of Eastern European Countries, including the German Democratic Republic, Hungary, and Czechoslovakia, introduced a proposal calling for the immediate start of debate on the question of drafting an international convention banning production, stockpiling, deployment, or use of the neutron weapons.

By the end of August 1981, Soviet propagandists and their allies effectively had merged the renewed "neutron bomb" agitation effort with the ongoing campaign against NATO's TNF modernization. This proved especially useful in raising the level of fear in Western Europe about the specter of nuclear war.

The culmination of the Soviet Union's 1981 propaganda efforts was the spectacle of massive national peace demonstrations in European capitals in the fall. Soviet propagandists had been anticipating these mass protests for months, and while they had done much to avoid exposing the range of the USSR's support for these peace demonstrations, they had not hesitated to make good use of the KGB's forgery capability to heighten the atmosphere for such protests.

In country after country during 1981, copies of "top secret" U.S. nuclear plans were conveniently "discovered" and passed on to sympathetic newspaper editors. In February, for example, a package containing a collection of documents purporting to be operational plans for American forces in Europe were mysteriously mailed from Birmingham, England, to a variety of Danish politicians and reporters. These documents described targets in Denmark, which supposedly would be bombed in time of war by U.S. forces. At the beginning of August, the Italian weekly *Panorama* published extracts ostensibly from two U.S. military directives—Directive 10-1, which related a plan to transfer special U.S. Army nuclear and chemical weapons units to Europe in emergency situations, and Document 100-7, a supposed Headquarters CINCEUR operations plan, which asserted that the decision to use nuclear weapons in the territories of the European NATO allies would be made by the U.S. Command without consulting the Europeans.²⁹ While in October, Austrian readers were informed of the finding of U.S. Document 77707/10-70 "in a safe" located in the barracks of a military saboteur training school in Bavaria. This document set forth U.S. plans to target Austrian cities and installations for nuclear destruction.³⁰ Such Soviet forgeries undoubtedly "took in" a good many unwary readers in Western European countries.

In West Germany the peace protests intensified in late summer. On August 29, 1981, a number of demonstrations were held in various areas. At Pirmasens, in the Palatinate, some 5,000 people protested the stockpiling of U.S. chemical weapons in the region. One of the major speakers was Petra Kelly of the Green Party. In Berlin that same day, about 30,000 people rallied against the neutron weapon and NATO's TNF modernization decision. In addition, groups of 3,000 and 1,500, respectively, demonstrated in Bremen and Hanover. These demonstrations were merely preliminaries to the planned major demonstration.

On September 13, Secretary of State Alexander Haig visited Berlin to meet with leaders and to deliver a foreign policy address on the Soviet threat and European relations. Haig's presence in the divided city was used as pretext for a major disarmament demonstration by the left-wing Young Socialists (Jusos) and some twenty other groups, including the German Communist Party. Planning for the protest had been under the leadership of Jusos chairman, Willy Piecyk. Piecyk had clearly been echoing the Soviet propaganda line when, a few days before Haig arrived, he had remarked to a German reporter that NATO and the United States were steering toward confrontation with the Soviet Union and lowering the threshold of nuclear war by their weapons decisions. The September 13 demonstration by some 50,000 protesters began peacefully but climaxed in rioting in which a small hard-core portion of the participants looted and destroyed property; 251 (police officers and protesters) were injured.

The culmination of the 1981 West German disarmament campaign was for October 10. Organizers for this massive demonstration were chiefly Evangelical Church groups, established disarmament organizations, the German Communist Party, and hundreds of smaller peace, environmental, and Marxist groups.³¹ Nevertheless, the FRG's Social Democrat/Free Democrat ruling coalition was most concerned by the participation of left-wing SPD parliamen-

tarians, the most prominent of whom was Erhard Eppler, a member of the SPD Presidium. He announced on September 21 that he would speak at the demonstration and had been sympathetic with the Soviet position on theater nuclear forces for some time. In February 1981 he had told Der Spiegel:

"[I]t was obvious even at the time [when NATO approved TNF modernization] that the U.S. Government would not even dream of entering into serious talks on disarmament of the Eurostrategic weapons. The so-called zero option never existed at any time as far as the Americans were concerned. And now this measure, which was passed off as absolutely necessary for the military balance—whatever you wish to interpret as balance—is being included in a strategy which is no longer aimed at balance but at preponderance."³²

He had just returned in August 1981 from talks in Moscow with CPSU Central Committee staff members Vadim Zagladin and Valentin Falin asserting that the Soviet Union's SS-20 missiles were not nearly as dangerous as thought in the West. The Soviets were "making intense preparations and they will try to make the best of these [TNF] negotiations" with the United States, even though they doubted that country's good faith.

The planned participation by Eppler and some fifty-eight SPD Bundestag members sparked a sharp vocal reaction from the Schmidt government. On October 2, Peter Corterier, Minister of state at the Foreign ministry, told *Bild Am Sonntag* that Social Democrats who participated in the so-called peace demonstration would be violating the SPD's irreconcilability resolution which prohibits joint activities with Communists. He went on to say: "Anyone who continues to demonstrate with Communists against the government must ask himself whether he can remain a member of this party." And during the course of a Bundestag debate on the "peace demonstration" on October 9, 1981, Chancellor Schmidt responded: "Unfortunately, it has become quite clear that the organizers—I am referring to the organizers and not to the demonstrators—refused to repudiate a number of supporting communist groups. . . ."

In the end, some 250,000 Germans rallied on October 10 in Bonn, including the large left-wing SPD Bundestag delegation and thousands of rank-and-file SPD party members. The participants listened to speeches castigating the German government for agreeing to NATO's decision to modernize its theater nuclear forces and calling on Germany to repudiate its "colonization" by the United States. The demonstration was a major Soviet propaganda victory. *Pravda* hailed the German anti-missile movement, which it claimed had reached "unparalleled proportions," and noted with evident satisfaction that the demonstration was "a manifestation of an emergent alliance of people who are coming to realize, despite all obstacles and difference of their world outlooks, their responsibility for safeguarding world peace." Just the day after the German mass rally, *Welt Am Sonntag* released news of a recent study by the Federal Office for the Protection of the Constitution ("Security-Endangering Leftwing Extremist Trends in the Struggle for Peace"), which acknowledged that Communist and ecological groups had drawn up a three-year plan for actions against "counterarming"—a plan that included "resistance actions" against

military installations in the Federal Republic.

The peace and disarmament activities in other Western European countries during the summer and fall of 1981 also revealed stage-managing by Communist front organizations. For instance, the largest disarmament demonstration of the summer—the "1981 March for Peace"—consisted of a six-week (late June through early August) "peace walk" from Copenhagen to Paris. It was organized by Women for Peace, a Danish disarmament group claiming to have 500,000 members. The march attracted wide attention in Europe, particularly because many of the participants were colorfully clad young people reminiscent of the "hippies" of the 1960s. What was not revealed at the time, however, was that Women for Peace had strong ties with Denmark's Cooperation committee for Peace and Security, the largest Communist front group in the country. In fact, the two Danish organizations make little effort to disguise their connection, both sharing the same Copenhagen address in Gothersgade—in a building that had earlier housed the Danish-Cuban Friendship Association.³³

The mass demonstrations in the fall of 1981 varied in the amount of overt Communist participation—from the marches in Paris and Rome, where groups tied to the national Communist parties were the chief organizers, to the demonstrations in London, Brussels and Amsterdam, where the organizing was done by more broadly based groups.³⁴ Even in the latter cases, the extensive planning and support of Communist influenced or dominated peace groups was noticeable to informed observers. Despite this clear link to Moscow, the protests received massive, favorable press coverage and had a significant impact on European public opinion.

PRESIDENT REAGAN'S ZERO OPTION

On November 19, 1981, President Ronald Reagan, in part to reassure Europe that the United States was determined to undertake serious arms control negotiations with the Soviet Union, delivered a major address on the American program for peace and arms control. In this speech, the President offered to cancel the planned deployment in Europe of new Pershing II and ground-launched cruise missiles if the Soviet Union agreed to dismantle its SS-20, SS-4 and SS-5 missiles already deployed.

This "zero option" proposal was immediately denounced by the Soviet Union. As Sergey Losev wrote in *Izvestiya*: "Unfortunately, the point at issue is in fact a propaganda 'cushion' designed to soften the unfavorable political consequences of the line pursued by the United States of starting a fresh steep round in the nuclear missile weapons race."³⁵

And not surprisingly, the leadership of a number of the "independent" European disarmament groups criticized President Reagan's zero option in almost the same words as those used by the Soviets. Britain's Campaign for Nuclear Disarmament (CND) warned that the zero option "was mainly about propaganda and not about disarmament." And the main speakers at the second "Krefeld Forum" were equally villifying in their comments. Josef Weber, for instance, exclaimed that there "is no doubt that with his propaganda coup Reagan intends first and foremost to mislead the peace movement rather than to begin serious negotiations."

In late November, Brezhnev visited West Germany. At a dinner given in his honor by

Chancellor Schmidt, Brezhnev set forth the latest version of the USSR's TNF disarmament proposal, aimed at preventing the deployment of U.S. Pershing IIs and cruise missiles. The Soviet leader told his audience:

"To facilitate the dialogue and to create a favourable atmosphere for it, we have put forward this proposal: that while the talks continue, both sides should abstain from deploying new and modernising the existing medium-range nuclear means in Europe."³⁶

"Besides, as we have informed the federal chancellor today, should the other side consent to the moratorium I have just spoken about, the Soviet Union would be prepared not only to discontinue a further deployment of its SS-20 missiles. We would go even further."

"As an act of goodwill, we could unilaterally reduce a part of our medium-range nuclear weapons in the European part of the USSR. . . . This is a new and substantive element in our position."³⁷

Here the Soviet leader was attempting to counter the favorable impression made on Western European leaders by Reagan's zero option. Moscow as claiming to have offered a greater concession. Soviet commentaries in the following weeks stressed that Leonid Brezhnev's proposals were the "genuine 'zero option.'"

Despite Soviet statements about its concessions and the need for balanced negotiating positions, the Soviet leadership continued to depend upon the communists' alliance with the European disarmament movements as the focus of attack against U.S. deployment of the new missiles. In December 1981, International Department Head, Boris Ponomarev, in a speech to an all-union scientific students conference, declared:

"The question of war and peace has advanced into the focus of attention of wide sections of world public opinion. The anti-war movement in Western Europe, and in recent months also in the United States, and a number of other countries reached an unprecedented scale. . . . However, the interests of peoples and the interests of preserving peace call for further deployment of the anti-war movement, since no one has cancelled the U.S. giant military programmes or Reagan's decision to manufacture neutron weapons."³⁸

The need for even greater participation in the efforts of the "peace forces" by people of all backgrounds was echoed by the World Peace Council. The Bureau of the WPC Presidential Committee issued a statement following its January 1982 meeting which noted:

"The WPC calls on all peace movements and all peace workers to redouble their efforts to halt the arms race."³⁹

"The WPC, as always, stands ready to encourage and support all initiatives along these lines, wherever and whenever they are undertaken, to have dialogue and to cooperate on an equal footing with all other peace forces."⁴⁰

BREZHNEV'S MARCH MORATORIUM

The Soviet Union's most recent overt propaganda initiative was unveiled on March 18, 1982, in a speech by Brezhnev to the 17th Congress of Soviet Trade Unions. He announced a unilateral moratorium "on the development of medium-range nuclear armaments in the European part of the USSR"—freezing the further deployment of SS-20 missiles as "replacements" for the older SS-4s and SS-5s. Brezhnev further stated that the moratorium would stay in

force either until the United States and the Soviet Union reached agreement on reducing medium-range missiles or until the U.S. began "practical preparations" for deploying Pershing IIs and GLCMs in Europe.

The thrust of the Soviet proposals was well timed to reinforce the growing support in the United States for a nuclear freeze. And although the Reagan Administration has since pointed out the major strategic inequalities inherent in this all-too-obvious Soviet propaganda ploy, the Brezhnev initiative has been given a more than respectful hearing on both sides of the Atlantic.

As it stands now, the Soviet disarmament campaign directed against NATO's deployment of modernized theater nuclear forces is moving ahead on all fronts. The disarmament movement in West Germany held Eastern peace marches in twenty German cities. And the World Peace Council is gearing up its allied "peace forces" for a major push timed to coincide with the U.N. General Assembly's June 7-July 9 Second Special Session Devoted to Disarmament. Clearly, the United States should be attempting to devise a strategy to cope with the increasingly effective mass movement tactics of the Soviet propagandists.

CONCLUSION

Events in the past year demonstrate the effectiveness of the Soviet disarmament propaganda campaign when joined with European peace group efforts. It seems certain that the anti-nuclear sentiment in Western Europe, and now in the United States, will continue to grow unless it is checked by a well-organized counter-effort by the Reagan Administration.

Alerting the European and American publics to the incontrovertible facts of the strategic balance is the vital first step. Soviet propagandists and their allies (witting and unwitting) thrive on the public's ignorance of relative U.S. and USSR military capabilities. Exploiting this ignorance are peace groups on both sides of the Atlantic, which have established firm ties with leaders of the Protestant and Catholic churches and are laying the groundwork for grass-roots campaigns against American nuclear weapons. A massive rally is now scheduled to coincide with the June opening of the U.N. Special Session on Disarmament in New York. The nuclear freeze statements passed recently in several states and in dozens of localities in New England and California testify to the success of the American groups' preliminary organizing efforts.

Blunting the drive of nuclear freeze organizers in this country and of the disarmament movement in Western Europe will require far more than a few speeches by the President and his Secretaries of State and Defense. Needed is an effort at least equivalent to the Carter Administration's SALT-selling campaign of 1979. State, Defense and ACDA must mobilize a corps of speakers to travel to the towns, cities, and campuses across the United States. They must talk to citizens about the realities of the military balance, the questions raised about the Soviet Union's compliance with past arms limitation treaties, and the role that the Soviet propaganda apparatus is playing in the supposedly independent peace movement.

In Western Europe, activities of this sort should be coordinated through NATO and its affiliated public support organizations. It would be extremely useful for NATO delegations to share information concerning the links in their countries between known

Communist front groups and the "independent" peace groups. Such data would permit an overall assessment of Soviet influence on the European disarmament movement.

A U.S. effort of this magnitude will prove difficult to organize and will cost more than the several millions of dollars that the Carter Administration spent in its SALT-selling effort, but nothing less than a major drive to counter the disarmament campaign now under way will be effective. Without such an effort, Washington will find itself increasingly hampered in its plans for strengthening U.S. and NATO nuclear deterrent forces. This deterrent offers the best guarantee of the peace that the disarmament movement so passionately desires. It is for this reason that the Soviet propaganda campaign and its coopting of other groups has become a major threat to peace. It is this story that the Reagan Administration must start telling.

FOOTNOTES

¹ Evron M. Kirkpatrick, ed., "Year of Crisis: Communist Propaganda Activities in 1956" (New York: The Macmillan Company, 1957), p. 31.

² "Forgery, Disinformation and Political Operations," Department of State Bulletin, Vol. 81 (November 1981), p. 53. Among the first Communist leaders to stress the importance of front organizations was the Finn, Otto Kuusinen, Secretary of the Communist International from 1921 to 1943. In 1926, at a Comintern executive committee meeting, Kuusinen advanced the idea of "creating a whole solar system or [sic] organizations and smaller committees around the Communist Party . . . actually working under the influence of the Party, but not under its mechanical control." Quoted in "International Communist Front Organizations: Introduction," in Yearbook on International Communism: Introduction, 1968, edited by Richard V. Allen (Stanford: Hoover Institution Press, 1969), p. 695.

³ For information on Chandra's background in the front groups, see "Biographies of Prominent International Communist Figures," in Yearbook on International Communism: Introduction, 1979, edited by Richard F. Staar (Stanford: Hoover Institution Press, 1979), p. 449.

⁴ Service A was apparently upgraded from Department to Service status in the mid-1970s. "The Communist Propaganda Apparatus and Other Threats to the Media," (American Bar Association Standing Committee on Law and National Security) Intelligence Report, Vol. 3 (April 1981), pp. 1-2.

⁵ Quoted in "How the KGB Operates: Answers from a KGB Defector," (American Bar Association Standing Committee on Law and National Security) Intelligence Report, Vol. 3 (July 1981), p. 3. This was an interview with a former KGB officer, Ilya Dzhirkvelov, who defected to the British, early in 1980. In partial confirmation of Dzhirkvelov's KGB background, Appendix D of John Barron's book (published six years before Dzhirkvelov defected), listing Soviets engaged in clandestine operations abroad, shows that one Ilya Dzhirkvelov was expelled from Turkey and was subsequently stationed in Sudan (1971). John Barron "KGB: The Secret Work of Soviet Secret Agents" (New York: Reader's Digest Press, 1974), p. 385.

⁶ Quoted in House, Committee on Un-American Activities, Communist Activities in the Peace Movement (Women Strike for Peace and Certain Other Groups): Hearings, 87th Congress, 2d Session, USGPO, pp. 2065-2066.

⁷ Quoted in S. T. Cohen, "The Neutron Bomb: Political, Technological and Military Issues" (Cambridge, Massachusetts: Institute for Foreign Policy Analysis, 1978), p. 35.

⁸ Brezhnev noted in an interview in Pravda on December 24, 1977, for example, "This inhuman weapon, especially dangerous because it is presented as a 'tactical,' almost 'innocent' one, is now being persistently foisted upon the world. Thereby, attempts are being made to erase the distinction between conventional and nuclear arms, to make the transition to a nuclear war outwardly, so to say, unnoticeable for the peoples." Quoted in "Year-end Soviet Optimism in Foreign Sphere: Focus on Further Disarmament Successes," Soviet World Outlook, January 15, 1978, p. 4.

⁹ Ibid., p. 5.

¹⁰ C. C. van den Heuvel, "Netherlands," in Yearbook on International Communism: Introduction, 1979, p.

186; and J. G. Heitink, ["The Influence of the Christians for Socialism Movement on the IKV"], De Telegraaf (Amsterdam), July 25, 1981, p. 9; translated and reprinted in Current News: Foreign Media Edition, October 28, 1981, p. 5.

¹¹ Leonard Downie, Jr., "Denmark Faces Crucial Decisions on Defense Spending," The Washington Post, November 5, 1979, p. A20; and "Pro-SALT Americans Urge Denmark to Oppose NATO Missiles," Defense/Space Business Daily, November 6, 1979, pp. 22-23. Both Scoville and Barnet have had continuing ties with organizations on the American Left—Scoville has been on the Board of the Center for Defense Information, and Barnet was formerly a co-director of the Institute for Policy Studies. For detailed information on the above-named organizations, see William T. Poole, "The Anti-Defense Lobby: Part I, Center for Defense Information," Heritage Foundation Institution Analysis No. 10, April 19, 1979; and William T. Poole, "Institute for Policy Studies," Heritage Foundation Institution Analysis No. 2, April 19, 1977.

¹² It should be understood that the Soviets have been purposely delaying the retirement of these older missiles, possibly in an effort to use them as bargaining chips in future arms negotiations. Some 140 had been retired by late 1979, but nearly all of these had been targeted on China.

¹³ "U.S. May Withdraw 1,000 NATO Weapons," The New York Times, October 26, 1979, p. A6. It was not a new idea. In 1975, Secretary of Defense James Schlesinger unsuccessfully had proposed reducing NATO's stock of obsolescent tactical nuclear warheads.

¹⁴ (Emphasis added.) Quoted in "Campaign on Euromissiles Grows in Scope and Intensity, U.S. Charged with Circumvention of SALT II," Soviet World Outlook, November 15, 1979, p. 5.

¹⁵ C. C. van den Heuvel, "Netherlands," in Yearbook on International Communism: Introduction, 1980, edited by Richard F. Staar (Stanford: Hoover Institution Press, 1980), p. 192. Another name given to this group is the "Joint Committee—Stop the Neutron Bomb—Stop the Nuclear Armament Race." "Forgery, Disinformation, and Political Operations," Department of State Bulletin, November 1981, p. 54.

¹⁶ "Zhivkov Speaks Before World Peace Parliament in Sofia," Sofia Domestic Service (Bulgaria), in Foreign Broadcast Information Service Daily Report: Eastern Europe, September 24, 1980, pp. C7-C8.

¹⁷ World Peace Council Programme of Action 1981 (Helsinki: World Peace Council, [1980]), pp. 6-7.

¹⁸ West German Chancellor Helmut Schmidt characterized the circumstances surrounding the Krefelder Appeal in this way: "regarding the Krefelder peace appeal, it was preformulated by the German Peace Union which is one of the many groups around that are established with strong communist influence. Many people are members of the Peace Union as well as of the Communist Party." Interview with Helmut Schmidt: "Chancellor Schmidt Comments on Peace Movement," ZDF Television Network (Mainz), August 30, 1981, in Foreign Broadcast Information Service Daily Report: Western Europe, September 1, 1981, p. J2. For information on the German Communist Party's influence over German peace organizations such as the German Peace Union, see "Germany: Federal Republic of Germany," in Yearbook on International Communism: Introduction, 1968, p. 236. The Green Party was not founded as a left-wing party, per se, but was completely taken over by the Left (always a majority of the membership) during the course of its first party conventions, culminating in the one of March 21-23, 1980. See Elizabeth Pond, "Dissension sprouts in West Germany's Green Party," The Christian Science Monitor, March 25, 1980, p. 4. For information on the ecological parties in Western Europe, see J. F. Pilat, "Ecological Politics: The Rise of the Green Movement," (The Center for Strategic and International Studies, Georgetown University) The Washington Papers Volume 8, Number 77 (Beverly Hills: Sage Publications, 1980).

¹⁹ Jean Stead, "Western Europe's anti-war fever," The Guardian (London), April 7, 1981, p. 17. For information on Petra Kelly's background, see Roger Berthoud, "Radical 'Greens' alliance hopes to capitalize on provincial success," The Times (London), September 16, 1980; and "The Soviet Peace Offensive," Information Digest, December 25, 1981, pp. 385-386. For information on Martin Niemöller's receipt of the Lenin Peace Prize, see "Germany: Federal Republic of Germany," in Yearbook on

International Communist Affairs 1968, p. 236. For a representative sampling of information on Gert Bastian's disarmament activities, see Christian Potyka, "Attack on the Missile Arsenal," Sueddeutsche Zeitung (Munich), January 9, 1981, p. 3, in Foreign Broadcast Information Service Daily Report: Western Europe, January 12, 1981, p. J3; J. G. Heitink ["The finances of the anti-nuclear arms clubs and their income from abroad"], De Telegraaf, July 29, 1981, p. 9, reprinted in Current News: Foreign Media Edition, October 28, 1981, p. 7; and Charles Austin, "Antinuclear Groups Seeking A Global Network," The New York Times, December 6, 1981, p. 75. The views of Bastian and other former NATO generals and admirals in the "Generals for Peace" group are getting extensive play not only in Germany but also in the USSR, where the Soviet magazine Za Rubezhom has been printing translations of the writings of these retired officers.

²⁰ "Massive Campaign Heralded Against Euromissiles," Soviet World Outlook, Vol. 6 (February 15, 1981), p. 3.

²¹ Quoted in an article in "Kommunist" by Boris Pononmarev, entitled "The International Significance of the 26th CPSU Congress," excerpted in Loen Goure and Michael J. Deane, "The Soviet Strategic View: The 26th CPSU Congress and the Soviet 'Peace Campaign,'" Strategic Review, Vol. 9 (Summer 1981), p. 76. For a slightly different translation of the same passage, see Keith Payne, "The Soviet Peace Program," (Hudson Institute) Hudson Communiqué, Vol. 1 (September 1981), p. 1.

²² Brezhnev Uses 26th Soviet Congress to Launch Double-Edged Peace Offensive," Soviet World Outlook, March 15, 1981, p. 3.

²³ Paul Brill, "Detente Is Not Dead," "De Volkskrant" (Amsterdam), March 16, 1981, in Foreign Broadcast Information Service Daily Report: Soviet Union, March 20, 1981, p. G4.

²⁴ "[Questioner] If individual West European states deploy missiles within the framework of NATO's decision to counterarm, would this entail sanctions from the Soviet side?"

[Arbatov] Oh well, you understand that very serious arms are involved. There is the Pershing II which we can compare—you know with what?—with Soviet missiles stationed in Cuba in 1962. You remember what the reaction of the American's [sic] was at that time.

[Questioner] Yet, Mr. Arbatov, would that lead to a similar situation as in 1962 in Cuba? The missile crisis?

[Arbatov] You know, I do not want to talk about that.

[Questioner] You introduced it yourself.

[Arbatov] I just want to say that the Soviet Union takes it very, very seriously. It would, therefore, be much better to avoid it. . . . But naturally there will be consequences. Naturally it will aggravate and spoil the situation in Europe." Arbatov interview, ZDF Television Network (Mainz), March 16, 1981, in Foreign Broadcast Information Service Daily Report: Soviet Union, March 18, 1981, pp. G1-G2.

²⁵ Quoted in J. G. Heitink, [no article title given], De Telegraaf, July 22, 1981, p. 9, reprinted in Current News: Foreign Media Edition, October 28, 1981, pp. 3-4.

²⁶ Merkoulou-Petersen: "Soviet Diplomat Expelled for Espionage Activities," AFP (Paris), November 4, 1981, in Foreign Broadcast Information Service Daily Report: Western Europe, November 4, 1981, p. P1; and "The Soviet Peace Offensive," Information Digest, pp. 386-387. For detailed information on the Cooperation Committee for Peace and Security, see John Wagner, Per Nyholm and William Schwarck, "Soviet-Oriented Communism Behind Danish Peace Movements (Part One)," Jyllands-Posten (Denmark), May 17, 1981. Chebotok: "Police Seek Expulsion of Two Soviet Diplomats," Stockholm Domestic Service, November 27, 1981, in Foreign Broadcast Information Service Daily Report: Western Europe, November 30, 1981, p. P1; and Information Digest, p. 387. More recently, on January 22, 1982, the Portuguese government expelled two Soviet diplomats—press attache Yuri A. Bablants and attache Mikhail M. Morozov—for "engaging in activities which exceeded their diplomatic status," in connection with the January 16 disarmament march in Lisbon. "Disarmament Offensive," Information Digest, January 29, 1982, pp. 21-22.

²⁷ A. Grigoryants, "Letter from Bonn: Considering the Lessons of the Past," Izvestiya, June 21, 1981, p. 5, in Foreign Broadcast Information Daily Report: Soviet Union, June 26, 1981, p. AA2.

²⁸ "Decision 'Open Challenge,'" Moscow World Service, August 19, 1981, in Foreign Broadcast Information Service Daily Report: Soviet Union, August 11, 1981, p. AA2.

²⁹ "Classified Pentagon Documents' Reveal U.S. Plans," TASS, August 6, 1981, in Foreign Broadcast Information Service Daily Report: Soviet Union, August 7, 1981, pp. AA4-AA5.

³⁰ B. Pechnikov, "Notes: When the Secret Comes Out," Komsomolskaya Pravda (Moscow), October 9, 1981, p. 3, in Foreign Broadcast Information Service Daily Report: Soviet Union, October 16, 1981, p. G3.

³¹ Disclaimers to the contrary, many experienced German observers saw the fine hand of the communist-dominated German Peace Union behind much of the Evangelical Church's planning activities. German Communist Party (KPD) infiltration of Christian religious organizations had first begun in earnest in the late 1960s, with the formation of a KPD special "Friedensbewegung" (Peace Commission). See "Germany: Federal Republic of Germany," in Yearbook on International Communist Affairs 1968, p. 236.

³² "SPD Leader Discusses Present State of Party," Der Spiegel, February 9, 1981, in Foreign Broadcast Information Service Daily Report: Western Europe, February 11, 1981, p. J11.

³³ The two organizations had previously shared quarters at Reventlowsgade 12, Copenhagen, together with the group known as the Association of Democratic Women in Denmark, the Danish branch of the international Communist front organization, the Women's International Democratic Federation (WIDF). See John Wagner, Per Nyholm and William Schwarck, "Soviet-Oriented Communism Behind Danish Peace Movements (Part Two)," Jyllands-Posten (Denmark), May 23, 1981. For the historical background on the WIDF, see "Women's International Democratic Federation," in Yearbook on International Communist Affairs 1968, pp. 726-728.

³⁴ In the case of the Paris demonstration, a number of groups, including the trade union CFDT and the Socialist Party, refused to participate because of the organizers' obvious pro-Soviet stance.

³⁵ "Brezhnev Dinner Speech," TASS, November 23, 1981, in Foreign Broadcast Information Service Daily Report: Soviet Union, November 24, 1981, p. 69.

³⁶ "Boris Ponomarev About Soviet Peace Initiatives," TASS, December 12, 1981, in Foreign Broadcast Information Service Daily Report: Soviet Union, December 14, 1981, p. AA1.

³⁷ "WPC Bureau Calls for Negotiations, an End to Arms Race," (World Peace Council) Disarmament Forum, Vol. 1 (January 1982), p. 4. Interestingly, two United States Congressmen—Representative John Conyers of Michigan and Representative Gus Savage of Illinois—both members of the Congressional Black Caucus, were active participants in the WPC's Bureau meeting in Copenhagen. See their recorded comments in "WPC Bureau Meeting in Copenhagen Urges: Negotiations, Not Confrontation" (World Peace Council) Peace Courier, Vol. 13 (January-February 1982), pp. 2-3. In addition, Congressman Savage was one of the honored participants in the Portuguese "peace marches" that occurred on January 16, 1982—the same marches over which two Soviet diplomats were expelled from Portugal (see footnote 26). "Portuguese Peace Marchers Call for End to Arms Race," Ibid., p. 6.

THE PEACE MOVEMENT AND THE SOVIET UNION (By Vladimir Bukovsky)

(Peace will be preserved and strengthened if the people take the cause of peace into their own hands and defend it to the end.—Joseph Stalin, 1952.)

The "struggle for peace" has always been a cornerstone of Soviet foreign policy. Indeed, the Soviet Union itself rose out of the ashes of World War I under the banner of "Peace to the People! Power to the Soviets!" Probably from the very first, Bolshevik ideologists were aware of how powerful a weapon for them the universal craving for peace would be—how gullible and irrational people could be whenever they were offered the slightest temptation to believe that peace was at hand.

Only a year before the Bolsheviks raised their banner, the most terrible prospect for

any Russian would have been to see an enemy burning down his villages and defiling his churches. Yet once blinded by the slogan, "A just peace without annexations or tribute," he was to rush from the front lines, along with hundreds of thousands of his fellow soldiers, sweeping away the last remnants of the Russian national state. He did not want to know that his desertion had done no more than simply prolong the war for another year, not only condemning thousands more to death on the Western front, but ending in that very German occupation of the Ukraine and Russia he had so much dreaded just a year ago. For the moment the only thing that mattered was peace—right now, and at any price.

Hardly anyone taking part in the stampede back home in 1917 knew the first thing about the ideology of Communism—except possibly for a couple of simple slogans and this one incendiary word: Peace. In a country of 70 million there were only 40,000 Communists. Anyone who had taken the trouble to read the Communists' "fine print" with just a little care could have discovered that what their soon-to-be masters meant by "peace" was not peace at all but rather the "transformation of imperialist war into civil war."

The Russian people were in any case so fed up with the war by then that they did not care. Anything seemed better, or at least not worse. After three years of civil war, however, in which some 20 million people were slaughtered or died of starvation, cold, and typhoid (i.e., ten times as many as were killed at the front during the whole of World War I), the war came to seem a trifle by comparison, a sort of frontier skirmish somewhere in the Byelorussian swamps.

And once again an irresistible craving for peace drove people to accept Soviet rule—as a lesser evil. Anything was now preferable to this monstrous slaughter, starvation, and typhoid. They would give anything for some kind of order.

The order imposed by the Communists was nothing more than a permanent state of civil war, both inside the country and around the world. Or as Lenin put it, "As an ultimate objective peace simply means Communist world control." Thus, while comrade Chicherin, at the Conference of Genoa in 1922, was appealing to the entire world for total and immediate disarmament, crowds of bewildered people in the Soviet Union were marching to the cheerful song:

We'll fan the worldwide flame,
Churches and prisons we'll raze to the ground.

The Red Army is strongest of all
From Moscow to the British Islands.

Indeed, the churches were the first to be put to the torch. As for the prisons, the Communists were in no hurry to carry out their bold promise. Quite the contrary, the number of prisons grew with each year to accommodate tens of millions of "class enemies" or "enemies of the people." And speaking of worldwide flame, one need only compare the map of the world of, say, 1921 with that of 1981 to see that the song's promise was not entirely empty.

Once they recognized the power of "peace" as a weapon, the Communists have never let go of it. In this respect, it must be admitted, Soviet politics have invariably been most "peaceful." We must at the same time bear in mind that according to Communist dogma, wars are the "inevitable consequence of the clash of imperialist interests under capitalism," and therefore they

will continue to be inevitable as long as capitalism exists. The only way to save humanity from the evil of wars, then, is to "liberate" it from the "chains of capitalism." Accordingly, there is a very precise distinction to be made between "just wars" and "unjust wars." "Just wars" are those fought "in the interests of the proletariat." It is perfectly simple and perfectly clear: just wars are absolutely justifiable because they lead to the creation of a world in which there will be no wars, forevermore. Proletarians are all brothers, are they not? So, once the world is rid of capitalists, imperialists, and various other class enemies, why should those who are left fight one another?

By this same impeccable logic, the interests of the proletariat are best known to the advance-guard of the proletariat, that is, the Communist party, and should be defined by Lenin, Stalin, Khrushchev, and Brezhnev, since they are in turn the advance-guard of the Communist party.

As soon as we have pinned down this formula and deciphered its terminology, the course of history becomes absolutely clear. For instance, Soviet occupation of the Baltic states and Bessarabia, or the war with Finland in 1939-40, were of course perfectly just, as was the partition of Poland, achieved in cooperation with Nazi Germany in 1939. On the other hand, the Nazi attack on the Soviet Union in 1941 was blatantly unjust. By the same token, any attack by the Arabs on Israel is just, at least insofar as it is successful. If Israeli resistance to attack is successful, however, then all peace-loving peoples must protest.

It goes without saying that world public opinion must accept the distinction I have outlined above and direct every effort in the struggle for peace toward establishing it. Fortunately, there are a great many "progressive" people in the world, people for whom any direction taken by Moscow is progressive because by definition it is taken in the service of socialism. Thus, before the Molotov-Ribbentrop pact of 1939 was signed, the energies of all progressive people were mobilized against fascism, whether in Spain, Italy, or Germany. As soon as the pact was signed, the notion of what was progressive and what was not changed drastically.¹

On February 2, 1940, for example, the German Communist leader, Walter Ulbricht, later to become head of the East German state, was permitted by the Nazi government to publish an article in *Die Welt* in which he said: "Those who intrigue against the friendship of the German and Soviet peoples are enemies of the German people and are branded as accomplices of British imperialism."

The British *Daily Worker* adopted a similar line and greeted the new alliance as a victory for peace, as did the American *Daily Worker*. On September 19, 1939, when the war was raging in Poland, it published a declaration of the National Committee of the American Communist party proclaiming the war declared by France and Britain on Nazi Germany to be an imperialist (that is, "unjust") one, which should be opposed by the workers. This appeal was immediately supported by fellow-travelers like Theodore Dreiser, and Communist trade unions set out to sabotage production in munitions fac-

¹ Much of the material that follows here on the early days of World War II is taken from the book by Nikolai Tolstoy, *Stalin's Secret War* (1981), where the appropriate references can be found.

tories, lest any aid reach Britain or France. Right up to the eve of the Nazi invasion of Russia, Communist propaganda did everything possible to dissuade the United States from helping the European democracies in their war against Nazi Germany. These pages in the history of the glorious "struggle for peace" by the progressive social forces are not much spoken of any more, particularly where the young might hear.

But nowhere was this "struggle for peace" as influential as in France, where the Communist party and its fellow-travelers were openly defeatist before, and remained so during—and some time after—the Nazi invasion of France. The French Communist party, which was quite considerable in strength, worked so energetically to undermine the French war effort as to suggest a fifth column. Within a month of France's declaration of war the party's leader, Maurice Thorez, fled to Moscow to direct the resistance to French preparations against Germany. In November 1940 Thorez and his associate Jacques Duclos exulted openly over the fall of France, Thorez declaring that "the struggle of the French people has the same aim as the struggle of German imperialism."

The Franco-German alliance alluded to by Thorez expressed itself in concrete terms. German propaganda leaflets dropped over the Maginot line pointed out that "Germany, after her victory over Poland and since her pact with Russia, disposes of inexhaustible resources in men and material," while all the Communist deputies petitioned President Herriot to make peace in response to Hitler's appeal. After Communist publications had been suspended by decree in France, the party continued to publish its propaganda on German presses. Its leaflets urged troops, dockers, and others engaged in essential war work to resist and to sabotage the country's effort. In March 1940, a party leaflet claimed that the Allied failure to launch an offensive was due to the effectiveness of the party's defeatist propaganda. And there can be no doubt that this effective spreading of defeatism, coupled with a serious campaign of sabotage in munitions factories, played a major role in the catastrophic French defeat of June 1940.

At the very time that General de Gaulle, in London, was issuing his appeal for resistance, the French Communist paper *l'Humanité* said: "General de Gaulle and other agents of British capital would like to compel Frenchmen to fight for the City..."

Later Khrushchev was to recall that "Stalin once told me that Hitler had sent a request for a favor through secret channels. Hitler wanted Stalin, as the man with the most authority and prestige in the Communist world, to persuade the French Communists not to lead the resistance against the German occupation of France." Evidently Hitler's request was not denied.

Even in Yugoslavia, where the Communist movement had directed all its efforts to vilifying the British and French, Tito's first appeal for a struggle against the German invaders did not come until June 22, 1941. It was not the German conquest of Yugoslavia that aroused his ire, but the German invasion of the Soviet Union. Even in far-off Buenos Aires, a British diplomat had noticed that Nazi diplomats were "collaborating with local Communists in a very dangerous attempt to win over the masses with the cry of 'away with British capitalism and commercial exploitation.'"

As soon as Nazi Germany turned against its great Eastern ally, the "struggle for

peace" was instantly terminated. Indeed, the sudden outburst of patriotism among the "progressive social forces" was remarkable. No strikes, no condemnation of Western imperialism—as if the latter had never existed. For the remainder of World War II the Allies were to enjoy a happy time of industrial peace and a relaxation of the class struggle. The war, of course, was now a "just" one.

Oddly, the passion for peace was resurrected shortly after the war was over, while the Soviet Union was swallowing a dozen countries in Central Europe and threatening to engulf the rest of the continent. At that time, some "imperialist warmongers" were sounding the alarm over Soviet conduct and even suggesting the creation of a "very aggressive" NATO alliance. The "reactionary forces" in the world were starting a "cold war." Beyond this, the Soviet Union was troublesomely lagging behind the U.S. in the development of nuclear weapons. For some curious reason, however, the "imperialist military-industrial complex"—all those Dr. Strangeloves—failed to drop the atom bomb on Moscow while they still enjoyed a monopoly on it. This should undoubtedly be ascribed to the success of a great movement of peace-lovers. How could it be explained otherwise, short of the reactionary suggestion that NATO generals were not in the least aggressive?

In any case, members of the older generation can still remember the marches, the rallies, and the petitions of the 1950's (particularly the famous Stockholm Appeal and the meetings of the indefatigable World Peace Council). It is hardly a secret now that the whole campaign was organized, conducted, and financed from Moscow, through the so-called Peace Fund and the Soviet-dominated World Peace Council—where a safe majority was secured by such figures as Ilya Ehrenburg, A.N. Tikhonov, etc. This was the period when comrade Stalin presented his memorable recipe for peace that is the epigraph to this article. Stalin's formulation was enthusiastically taken up by millions, some of them Communists, some loyal fellow-travelers, a number of them muddleheaded intellectuals, or hypocrites seeking popularity, or clerics hungry for publicity—not to mention professional campaigners, incorrigible fools, youths eager to rebel against anything, and outright Soviet agents. Surprisingly, this odd mixture constitutes a fairly sizable population in any Western society, and in no time at all the new peace campaign had reached grandiose proportions. It became fashionable to join it and rather risky to decline.

The purpose of all this peace pandemonium was well calculated in the Kremlin. First, the threat of nuclear war (of which the Soviets periodically created a reminder by fomenting an international crisis) combined with the scope of the peace movement should both frighten the bourgeoisie and make it more tractable. Second, the recent Soviet subjugation of Central European countries should be accepted with more serenity by Western public opinion and quickly forgotten. Third, the movement should help to stir up anti-American sentiment among the Europeans, along with a mistrust of their own governments, thus moving the political spectrum to the Left. Fourth, it should make military expenditures and the placement of strategic nuclear weapons so unpopular, so politically embarrassing, that in the end the process of strengthening Western defenses would be considerably slowed, giving the Soviets crucial time to

catch up. Fifth, since the odd mixture of fools and knaves described above is usually drawn from the most socially active element in the population, its activism should be given the right direction.

The results were to exceed all expectations. Soviet money had clearly been well spent. The perception of the Soviet Union as an ally of the West (rather than of Nazi Germany) was still fresh in peoples' minds, which undoubtedly contributed to the success of the "struggle for peace."

Subsequently, the death of Stalin, the shock created by the official disclosure of his crimes, the Khrushchev "thaw" in international relations, and, above all, the fact that the Soviets had caught up with the West in nuclear weapons, were to make the peace movement temporarily redundant; it ceased to exist just as suddenly as it had once appeared. Meanwhile, the inefficiency of the Soviet economy once again brought it to the point of collapse. The Soviet Union badly needed Western goods, technology, and credits. Without these, there would have to be very substantial economic reform, dangerous to continued party control over the entire economic life of the Soviet Union. At the same time it was from the strategic point of view important for the Soviets to legitimize their territorial holdings in Eastern Europe and to secure for themselves the freedom to move further. Something new was called for. Out of the depths of the Kremlin, the doctrine of détente was born.

Though the peace movement was put in cold storage, the issue of peace was nevertheless central to this new Kremlin policy as well. The West had grown so exhausted by the constant tension of the previous decades that the temptation to relax, when offered by the Kremlin, was simply irresistible. And after a decade of a ruthless "struggle for peace," no Western government could get away with rejecting a proposal to limit the arms race—however well some of them understood that it would be senseless to try to reach an agreement with the Soviets while the essentially aggressive nature of Communist power remained in force. Probably some such recognition explains why the Western governments insisted on linking participation in the Helsinki agreements to the observance of human-rights agreements inside the Communist bloc. Their idea was to force the internal relaxation of the Soviet regime and to make it more open and less aggressive. In exchange the West provided almost everything Brezhnev demanded in his "Peace Program" of the 24th Party Congress in 1971. "The inviolability of the postwar frontiers in Europe"—that is, the legitimization of the Soviet territorial annexations between 1939 and 1948—as well as a substantial increase in economic, scientific, and cultural cooperation were solemnly granted by the Western countries in Helsinki in 1975. Earlier a separate treaty had perpetuated the artificial division of Germany without even a reference to the Berlin Wall.

The Western democracies had displayed such readiness to accommodate their Soviet partners that their behavior was perceived as weakness. Probably the most disgusting features of détente could be seen in Germany where the "free flow of people and ideas" had very quickly degenerated into trading people like cattle, the right to visit one's relatives in the East becoming a kind of reward conditional on the "good behavior" of the West German government. By playing on this sensitive issue the Soviets

were able to blackmail the whole country and to "modify" the policies of its government. Unfortunately, Germany is a key factor in East-West relations because in order to avoid a major split in the Western alliance the other members have to adjust their positions in accordance with Germany's. So it was that Soviet influence came to be exerted through the back door, and the West was politically paralyzed.

In addition, far from making the Soviets more dependent—as the proponents of détente had assured us—increased trade, and particularly huge Western credits, have made the West more and more dependent on the Soviet Union. The dimensions of this disaster became clear only recently, when the discussion of economic sanctions against the Polish military rulers and their Soviet masters revealed the inability of the Western countries to reduce once-established economic relations with the Eastern bloc without harming themselves even more. In fact, by now the Soviets are in a position to threaten the West with economic sanctions. Undoubtedly, they will take advantage of it very soon.

In the meantime, far from relaxing internally, the Soviet regime had stepped up its repressive policies, totally ignoring the weak Western protests against Soviet violations of the human-rights agreements. The weakness of these protests had in turn served only as further incitement for the Soviets to proceed in their course of repression without restraint. Clearly, then ideological war waged by the Soviets through all those earlier years had only increased in intensity during the era of détente. Nor did they try to camouflage this warfare. On the contrary, Leonid Brezhnev stated openly in his speech to the 25th Party Congress, on February 24, 1977: "... it is clear as can be that détente and peaceful coexistence relate to interstate relations. Détente in no way rescinds, or can rescind, the laws of the class struggle."

Furthermore, as it transpired, instead of reducing their military expenditures and arms build-up, as the Western nations had during those years, the Soviet Union, taking advantage of Western relaxation, had significantly increased its arsenal. So much so that if in the 1960's it could be said that a certain parity between East and West had been achieved, by now the Soviets have reached a point of clear advantage over the West. We also now know that the benefits to the Soviet Union of trade with the West were invariably put to military use. For example, the Kama River truck factory built by Americans in the 1970's has recently begun manufacturing the military trucks that were observed in action—during the Soviet invasion of Afghanistan.

By the end of the 1970's the West was becoming increasingly aware of these dangerous developments. The usefulness of détente, long challenged by some, was now being questioned by many. And then came the final blow—on Christmas 1979. Just at the moment when most people in the West were preoccupied with such things as Christmas cards and presents, something like 100,000 Soviet soldiers moved in to occupy neighboring Afghanistan, an officially "nonaligned" country with a population of about 17 million. The world was shocked and the USSR was immediately placed in isolation. Even the Communist parties of many countries condemned the Soviet action as a piece of blatant aggression. The invasion of Afghanistan, followed by the arbitrary banishment to internal

exile of Nobel laureate Andrei Sakharov, followed still later by the threatening of Poland (leading, finally, to the imposition of martial law), virtually terminated the era of détente.

This termination has cost the Soviets dear. In fact, they have lost almost everything they had gradually managed to gain while the West was enjoying its bout of unilateral relaxation. Ratification of the SALT II agreement was suspended indefinitely. The Americans were awakened from their prolonged lethargy to discover with horror how weak, ineffective, and unproductive their country had become. In this new psychological atmosphere, the victory of Ronald Reagan was inevitable, promising an end to American defense cut-backs, the deployment of a new, previously shelved, generation of weapons like the B-1 bomber, the cruise missile, the MX, and the neutron bomb. It seemed equally inevitable that the military budgets of all the other Western countries would be increased, while the trade, technology, and credit arrangements with the Soviets would be reduced, or at least be made more difficult to obtain.

Thus, if this trend were to continue, the Soviets would lose their position of military superiority—especially in view of the fact that their economy is so much less efficient than that of "rotten capitalism." Add to this the new wave of international hostility noticeable especially in the Muslim world (the United Nations General Assembly voted against the Soviets on Afghanistan, for the first time since the Korean war), a continuing crisis in Poland, a hopeless war in Afghanistan, and a growing unrest among the population at home caused by food shortages, and the picture grew so gloomy as to be just short of disaster. Clearly the Soviet rulers had to undertake something dramatic to avoid a total catastrophe.

I myself, to tell the truth, was not very much surprised when suddenly, within a year, a mighty peace movement came into being in Western Europe. Especially since, by some strange coincidence, this movement showed itself first of all precisely in those European countries where the old missiles were to be replaced by newer Pershings and cruise missiles. I make no claim to special prescience; it is just that after 34 years of life in my beloved Communist motherland, I have some sense of its government's bag of tricks, pranks, and stunts. In fact, it was not a very difficult thing to predict, for the Soviet state is not a particularly intelligent creature. If you think of it rather as a huge, brainless, antediluvian reptile with a more or less fixed set of reflexes, you cannot go far wrong. "Well, here we are, back to the 1950's again," I thought to myself.

What was much more amusing to observe was the ease with which presumably mature and responsible people had by the thousands fallen into the Soviet booby-trap. It is as if history were repeating itself before our eyes, offering us a chance to see how the Russian state collapsed in 1917, or how France collapsed within one month in 1940. It is also quite amusing, if one has a taste for such amusement, to be reminded of how people are practically incapable of deriving any useful knowledge from even the recent lessons of history. Once again, the universal craving for peace right now, this very moment, and at any price, has rendered people utterly illogical and irrational, and left them simply unable to think calmly. Their current arguments, if one may call them that, are so childish, senseless, selfish, that an involuntary smile comes immediate-

ly to one's lips. Even at best what one hears is a parroting of the kind of old moldy Soviet slogans and clichés that even schoolchildren in the Soviet Union would laugh at.

To begin with, why is it that everyone has suddenly begun to be so apprehensive about nuclear war again? What has happened to make it more real than it was, say, two or three years ago? The entire history of East-West relations shows that the only way to force the Soviets to respect agreements is to deal from a position of strength. So are we to understand that because the Soviets might cease to be militarily superior to us, nuclear war is once again a reality? Should we, then, take this proposition to its logical conclusion and say that the only guarantee of peace is Soviet military superiority?

Meanwhile, countless TV programs have suddenly sprung up that unfold before us images of the great treasures of our civilization—paintings, sculptures, pyramids, antiquities, etc.—and at the end of each the narrator reminds us, his voice trembling with noble passion, how terrible it would be if all these treasures were to be destroyed along with the great civilization that produced them. And on other channels, we are treated to documentary after documentary about nuclear explosions and the consequences of radiation. After such relentless, programming, naturally public-opinion polls show a sudden increase in the number of those who believe that nuclear war is imminent.

Then there is the catchy new idea that "Our deterrent does not deter anymore." Why? Has a nuclear war begun already? Have the Soviets attacked any NATO country? Or is it simply because those who like to say the deterrent no longer deters have seen their full quota of televised nuclear explosions?

It is so easy to start a panic. The question is: who is served by the panic? The Soviet-controlled World Peace Council declared in 1980 (and the whole European peace movement repeats it as if under a hypnotic spell): "The people of the world are alarmed. Never before has there been so great a danger of a world nuclear holocaust. The nuclear arms build-up, the accumulation of deadly arsenals, has reached a critical point. Further escalation in the arms build-up could create a most dangerous situation, facing humanity with the threat of annihilation."

Never before. But was not the world in as much danger a year earlier? The leaders of the European peace movement themselves claim that the nuclear potential accumulated on both sides is sufficient for them to destroy one another ten times. Is there any technical reason why "twenty times" is more dangerous than, say, "five times"? Or is it that, like a nuclear charge itself, the accumulation must reach a "critical mass" in order to explode?

Somehow, in the midst of all this nuclear hysteria it seems to be totally forgotten that bombs themselves are quite harmless, unless somebody wishes to drop them. So why are we suddenly alarmed by the stockpile of hardware and not by the Soviet military move toward the Persian Gulf?

Again, quite suddenly, voices begin to cry out in a huge chorus, "Nuclear weapons are immoral!" Wait a minute. Did these weapons just become immoral? Are conventional weapons moral? Why should this idea come all at once into the minds of so many people? Take as another example the question of the new missiles to be deployed in Europe. Why is it more dangerous to replace the old missiles with the new ones than to

leave the old ones where they are? Are not the old ones equipped with nuclear warheads as well? To be sure, the new missiles are more accurate. So what? We can thank God that they are on our side. They may make life more difficult for the Kremlin adventurers, but why should millions of people in the West perceive that as a tragedy and danger?

Deep in their hearts most of these terrified people have a very simple answer to all these "whys." They know that the only real source of danger is the Soviet Union and that anything which might make the Soviets angry is dangerous for that very reason. But fear is a paralyzing and deranging force. So deranging as to lead some people to advocate the abolition of the police because the criminals are becoming too aggressive.

Indeed, the most amazing aspect of the present antiwar hysteria—aside from the fact that it has arisen at a time so remarkably favorable for Moscow—is the direction of the campaign. Millions of people in Great Britain, Germany, Holland, Belgium, France, and Italy, supposedly of sound mind and with no evidence of the influence of LSD, march about claiming that the threat of war comes from . . . their own governments and the government of the U.S.! A psychoanalyst might characterize this behavior as the Freudian replacement of a real object of fear with an imaginary one. Except that even a psychoanalyst might conclude that pro-Soviet propaganda had something to do with the delusion in this particular case.

The facts are too obvious to discuss here. One may like or dislike President Reagan or Chancellor Schmidt, but unlike comrade Brezhnev, they were elected by the majority of their respective populations and are fully accountable in their actions to the parliaments and to the people. They simply cannot declare a war on their own. Besides, it is quite enough to look around to see the real source of aggression. Was it American or Soviet troops who occupied half of Germany and built a wall in Berlin? Is it not the Soviets who still occupy Hungary, Czechoslovakia, the Baltic states, not to mention Afghanistan, very much against the wishes of the people in these countries? Was it East or West German troops who took part in the occupation of Czechoslovakia and who are prepared to invade Poland?

Everything in the West is done quite openly—one might say, far too openly. But what do we know about the decisions made by 14 old fools in the Politburo whom nobody ever elected to make these decisions and whom nobody can call to account? No press is allowed to criticize them, no demonstrations to protest against their dictate. Anyone refusing to obey their secret orders would instantly disappear forever. There is in fact very little difference between the Soviet system and that of Nazi Germany. Is there anyone who supposes that he should have trusted Hitler more than the democracies?

After the experience of speaking several times with members of the current European peace movement, however, I know only too well how futile is the recourse to rational argument. They announce unabashedly that there is no Soviet military superiority. It is all, they say, CIA propaganda; the only reliable source of information as far as they are concerned seems to be the KGB. They refer one to the findings of a certain Stockholm International Peace Research Institute, leaving one to guess at the kind of

methods employed by this institute for assessing the Soviet arsenal. Since the Institute has no satellites at its disposal, its "researchers" are undoubtedly left in a painful dilemma: whether to obtain their information from the blue sky, or from the Sputniks. Nobody in the European peace movement, it seems, has ever wondered about the reliability of this obscure establishment.

But this is just a trifle. More seriously, our peace-lovers—repeating word for word an old *Pravda* cliché—maintain that the "crazy American generals" are so trigger-happy as to push the button just for the fun of it. I have never been able to understand why generals must invariably be crazy—American generals, of course, not the Soviet kind, who seem to have some innate immunity from craziness—and if they are crazy, why they did not push the damn button long ago. In any case, it is hard to imagine that the generals, who at least have some technical education, are less equipped to understand nuclear problems than the primary-school teachers who are so heavily represented in the peace movement.

Some of the "peace-makers" sincerely believe that as soon as the West disarms itself, the Soviets will follow suit, and with an almost literally incredible naïveté they urge us to "try" this suicidal experiment. Others, far more sophisticated, know perfectly well that their Soviet comrades need to gain time so as to enjoy a more advantageous posture in future negotiations with the Americans. What they urge is that the West start negotiations first and improve the Western position later. Still others are more candidly selfish and object only to the deployment of nuclear weapons near their own village, so to speak—as if being protected is more dangerous than not being protected. Or better still, as if any single village, city, or country could maintain neutrality during a nuclear war. "Let the Americans fight the Russians," they say, implying that the entire problem of the modern world grows out of some stupid far-off quarrel between "Americans and Russians," who are apparently in some kind of conspiracy to destroy the poor Europeans. Surely if comrade Brezhnev promised to respect the "nuclear-free zones" in case of war, people could heave a sigh of relief and go to sleep untroubled. If Brezhnev says so, there will be no nuclear-armed submarines off your shores. After all, has comrade Brezhnev ever broken his word? Of course not. He is an honest man. He is so honest he can even guarantee you in what direction the contaminated clouds will move and locate for you the radioactive fallout. "Why should the Russians attack us, if we are disarmed?" Why indeed? Ask the Afghan peasants, they would probably know the answer.

There is no sense in rehearsing all the various "peace arguments," so contradictory and even incompatible that one wonders how those who make them manage to get along together in the same movement. Only one thing these various strands have in common: panic, and a readiness to capitulate to the Soviet threat even before such capitulation is demanded. Better red than dead. That is why current Soviet propaganda has so quickly become so remarkably successful.

Indeed, it is difficult to imagine a more openly pro-Soviet line than that of the European peace movement. It is even more pro-Soviet than that of the local Communist parties, who after all at least have to camouflage themselves with a cover of independence from Moscow. Nothing is more ob-

vious, for example, than that the present increase in international tension was brought about by the Soviet invasion of Afghanistan. There is hardly a country, a political party (including some Communist parties), or an international organization that did not condemn the Soviet aggression unequivocally. The only public movement in Western Europe that never condemned the invasion, paradoxically, is the one that calls itself the "peace movement." No such condemnation has ever been pronounced at a peace-movement rally in Western Europe, or passed as a resolution, or published in one of the movement's major publications, or circulated as a mass petition. Perhaps you will imagine that the peace groups condemned the invasion in their hearts? On the contrary, the evidence is far more convincing that they simply justify this international crime.

Not long ago I myself was publicly charged by the leaders of the British Campaign for Nuclear Disarmament (CND) with having distorted their position on Afghanistan. Therefore I find it particularly useful to quote from an official CND booklet, *Why We Need Action, Not Words*, by Betty England: "The intervention in Afghanistan may well have been caused partly by the Soviet Union's fear of its growing encirclement. The fear cannot be called unreasonable after Sir Neil Cameron's statement in Peking . . ." (p. 12). In other words, the poor Russians whom Sir Neil, Marshal of the Royal Air Force, so frightened with a speech critical of them, must have good reason for what they do. By this logic, we ought to be imposing strict censorship on anti-Soviet speeches lest we be faced with Soviet occupation of the entire world. But the implications are even more important. The idea buried in Miss England's passage is that the only way to keep the peace is gradually to accept the Soviet system and Soviet demands.

Even more outspoken than the CND is the World Peace Council. Its booklet, *Program of Action 1981*, contains a direct instruction to support the present puppet government of Afghanistan (p. 25). This program was unanimously adopted in 1980 by a gathering in Sofia, Bulgaria of representatives of most of the peace groups (about this gathering, more later). After this it comes as no surprise that at the recent International Peace Conference in Denmark it was decided to convene the next meeting in Kabul, the capital of Afghanistan, within six months.

It is obvious that a Soviet invasion of Poland would bring us closer to world war, or, to be more precise, would make any real relaxation of international tension quite impossible for ten or fifteen years. And once again, the only public movement that has never condemned the continuous Soviet threat to Poland (and is still uncertain about its reaction to the Soviet-dictated imposition of martial law) is the peace movement. The leaders of the biggest British peace group, CND, went even further, publicly praising themselves for not "overreacting" to the events in Poland (B. Kent, letter to the *London Times*, December 9, 1981) only a few days before the imposition of martial law, and displaying their "impartiality" by equating the Polish crisis with that in East Timor. Perhaps the leaders of the movement seeking to promote peace in Europe should be reminded that in 1975 the 35 countries of Europe, together with Canada and the U.S., solemnly recognized an inseparable link between security in

Europe and respect for human rights in the participating countries. Should we assume that the CND leadership refuses to accept the Helsinki agreement, or are we to conclude that it is indifferent to the question of European security?

At least about Poland not all in the movement can be accused of indifference. I have, for instance, never heard of a case in which a representative of the Chilean or Argentinian government was invited to expound his government's views before any international peace conference. But for some strange reason, an exception was recently made for a representative of the Polish junta, who was invited by the World Peace Council to address the International Peace Conference in Denmark. His vicious lies about Solidarity and personal slanders against Lech Walesa (see the *Guardian*, January 11, 1982) were greeted with hearty applause by the peace-lovers (BBC report).

It is simple common sense to try to restrain both sides of any would-be conflict if one wishes to preserve peace. But the European peace movement is so remarkably unilateral that it seems barely conscious of "the other side." It cries shame on the Americans for as yet nonexistent weapons like the neutron bomb, or the not-yet-deployed cruise and Pershing missiles, but speaks only in whispers, if that, of the hundreds of Soviet SS-20's already aimed at Europe.

Since, again, I have provoked an angry reaction from the CND leaders for pointing out this particular instance of extreme unilateralism (*London Times*, December 9, 1981), I looked through the major CND publications once more. The booklet by Betty England quoted above does not contain a single mention of the SS-20's, though it is virtually saturated with the names of American missiles. Nor does a widely distributed report on the CND annual conference of 1981 (the latest to my knowledge), nor the official CND leaflet, *Nuclear War and You*, dropped into my mailbox by some caring hand. Only recently I have learned that a decision to mention the SS-20 was finally taken by CND after many heated debates and very much against the wishes of the CND leadership, many of whom are also members of the British Communist party.

Oddly enough, there are many in the European peace movement who have worked (some still do) with Amnesty International in support of prisoners of conscience in the Communist countries. Unfortunately, this by itself does not seem to prevent one from making dangerous political mistakes, nor, to judge from the results, does it guarantee any moderating influence on the movement's leadership. Be that as it may, the fact is that the European peace movement (including its large constituent organizations) has never said a word in support of the thousands of people in the USSR who are imprisoned for opposing aggressive Soviet policies, for refusing to serve in the army on errands of aggression, or to shoot civilians in Afghanistan. During all the time that hundreds of thousands of "peace-lovers" were noisily expressing their one-sided feelings on the streets of London, Bonn, Amsterdam, and Brussels, not one word was said about Sakharov, still in exile and on a hunger strike—Sakharov, who has done more than anyone in the world to halt nuclear testing. These peaceful souls would happily throw stones at General Haig, but they would welcome Marshal Brezhnev with servile smiles.

This is not to deny that there are plenty of well-intentioned, and genuinely con-

cerned and frightened people in the movement's ranks. I am certain that the overwhelming majority of them are. Just as it did in the 1950's, the movement today probably consists of the same odd mixture of Communists, fellow-travelers, muddleheaded intellectuals, hypocrites seeking popularity, professional political speculators, frightened bourgeois, and youths eager to rebel just for the sake of rebelling. There are also the inevitable Catholic priests with a "mission" and other religious people who believe that God has chosen them to make peace on earth right now. But there is also not the slightest doubt that this motley crowd is manipulated by a handful of scoundrels instructed directly from Moscow.

In fact, just as this essay was going to press, John Vinocur reported in the *New York Times* (April 6, 1982) "the first public substantiation from inside the antinuclear movement . . . that the West German Communist party, at the direction of the Soviet Union, has attempted to coopt public sentiment against nuclear weapons." The environmentalist party known as the Greens "charged that the West German Communist party, which is aligned with Moscow, dominated and manipulated a meeting [in Bonn] Sunday [April 4] in which representatives of 37 groups, describing themselves as elements of the antimissile movement, planned a major demonstration against President Reagan when he visits Bonn . . . June 10." The Greens, who participated in the meeting, acknowledge that they themselves have cooperated with the Communists "on certain local issues," but what happened in Bonn was "scandalous" even to them. "The Communists dominated the meeting completely. It took place under seemingly democratic rules, but that was a joke. We could barely get a word in." The meeting—at which were represented such groups as the German Student Federation, the Evangelical Student Committee, the Federation of German Youth Groups, and the German Peace Society—rejected resolutions condemning Soviet interference in Poland and Soviet intervention in Afghanistan, and the delegates refused to express support for Solidarity. "They adopted, however, by a large majority, a motion condemning United States actions in Central America, the Middle East, southern Africa, and other regions."

Earlier, as I was in the process of writing this essay, news came that one of the Danish leaders of the movement, Arne Petersen, was arrested along with his wife for channeling Soviet money into the funds of the peace movement. His master, the Second Secretary of the Soviet embassy in Copenhagen, was expelled from the country. Now and then we hear about subsidized trips taken by peace activists to the best Soviet resorts where they are wine and dined royally—and, of course, shown kindergartens, schools, and hospitals (no munitions factories).

The majority of the European peace movement is undoubtedly not aware of these facts. Probably they will ignore the charges of the Greens, just as they missed the reports of Mr. Petersen's activities, which involved placing paid advertisements (out of Soviet donations) for the Danish peace movement in the Danish papers, ads signed by a number of prominent Danish intellectuals (who for sure knew nothing about it). And even our angry CND leaders "know nothing of the subsidized trips to Soviet resorts" (*London Times*, December 9, 1981). Well, sometimes it is very comforta-

ble—even for professional intellectuals—not to know things. . . .

For those, however, who do wish to know, let us track down the origin of the current revival of the "struggle for peace." Anyone who has read thus far will not be surprised to hear that the earliest traces of this revival are to be found in Soviet publications, quite clear for those who know how to read them:

"The first bright colors of autumn have already touched the emerald green parks of Sofia. The golden leaves of maples and aspens are trembling on the breeze. And everywhere the tenderblue streamers bearing the insignia of the World Peace Council. Sofia is expecting an important event: the World Parliament of the Peoples for Peace will be working here from 23 to 27 of September. It is the biggest and the most representative meeting of the world's peace forces convened in the last years by the World Peace Council." (*Izvestia*, September 23, 1980)

The same day *Pravda* referred to "the biggest gathering in history of the fighters for peace." Indeed, the most peaceful and independent country of the world, Bulgaria, played host during those September days to 2,260 peace-lovers from 137 countries, claiming to represent 330 political parties, 100 international and over 3,000 national non-governmental organizations. To be sure, this was no ordinary meeting of the international Communist movement. The political spectrum of those represented was exceptionally wide: 200 members of different national parliaments, 200 trade-union leaders, 129 leading Social Democrats (33 of them members of their respective national executive bodies), 150 writers and poets, 33 representatives of different liberation movements (including the Association in Defense of Civil Rights from Northern Ireland), women's organizations (like the National Assembly of British Women), youth organizations, the World Council of Churches and other religious organizations, 18 representatives of different UN specialized committees and commissions, representatives of the Organization of African Unity and of OPEC, ex-military people, some of them generals, and representatives of 83 Communist parties (*Pravda*, September 23, 24, 25, 26, 27, 28, 29, November 5, 1980; *Izvestia*, September 23, 24, 27, 28, 1980).

It had all started about a year earlier, as we are informed by a talkative Bulgarian, the chairman of the Organizational Bureau, responsible for the "practical preparation" for this show (*Pravda*, September 23, 1980). They had expected, you see, only 1,500 delegates, but 2,200 came. No wonder the chairman wished to talk about his success.

Yet a year earlier—in 1979—none of the conditions now cited to explain the current miraculous resurrection of the peace movement existed. There was no so-called "new strategy of the Pentagon," the famous presidential directive 59; there was no new escalation of the arms race; there was no neutron bomb. The Vienna summit meeting had just been successfully concluded with the signing of SALT II. September 1979 was a time of universal happiness, the sky was cloudless. Only one significant thing happened in September 1979: a sudden wave of mass arrest in the Soviet Union and, as we have learned now, a decision to reactivate the peace movement. Who could have predicted in September 1979 that within a year the cold war would be back—who else but those involved in "practical preparations" for the invasion of Afghanistan? Given the

nature of the Soviet planned economy, with its fabulously inflexible, slow, and inefficient workings, the Soviets must prepare everything well in advance. Why should they have allocated such a large sum of money to hold a Bulgarian peace show in the middle of happy times, if not in anticipation of grave political trouble ahead?

Furthermore, we learn from comrade Zhivkov, the Bulgarian Communist leader who opened the meeting with a long speech, about an appropriate decision taken by the Political Consultative Committee of the Warsaw Bloc countries in May 1980 (*Pravda*, September 24, 1980), as well as an appropriate resolution of the Plenary Session of the Central Committee in June 1980 (*Pravda*, September 29, 1980). Comrade Zhivkov was simply revealing the ways decisions and resolutions first travel through the Communist bureaucratic machinery on their way to rubberstamping by a "representative" body—in this case, the Sofia "Parliament" in September.

Indeed, the whole show was depressingly familiar to anyone acquainted with the methods the Kremlin producers applied to the same scenario in the time of Stalin. Even the dramatis personae were the same. There was the same World Peace Council with its immortal President Ramesh Chandra; there was the same chief conductor, Boris Ponomarev, former official of the Comintern (now responsible in the Politburo for contacts with fraternal Communist parties as well as for intelligence). Even the slogan adopted for the occasion, "The people have the power to preserve peace—their basic right," was remarkably similar to the unforgettable words of comrade Stalin in 1952.

Only this time the personal message that comrade Ponomarev brought to those convened was from comrade Brezhnev, not comrade Stalin. The latter, of course, would never have tolerated even the mention of the term "rights"—basic or any other—in his slogans. Well, the times have changed after all. Still, those damned "human rights" had gotten out of hand. Hence, better to find something like "basic rights."

The first to speak, as I said, was comrade Zhivkov, and he spilled the beans about the Soviets' real concern (*Pravda*, September 24, 1980). The aggressive circles in America, he said, refuse to accept the present balance of forces in the world. They don't wish to submit to their historically predestined defeat. They have become so arrogant as to reject all of the recent Soviet peace proposals. They have decided to replace détente with a policy based on a "position of strength." They don't observe agreements on cooperation; they interrupt political and economic contacts; they interfere with cultural and scientific exchange; they dissolve sporting and tourist connections (in other words, the grain embargo, the Olympic boycott, the scientific boycott, etc., responses to the invasion of Afghanistan and the persecution of scientists in the USSR).

This theme was taken up by most of the speakers with only minor variations. The main speaker, comrade Ponomarev, suggested a whole program of action intended to bring America's aggressive circles into compliance. He appealed for unity among all those concerned with preservation of peace, irrespective of their political views. "The time has come for action, not words," he said. (Wait a minute, have we not met this sentiment somewhere already? Surely not in the CND official booklet?)

The show proceeded smoothly, exhibiting the whole gallery of monsters, from the

greatest peacelover of our time, Yasir Arafat, to a "representative" of Afghanistan.

How did all these 2,260 representatives of Social Democrats, trade unions, youth, women, and religious organizations react? Did they rush out in disgust? Did they demand the withdrawal of the Soviet troops from Afghanistan in order to remove the main obstacle to détente? Did they express concern about the massive Soviet arms build-up and the deployment of SS-20's? By no means. This self-appointed World Parliament issued an Appeal in which the main ideas of comrade Ponomarev's speech were repeated. Thus, the "Parliament" is opposed "to the vast machine and arms build-up of the most aggressive forces of imperialism which seek to take the world toward a nuclear abyss; to the falsehoods and lies of the propaganda in favor of the arms build-up, which are disseminated through imperialist-controlled mass media."

Translated from party jargon, this constitutes a clear directive to work against the armament programs of the Western countries (first of all, of course, the U.S.—the "most aggressive forces of imperialism"), and to reject any "lies" of the mass media about the Soviet arms build-up.

Beyond this, the "parliamentarians" set "the new tasks and duties . . . for action of the peoples of all continents" and worked out the Charter of the Peoples for Peace which was adopted unanimously (!) together with the Peoples' Program for Peace for the 1980's. The year 1981 was chosen to be "the springboard of the 80's, a year of a decisive offensive of the peace forces to achieve a breakthrough in curbing the arms build-up."

Most of the program was carried out, the mass demonstrations of October 1981 in the European capitals having been planned within a framework of what is called in the Soviet program "UN Disarmament Week (October 24-31)." How on earth could the Soviets have known in 1980 about events that would take place at the end of 1981, unless they were running the whole show?

My pointing out this strange coincidence, which I did in an article in the *London Times* (December 4, 1981), was bound to provoke heated denials; and did so. The Soviets in *Literaturnaya Gazeta* (December 23, 1981), as well as the CND leaders in the *London Times* (December 9, 1981), made much of the fact that UN Disarmament Week had originally been designated as an annual observance by the UN General Assembly as early as June 1978. Now, the UN flag may seem to many to be a perfect cover. One must ask, however, why virtually nothing happened during that all-important week in 1978 or 1979—even the Sofia meeting was scheduled in September, not October, of 1980—until details for its observance were specified by the Soviet-inspired program? Moreover, if one looks through the *Final Document of the Assembly Session on Disarmament (May 23-July 1, 1978)*, issued by the UN, one can find hundreds of designated weeks, months, years, and decades, all totally ignored by our peace-lovers, whereas the suggestion singled out by the Soviets was the one, the only one, to gather thousands in the streets. For example, was anyone aware that the decade 1969 to 1979 was solemnly declared by the United Nations to be "The Decade of Disarmament"? If there were any huge rallies or vigorous campaigns during these ten years, they seem to have escaped notice.

But let us return to this remarkable program, unanimously adopted by the interna-

tional community of peace-lovers. (It is published by the World Peace Council in Helsinki, as already noted, and is available in English under the title, *Program of Action (1981)*.)

This program includes such items as the "elimination of all artificial barriers to world trade," an amazingly frank recognition of the Soviet need for Western goods and technology and its desire to be granted the status of most favored nation. But what this has to do with the problem of peace and why all peace-loving people should fight for it tooth and nail is hardly made clear.

As could be expected, the program contains a clear definition of "just" and "unjust" wars: "The policy of destabilization of progressive regimes in developing countries actually constitutes an aggression, waged by psychological, economic, political, and other means, including armed intervention." However, similar acts against "racist and fascist" regimes are quite justified because the mere existence of non-progressive regimes "is abhorrent to the conscience of humankind." Accordingly, the sale of arms to these "abhorrent" countries should be banned, but nothing need restrain the peace-loving from selling arms to "progressive" regimes and to "liberation movements."

And, of course, there are directives to the mass media, which "must serve the cause of peace and not the military-industrial complex by confusing public opinion with lies and disinformation." (In other words, the media should not report on the Soviet arms build-up.) A similar directive is issued to those "who bear responsibility for educating a new generation."

The program further specifies precisely which events and campaigns to undertake, and designates weeks for the collection of signatures on various petitions, etc., all around the world. It constantly emphasizes the urgent need for "further intensification of actions against the deployment of the new U.S. weapons of mass annihilation in Western Europe" and plans for "strengthening and broadening of national movements into a worldwide network of peace organizations."

It is not possible here to discuss all the details of this remarkable document. It simply introduces each and every aspect of Soviet foreign policy wrapped around with the phraseology of peace. Not surprisingly, therefore, it includes Afghanistan under the guise of a "week of solidarity, with special emphasis on support for a political settlement as proposed by the Afghan government." For Ethiopia it proposes "a week of solidarity with the Ethiopian revolution" and "support for the struggle of the Ethiopian people against imperialist and reactionary conspiracies and plans in the Horn of Africa." For Kampuchea there should be an "international campaign of solidarity with the government and people of Kampuchea led by the National United Front for National Salvation and an international campaign for recognition of the People's Revolutionary Council of Kampuchea and the seating of its representatives in the UN; exposure of the conspiracies of the Peking hegemonists who are working in collusion with the U.S. imperialists against Kampuchea." For Israel: "Support for the peace forces in Israel in their struggle for the complete withdrawal of Israel from the occupied territories and for the realization of the inalienable national rights of the Palestinian people." Whereas for the Middle East in

general: a "campaign of solidarity with the Arab peoples in their struggle to liquidate the political and military consequences of the Camp David and Washington accords; solidarity actions with Libya against the threats of aggression by the Egyptian regime and U.S. imperialism." As for the U.S., even in so totally pro-Soviet a document as this the instruction to campaign for the "release of political prisoners in the United States of America" reads like a bad joke. Clearly, the love of peace dulls the sense of humor. The only countries where violations of human rights are recognized by the unanimous vote of 2,260 delegates from 137 countries are: Bolivia, Chile, El Salvador, Guatemala, Haiti, Israel, Paraguay, Uruguay, Indonesia, South Korea, Northern Ireland, and the U.S. Has the world not undergone a remarkable improvement?

After the successful adoption of this program, what followed was simple. Returning from Sofia, the enthusiastic delegates threw themselves into a hectic round of implementing the program, pressing for appropriate resolutions, actions, and commitments in each of their respective organizations (*Pravda*, November 5, 1980). An additional impetus was given to the campaign by an endorsement from the World Council of Churches at their meeting in Dresden (East Germany) on August 28, 1981, thus committing a huge number of adherents of the various Christian denominations to following the Soviet line. And in no time hundreds of thousands in the West came honestly to believe that they were out to save world peace.

Well, is there any further need to explain why the Soviet Union is so interested in the peace movement? There is a term in party jargon coined by Lenin himself: "a useful idiot." Now, in spite of all their blunders, senseless adventures, economic disasters, the Polish crisis and the stubborn resistance of the Afghan peasants, Reagan's rearmament plan and UN resolutions, the Soviet rulers have scored a spectacular victory: they have recruited millions of useful idiots to implement their bankrupt foreign policy. They are no longer isolated and there is still a big question as to whether the Americans will be allowed to place missiles in Europe.

True enough, the American economy is vastly more productive and efficient than the Soviet, but the Americans don't have a weapon like the "struggle for peace." True again, this peace movement will be expensive for the Soviet people (the meeting in Bulgaria alone must have cost them millions, to say nothing of subsidizing all peace activists on those jaunts to the best Soviet resorts; the cost of running this worldwide campaign must be simply astronomical). Still, it is cheaper than another round of the arms race, let alone the cost of maintaining a priceless military superiority. And the result will be long-lasting.

Mind you, we are into only the second year of a planned ten-year "struggle for peace." Within a few years, the whole earth will be trembling under the marching feet of the useful idiots, for their resources are inexhaustible.

I remember in the 50's, when the previous peace campaign was still in full swing, there was a popular joke which people in the Soviet Union whispered to each other: "A Jew came to his rabbi and asked: 'Rabbi, you are a very wise man. Tell me, is there going to be a war?' 'There will be no war,' replied the rabbi, 'but there will be such a struggle for peace that no stone will be left standing.'"

II

One of the most serious mistakes of the Western peace movement and of its ideologists is the obdurate refusal to understand the nature of the Soviet regime, and the concomitant effort to lift the question of peace out of the context of the broader problem of East-West relations. After several decades of listening to what they believe to be "anti-Communist propaganda," they have simply got "fed-up with it." They ascribe everything they hear about the East to a "cold-war-type brainwashing," and make no attempt to distinguish what is true from what is not. This attitude, which I can only describe as a combination of ignorance and arrogance, makes them an easy target for any pseudo-theory (or outright Soviet propaganda) that happens to be fashionable at any given moment. Besides, baffled by endless and contradictory arguments among the "specialists" about the nature of the Soviet system, the leaders of the peace movement believe they have found a "new approach" which makes the entire problem irrelevant.

A few months ago in England, I attended a public debate on the problem of unilateral disarmament. The leader of a big peace group opened his speech by saying that from his standpoint, it is irrelevant who is the aggressor and who the victim. He said: "It is like when two boys have a fight in the churchyard. It is impossible to find out who started the fight, nor is there any need to do so. What we should do is to stop them."

This metaphor reflects very well the prevailing attitude among peace-movement members. They believe they have gotten around a baffling problem, whereas they have in fact inadvertently adopted the concept of the "normal opponent." From the "churchyard" standpoint, the present conflict seems very ordinary: two bullies have become so embittered by their prolonged quarrel—in which anyway the essence of the disagreement has been lost or forgotten—that they are quite prepared to kill each other and everybody else around. They are temporarily insane, mad, but are basically normal human beings. Pride and fury will not permit them to come to their senses, unless we, the sane people around them, are prepared to intervene. Let us make them talk to one another, let us pin down their hands, let us distract them from their quarrel. We cannot, to be sure, pin down the hands of one of them. Then, in the best Christian tradition, let us make the other repent, in all good Christian humility. Let us disarm him to convince his adversary of his peaceful intentions. Let us turn the other cheek. Sooner or later the other will come to feel ashamed.

This view sums up exactly what I mean by a combination of ignorance and arrogance. Indeed, if we look upon the world from the "churchyard" standpoint, there probably is no need to find out who is the aggressor and who the victim. There is no need for police or armed forces. All we can see is a row of graves with the dead lying orderly in them and a couple of children quarreling with each other. Unfortunately, outside the church walls there is a bigger and far more dangerous world with gangsters, murderers, rapists, and other perverse characters.

Needless to say, this churchyard model simply does not merit serious consideration. Unfortunately, it is a widespread belief (and not only within the peace movement) that the Soviet government, like any other government, is preoccupied with the well-being of its people, and will therefore be eager to

reduce military expenditures. This notice comes so naturally to our peace-makers that they just do not notice they have taken on a view of the Soviet system which is both very old and unquestionably wrong. If they only took the trouble to study a little Soviet history, they would know immediately how misleading this seemingly natural view is. Not only are the Soviet rulers indifferent to the living condition of their populace, they deliberately keep it low; on the other hand, disarmament (irrespective of the problem of well-being) would lead very rapidly to the collapse of the Soviet empire.

Normally we try to understand an opponent by taking his place, getting into his shoes, so to speak. That is why most people try to explain Soviet behavior in terms of "normal human motives," that is, by motives familiar to them. And that is exactly why they constantly pile one mistake upon another. For it is extremely difficult for a "normal" human being to put himself inside the skin of a mentally ill one. It is almost as in nature itself: when we test natural phenomena under extreme conditions, we suddenly find some unpredictable anomaly that is baffling to us. Logic itself becomes abnormal in certain extreme cases. If we add up two numbers, say, or multiply or divide them, we invariably obtain a new number. But if we use zero or infinity our whole rule suddenly goes wrong.

But let us take an example relevant to the present discussion. Let us take the key question: why is the Soviet Union so aggressive, so eager to expand? We see how many schools of thought there are among those studying the problem (and we see, too, how all of them are wrong).

There are some people who believe that the present Soviet expansionism is just a continuation of the Russian pre-revolutionary colonial policy. In other words, it is a bad legacy. Indeed, this notion about Soviet expansionism was the dominant one for a very long time—and still is in some quarters. In line with it, there have been repeated attempts to offer the Soviets a division of the world into spheres of influence. We owe to it the Yalta agreement, the Potsdam agreement, and assorted other disasters. Each time the Soviets have accepted the division into spheres of influence, and each time they have violated it. Is this because they need more mineral resources, more territory, a wider market for their goods? No. Their own territory is undeveloped, their own mineral resources are in the earth, they do not have enough goods for their own internal market. There are no useful mineral deposits in Cuba or Afghanistan. There is no Russian national interest in Angola or Vietnam. In fact, these new "colonies" cost the Soviet people many millions of dollars a day apiece. So, Soviet policy is no classical case of colonialism.

Then there is another theory, far more pernicious because much more widely accepted and because to reject it one needs a real knowledge of Soviet life. I mean the theory according to which Soviet aggressiveness is the result of the fear of hostile encirclement. The proponents of this theory argue that Russian history, particularly the history of repeated invasions of Russian territory within the last century, has made the Russian people almost paranoid about an external threat.

This theory sounds very scientific because many facts may be cited to back it up. Still, it is no more than a shrewd combination of obvious lies, wrong interpretations, and very perfunctory knowledge. It is mainly based

on an overestimation of the importance of history for any given nation and on an oversimplification of the Soviet system.

To begin with, there is an obvious lie in this theory—that is, a deliberate confusion between the people and the government in the USSR. Those who know the Soviet system only moderately well may still need to be reminded that the people have no privilege of representation in the government—that is, have no free elections. Thus, the government does not reflect the feelings of the population. So if we are to believe that the population is frightened by the long history of invasions, the government has no reason to share these fears. The Soviet government, with its vast and omnipresent intelligence system, is extremely well-informed about every move and every smallest intention of the West (anyway not very difficult to achieve in view of the remarkable openness of Western societies). By 1978-79, when their arms build-up was at a high pitch, whom were they supposed to be so afraid of? Their great friend, the French President Giscard? Or their even better friend in West Germany, Willy Brandt? Britain, with its puny armed forces (and ongoing discussion on unilateral disarmament), or perhaps Nixon and Carter, who between them shelved all the major armament programs? Japan, which has no army at all?

Clearly the Soviet government had no reason to be frightened. In fact, the theory of Soviet paranoia does not imply a frightened government, but rather a frightened nation. In a "normal" country this might drive the government to become aggressive. But in the Soviet Union the people mean nothing and have no way of pressuring their government to do anything. They would not be allowed to voice any fears. So, who is so frightened in the Soviet Union? Besides, as far as the rulers are concerned, their own experience of war, World War II, could not frighten them for a very simple reason: they won the war. Can you show me any victorious general who is so afraid of war as to become paranoid? The psychology of Soviet rulers is in any case totally different.

One need only look at a map of the world to see how ridiculous this theory is. Can we honestly believe that the poor Communists in the Kremlin are so frightened that they must protect themselves by sending their troops to Cuba and Cuban troops to Angola? By sending military equipment and advisers to Ethiopia and Vietnam and then by sending Vietnamese troops to Kampuchea? Take another look at that map: it is not at all obvious that the USSR is encircled by hostile powers. Rather the other way around: it is the Western world that is encircled by the hostile hordes of the Communists. Well, if their paranoia can be satisfied only by surrendering the whole world to their control, what difference can it make to use whether they act out of fear or out of endemic aggressiveness?

Finally, and most importantly for an understanding of this pernicious theory, is the fact that it was invented by the Kremlin propaganda experts. It was very successfully exploited in the years of détente, when Western governments, acting under its influence, deliberately permitted the Soviets to achieve military superiority. They would probably deny it now, but I remember very well the discussions of that period. The argument of the ideologists of détente was that once the Soviets caught up, they would relax; this would in turn lead to the internal as well as external relaxation of the Com-

munist regime, i.e., to *liberalization*. The results of this brilliant experiment we can see now.

The Soviet population, too, has been subjected, day after day for sixty-five years, to an intense propaganda campaign about this putative "hostile encirclement." The Communist rulers unscrupulously exploit the tragedy of the Soviet people in World War II for the purpose of justifying both their oppressive regime and their monstrous military spending. They try their best to instill into the people a pathological fear of the "capitalist world." Fortunately, the people are sane enough to laugh at the very idea. Thus, contrary to this theory, there is no paranoid population demanding to be protected in the Soviet Union, despite the best efforts of a perfectly sober and cruel government.

No, it is not the fear of invasion or a World War II hangover that has driven the Soviet rulers to wage an undeclared war against the whole world for half a century now. It is their commitment—repeated quite openly every five years at each Party Congress since the beginning of this century—to support the "forces of progress and socialism," to support "liberation movements," everywhere on the globe.

Are we then to assume that the Soviet leadership consists of fanatics aiming at global control? Even such a model, crazy as it might sound, still imputes too much "normality" to the Soviet leaders. Or, more precisely, it is too big a simplification. This theory, too—fortunately for us—does not fit a number of the facts. Paradoxically, none of the present Communist leaders believes any longer in Communist doctrine. Fortunately, because no real fanatic would ever tolerate the destruction of the object of his obsession. He would rather witness the destruction of the entire world.

The Soviet rulers are a totally cynical lot, much more preoccupied with their own privileges and pleasures than with Marxist ideas. They probably hate Communist dogma more than any Western capitalist. Moreover, the majority of the Soviet people are as cynical as their leaders. There are many more sincere Communists to be found in the West than in the USSR.

But this fact has also created false hopes among Western politicians and the public. The same false hopes encouraged by the theory of encirclement—that it will be possible to treat the Soviets as normal partners at last, that it will be possible to negotiate, to cooperate, and to relax. Both theories lead equally to the same mistaken policy.

So what is the truth about the damned Soviet system?

Certainly, there was a period when the Soviet leaders were Communist fanatics, ready to sacrifice the whole world to their faith. There was a period, too, when at least some part of the population was prepared to greet this new idea with considerable enthusiasm. The people of my country, I suppose, could be excused for their delusion, because Communism was indeed a new idea and one that might be thought by the inexperienced to appeal to the best qualities in human nature. Is it after all not a worthy purpose, to secure unalloyed happiness for all future generations, to liberate and unite the whole of mankind? Naturally, such a thing will not be easy, but it is worth a great deal of sacrifice to achieve. Just as naturally there will be many selfish people to oppose it and we should learn to be ruthless with them. Only millions of individual wills fused into a single invincible "we," united by the iron

fist of a Leader, can achieve so difficult an end.

This period of ecstasy, however, was very short-lived. One by one, the various elements of the Soviet population cooled down, sobered up, and then could not believe in their own former enthusiasm. The besieged minority reacted to this desertion of the public by becoming even more ruthless and single-minded: "We will make them happy against their will; their children will be grateful to us." I will not describe the mass slaughter that resulted from this great determination. It has been described many times. A terrorized majority obeyed with sham enthusiasm, because it was a crime to look gloomy. But underneath there was a silent, passive resistance. The minority of "believers" over time became simply a ruling clique which had lost its ideals in the constant fight for survival, in corruption, and in its abuses of power and its privileges. The ensuing political situation can best be described as a latent civil war in which a kind of balance has been maintained by political terror.

In this way the Soviet Union reached a condition in which absolute power was exercised by absolutely cynical people over absolutely cynical people, each side vociferously assuring the other that they were all still sincerely building an ideal future society. But the ideology exists now almost as in a work of science fiction: it has separated itself from its substratum and has petrified in the structure of the society. It has become an institution in which nobody (not even the top executive) is allowed verbally to deviate from the dead dogma. The will of millions is still being taken from them and welded into the iron fist of abstraction.

There is practically no free human being inside the entire country. The state—the only employer—will not allow anyone to be financially independent—as indeed no independence of any kind will be tolerated. Everybody must be carrying out a useful task, performing a needed function. Several nationwide networks of security and secret police spy first on each other and then together on everybody else. Such a system has created a new type of a man, who thinks one thing, publicly expresses another, and does a third.

The enormous inertia of this system is not surprising. There is no internal "class enemy" any more; there is no need to terrorize so many millions. Still, there are huge concentration camps, because they have become an integral part of the country's economic, political, and spiritual life. Nobody believes now in the ultimate victory of Communism in the world, but the policy of external subversion and the promotion of "socialist forces" everywhere has become an integral part of the state machinery. The system rules the people.

Beyond inertia, there is something else, something even more decisive: the instinct of self-preservation of the ruling clique. Once you are riding a tiger, it is difficult to jump off. Any attempt at internal liberalization might prove fatal. If the central power were to weaken, the sheer amount of hatred accumulated within the population for these sixty-five years of the socialist experiment would be so dangerous, the results of any reform so unpredictable—and, above all, the power, the fabulous privileges, the very physical survival of the ruling clique would become so tenuous—that one would be mad to expect the Soviet leaders to play with liberal ideas. Only the imminent threat of

total collapse might force them to introduce internal reforms.

The two sides of the Soviet regime—internal oppression and external aggression—are inseparably interlocked, creating a sort of vicious circle. The more the regime becomes rotten inside, the more pains are taken by its leaders to present a formidable facade to the outside world. They need international tension as a thief needs the darkness of the night. In the political climate of latent civil war, given the enormous and senseless sacrifices of the last fifty years, the constant economic difficulties, and the lack of basic rights—not to mention, again, the extraordinary privileges enjoyed by the ruling clique—the only hope for stability lies in the need to cope with an external threat: "hostile encirclement" and the subversive activity of "world imperialism." In this artificially created state of war, the worker's demand for a better deal, or a captive nation's demand for its independence, can then be treated as an act of subversion, "playing into the hands of the enemy."

Nor is it enough to create a devil in order to maintain one's religious zeal. This imaginary enemy must be defeated over and over again or there will be the risk that he will seduce you. American "imperialism" must be defeated at any cost, and the liberation of proletarians in the capitalist countries must be promoted by all means. The failure to support a "friendly government," to establish Communist rule in a new country, will immediately be perceived as a weakening of Soviet power, and therefore an encouragement to the sullen and embittered population at home. Any failure of the Soviet international adventure may thus trigger a chain reaction leading to the ultimate collapse of the Soviet rulers. This is why they cannot allow a popular uprising in Hungary, a "Prague Spring" in Czechoslovakia, an anti-Communist "Holy War" in Afghanistan, or an independent alternative center of power in Poland. Immediate repercussions would be felt in all the other countries of the Socialist camp as well as in the Ukraine, the Baltic states, Central Asia, and other occupied territories. The scenario of aggression is depressingly uniform. First, the Soviets undermine a democratic state, helping the friendly "progressive forces" come to power. Next, they have to save their bankrupt "progressive" friends, when the resistance of the population threatens to overthrow them.

Are they frightened to the point of aggressiveness? Yes, but not by your piles of hardware, not by your clumsy attempts at defense. They are frightened by their own people, because they know the end is inevitable. That is why they must score victory after victory over the "hostile encirclement." Behind every victory is a very simple message addressed to their own enslaved population: "Look, we are still very strong and nobody dares to challenge our might."

If they are afraid of you, it is because they are afraid of your freedom and your prosperity. They cannot tolerate a democratic state close to their borders (and then, close to the borders of their buffer-states), because a bad example of thriving democracy so close at hand might prove to be too provocative.

Knowing, all this, let us ask ourselves a question: What would happen if the West were to disarm unilaterally? Could the Soviets follow suit? Certainly not. It would mean the rapid disintegration of their empire and a general collapse of their power. Does this mean they will simply roll over the now de-

fenseless Western countries? Again, the answer is: no. They don't need your territory, which would be difficult to hold anyway. Above all, where would they acquire goods, technology, credits, grain, etc., if they were to impose on you their inefficient economic system? They need you in the way China needs Hong Kong. *But from that very moment you will gradually begin to lose your freedom, being exposed to constant and unrestrained Soviet blackmail.*

You may like or dislike your trade unions, but would you like them to have to consider a possibility of foreign invasion every time they wanted to declare a strike—as Solidarity had to do in Poland for eighteen months? You may like or dislike your mass media, but would you like to see the self-censorship of your press in order to avoid an angry reaction by a powerful neighbor—as in Finland? You may like or dislike your system of representation, but at least you are free to elect those whom you choose without considering the desires of a foreign power. Nobody threatens to come into your country and impose a government of its choosing—as in Afghanistan. The nature of the Soviets system is such that it can never be satisfied until you are similar to them and are totally under their control.

So, we come to a very important conclusion: the issue now is not "peace versus war," but rather "freedom versus slavery." Peace and freedom appear to be inseparable, and the old formula "Better red than dead" is simply fatuous. Those who live by it will be both red and dead. Whether we like it or not, there will be no peace in our world, no relaxation of international tension, no fruitful cooperation between East and West, until the Soviet internal system changes drastically.

Has this simple and self-evident truth ever been understood by Western decision-makers? I doubt it. In a way, I can share some of the concern of the peace movement. Because for the West to react stereotypically by increasing military spending and stockpiling new hardware every time the Soviet instability-aggression complex manifests itself is simply to miss the target. At any rate, it is not enough. It is not going to change the Soviet system. It is not going to prevent Soviet expansion, especially in the Third World. Soviet ideological warfare is far shrewder than a big nuclear bludgeon. Would we, for instance, consider a nuclear bombardment if tomorrow there were to be a revolt of various tribes in Pakistan, instigated by Moscow? Or a Communist takeover in Iran?

There are plenty of "natural" troubles in the world, brought on by local conditions. But the influence of Moscow immediately turns them into major strategic problems. It would be senseless to try to solve all such problems by military means all over the globe. Simple logic suggests that we must deal first of all with the source of the world's major trouble—i.e., the Soviet system. We must find an effective way to help the Soviet population in its struggle for change. After all, they are our biggest ally.

Unfortunately, this has so far never been appreciated by the West, which has instead been continuously strengthening the Soviet system by credits, trade, technology. Why should the Soviets bother to introduce any internal reforms if their inefficient economy is periodically saved by the West? The West is still rich enough to help them out, and Siberia is also rich enough in turn to sell natural gas, gold, diamonds.

We may shake with indignation whenever we hear about the Soviet invasion of yet another country. We hate these little obedient soldiers, ever ready to do whatever they are told. Are they robots? But what do we propose that they should do? Do we honestly expect them to rebel and face a firing squad, while the entire world continues to provide their executioners with goods, credits, and modern technology? Don't we demand of them much more than we demand of ourselves? Somewhere, somehow, this vicious circle must be broken, if we are to survive as human beings. Why not start where it is easier?

There are 90,000 of these "robots" trapped in Afghanistan at this very moment. They cannot rebel because they will be shot down. Even so, there are occasional rebellions (and executions). They cannot desert, because they will either be killed in the process or, if they are lucky and manage to reach Pakistan, the Pakistani authorities will return them to the Soviet command (that is, again, to the firing squad). Does any government try to help them? No. Instead, several European governments have decided to buy Soviet natural gas, perhaps the very same gas that is being pumped out of Afghanistan by the Soviet occupation authorities as compensation for "liberating" Afghanistan.

There is a lot of noise about Poland right now. A lot of noise, and a lot of smoke screens. But does any government sacrifice anything? After issuing thunderous condemnations, the European governments decided not to apply economic sanctions against the Eastern bloc, because sanctions would "harm us, probably, more than them." Why should you establish the kind of relations that only make you more vulnerable than the enemy? Why do you continue to sign new agreements of the same type (natural gas, for example)? The American banks recently decided to cover the huge Polish deficit because the "bankruptcy of Poland would undermine the world financial system." What would happen, I wonder, if tomorrow the Soviet-bloc countries were to refuse to pay their debts and to suspend all trade?

This is what the struggle for peace and freedom boils down to: the people in the East should sacrifice their lives, but you should not sacrifice your profits. Small wonder that the Polish army does not rebel.

In fact, the imposition of economic sanctions on the Polish military junta and on their Soviet masters is not just a possible step; it is the actual obligation of the Western countries under the terms of the Helsinki agreement. A direct link among security, economic cooperation, and the observance of human rights is the very essence of this agreement. If that is forgotten now, of what point is all the noise lately heard from Madrid?

To tell the truth, I do not believe that any of it has been forgotten. Neither do I believe that the Western banks, industrialists, and governments are so "stupid" as to tie themselves to the Eastern chariot wheels by mistake. It is their deliberate policy, overtly articulated in the time of détente, and covertly now. Moreover, it is their philosophy. They love stability, these bankers and businessmen. And they are much against any resistance movement in the Communist countries, very much against any prospect of liberation for the enslaved nations of the East. They are the greatest peacelovers of all, far more powerful than all those crowds on the streets of the European capitals. Thanks to

them, we descend slowly into the Age of Darkness.

III

This article is not addressed to the bankers, or to the governments. I do not expect any help from them. In spite of all the harsh words used in it, I wish it to be read by sincere people who are seriously concerned with the problems of peace and freedom. They will probably dislike many of the things I have said here. I hope, however, that they will understand its main point: that peace has never been preserved by a hysterical desire to survive at any price. Nor has it ever been promoted by catchy phrases and cheap slogans. There are 400 million people in the East whose freedom was stolen from them and whose existence is miserable. It so happens that peace is impossible while they remain enslaved, and only with them (not with their executioners) should you work to secure real peace in our world.

Your recent mass demonstrations were disastrous, because in them you identified yourselves, willingly or unwillingly, with the rulers of the Eastern countries. To make broad alliances with any public (or governmental) forces just for the sake of power is a tremendous mistake. This mistake must be corrected if we are to live in peace and freedom. We should know who are our friends and who are our enemies. The fate of Solidarity should open our eyes.

[From the Washington Report, June 1982]

THE NUCLEAR WEAPONS FREEZE MOVEMENT

America is a land where things novel, bizarre, and even radical, can grip large segments of the population almost overnight. Sometimes these phenomena seem to arise spontaneously in the natural course of human events; in other cases, as with Rubik's cube, they are the result of someone's shrewd and calculated effort.

Few trends or fads have seemingly burst upon the nation more spontaneously or spread more rapidly than the so-called nuclear "freeze" movement. The media have touted the movement, hailed its "grass-roots" nature, and described it as sweeping like a prairie fire, from resolutions in New England town meetings to an agenda item next fall on the California state referendum. But the timing of this phenomenon was not accidental. It is evident from the literature of the organizations concerned that the freeze call was designed to reach a crescendo just as the United Nations Special Session on Disarmament takes place, June to July of this year. Moreover, behind the seeming spontaneity there is a complex hierarchy of professional organizers, following a carefully designed strategy.

It is no coincidence that this strategy serves to implement the aims of the Soviet Union. It is clearly an integral part of the massive campaign to disarm the West which the Soviets have conducted over the past five years. This effort has been very effective so far, resulting in the cancelling of plans to develop the so-called neutron bomb in 1978 by President Carter, and more recently in making it politically impossible to deploy Pershing II and cruise missiles in Holland and Belgium when these weapons become available.

There is no overt data, as such, on the sums being spent by the Soviet Union to promote the U.S. freeze campaigns, and in fact much of the funding for these initiatives comes from American foundations and from the donations of thousands of well-intentioned but exploited Americans. But in

any case, Soviet propaganda has made a critical contribution to the overall atmosphere of the freeze campaign, by creating a climate of fear.

The movement is rapidly becoming a divisive political force. Senators Ted Kennedy and Mark Hatfield have embraced the concept as their own by co-sponsoring a freeze-now, equalize-through-negotiations-later resolution in the Senate. Bantam Books has cooperated with the Senators by rushing into print in a near-record six days a paperback entitled *Freeze*, ostensibly written by Kennedy and Hatfield.

In response, Senators Jackson and Warner have sponsored Senate Joint Resolution 177, which calls for "a longterm, mutual and verifiable nuclear forces freeze at equal and sharply reduced levels of forces." The operative word in this initiative is "equal," reflecting the view that parity does not now exist. The Kennedy-Hatfield resolution mustered only twenty co-sponsors, compared with fifty-eight for the Jackson-Warner resolution.

On the other hand, President Reagan has opposed a freeze, as such at this time, which would "legitimize a condition of great advantage to the Soviets." Recently, he challenged the USSR by proposing a cut of one-third in the strategic nuclear weapons of both sides. In a second phase, he suggested, missile throw-weights would be reduced to equal and verifiable levels.

The Soviet response to Reagan's proposal came in Leonid Brezhnev's speech to the Young Communist League on May 17. Reflecting the Soviets' sense of their own superior strategic position, Brezhnev said: "We would be prepared to reach agreement that the strategic armaments of the USSR and the U.S. be frozen right now, as soon as the talks begin. Frozen quantitatively."

In the same statement the Soviet leader reiterated his country's willingness to freeze present levels of medium-range missiles in Europe, in other words, to maintain the present unanswered threat to Western Europe posed by the Soviet SS-20 weapons. In recent months the Soviet government has also offered to guarantee not to use nuclear weapons against countries in Northern Europe, the Balkans, and Mediterranean which would declare a freeze on deployment of any nuclear weapons in their territories. This latter offer of course represents scarcely-disguised blackmail, a threat to use Soviet nuclear might against those countries which harbor NATO installations.

The differences in approach to the question of arms reduction promise to become a prime area of domestic political dispute from now until November of 1984.

One possible consequence of adopting a nuclear freeze is a halt in U.S. weapons production but not in Soviet weapons production. This would pose the greatest single threat to U.S. security since the Cuban missile crisis of 1962.

With the security of this country and its allies at stake, the American people should take a close look at the genesis and aims of the nuclear freeze movement. The American Security Council Foundation has just published a report prepared by Gilbert Stubbs, a scientist at the Massachusetts Institute of Technology. This 30-page analysis systematically refutes the tenets of the freeze proposal written by Randall Forsberg and circulated by the American Friends Service Committee (AFSC). (See the editor's note on page 8 for availability.)

In addition to Stubbs' investigation of the individual freeze arguments, we shall exam-

ine here in some detail the history of the movement, and the organizations and personalities which have been the prime movers in its rise to prominence. In particular, we shall question the spontaneity of this campaign, the sources of its financial and other support, and the interests—other than the laudable but illusory goal of instantaneous world peace—which will be served if an immediate freeze on strategic nuclear weapons should become American policy.

FREEZE ORIGINS

The history of the nuclear freeze idea reveals that several distinct initiatives have gone into the present makeup of the movement. It also shows the extensive ties and cooperation which exist among the organizations that have been most active in propagandizing the American public on this issue.

In treating the present freeze movement, most media observers have focused attention on three initiatives:

- (1) The Kennedy-Hatfield resolution.
- (2) The appeal for an unqualified freeze contained in the *Call to Halt the Nuclear Arms Race*, written by Randall Forsberg of the Institute for Defense & Disarmament Studies (IDDS) in Brookline, Mass., with the collaboration of the American Friends Service Committee (AFSC). Ms. Forsberg is described by an antidefense analyst as "the intellectual author" of the nuclear freeze campaign.
- (3) The more recent "Ground Zero" initiative.

A prime thesis among the advocates of nuclear freeze is that the U.S. and its development of nuclear weapons forced the U.S.S.R. into the nuclear arms race. The argument follows, therefore, that the U.S. must take the initiative and assume the risks involved in nuclear disarmament. The historical record does not support this argument.

A plan for total nuclear disarmament was presented by the United States to the U.N. in the summer of 1946. It is identified with Ambassador Bernard Baruch who spoke on its behalf in the United Nations. The United States was then the sole atomic power. Yet Baruch called for halting the manufacture of U.S. bombs, destroying existing U.S. stocks, and turning over to a U.N. authority the know-how for production. The plan further specified that the veto power enjoyed by the U.N.'s "Big 5" powers would not apply in the field of atomic energy. Significantly, the Soviet Union vetoed this first attempt at outlawing nuclear weapons.

Since then the United States has made numerous proposals to the Soviet Union regarding the freezing of nuclear weapons stockpiles. For example, in a White House briefing on SALT in 1972, Henry Kissinger used the word eight times in less than two pages of text. It was the avowed purpose of SALT I to cap or freeze the nuclear arms race.

Such initiatives made sense for this country, since they were proposed at times when America was either ahead in nuclear capability, or was at or near parity. Now, when we are at a relative disadvantage in strategic weapons, freezing current levels of armament has the effect of locking our country into a dangerous condition of inferiority, of being "second best" to a Soviet Union which avowedly seeks the demise of the United States as the leader of the Western free-enterprise system.

John Fisher, president of the American Security Council Foundation, points out in

his foreword to Stubb's analysis that it is scarcely a coincidence that the campaign gained full prominence when it suited Soviet strategic interests. No protest was raised when Soviet SS-20 missiles and Backfire bombers were being deployed, but now that the U.S. Pershing IIs and cruise missiles are to be deployed in Western Europe to counter the Soviet threat, there is a cry for a weapons freeze. Similarly, when the President announced last fall a plan for modernizing U.S. strategic forces, including the resurrection of the once-killed B-1 bomber, there was an immediate demand for a moratorium on further modernizing of U.S. weapons, to the professionally-orchestrated accompaniment of a full chorus of doomsday experts.

Some of the individuals connected with the current freeze movement claim to have invented the idea. Kosta Tsipis, an M.I.T. professor and disarmament advocate, told Gilbert Stubb that he, George Kistiaowski, and Bernard T. Feld developed the idea in 1975.

In Chapter 7 of the Kennedy-Hatfield Freeze, a liberal/left and revisionist view of the freeze history is presented: "It is the story of an idea that took root in America in the 1980's because the time was right and the country was ready."

The theme recurs throughout the book that the campaign is a grass-roots phenomenon. But even a quick reading of Freeze belies this. It becomes obvious that a unique cadre of dedicated individuals worked long and hard for years to bring the concept to its present state.

Many of these activists are given due credit in *Freeze*. But for a more revealing look at their manifold activities, we must turn to the literature of the hard-line left. For example, the April 14, 1981, issue of *The Daily World* (organ of the Communist Party USA) names the two Americans who originated the International Peace Petition which is now being circulated in 100 countries, demanding that the two superpowers "... as a first step ... terminate immediately all research, development, testing, manufacture and deployment of nuclear bombs and missiles; and progressively, but quickly, destroy present stockpiles."

The two individuals named are Sidney Lens and Stewart Meacham. Both these men are long-time leftist activists. Lens (a pseudonym) was an official of the ultra-radical Revolutionary Workers' League until its demise in the mid-1940's. After writing a landmark think-piece, *The Doomsday Strategy* in 1976, Lens founded a new group, the Mobilization for Survival, in 1977.

The above proposal from the International Peace Petition sounds reasonable. It does not appear to be anti-American. But in his many articles, Lens set the tone for U.S. leftist nuclear disarmament policy, as in the following two points:

"Neither the Soviet Union nor the communist ideology can possibly threaten American world interests as much as they are threatened by nuclear technology. ...

"Americans need defense against their own leadership more urgently than they need defense against a foreign invasion."

Lens further advised the American people not to become "resigned to the win syndrome, the closed society tyranny and ultimate suicide." This is a classic assemblage of communist terms in a single sentence.

Lens' associate in the international peace petition effort, Stewart Meacham, heads the AFSC's Peace Education Division. Meacham's past includes a generation of "pacifist" activity, from a beginning as a Quaker missionary. His zeal for political organization led to his expulsion from India. Later, according to the *Daily Worker*, Meacham was a leader in the 1960 "Campaign for Disarmament" which among other things called for the United States to ban nuclear testing and agree to total disarmament.

Lens himself, in an article in *The Progressive* of May 1982, identifies three other key persons who have breathed life into the freeze movement. One was Senator Mark Hatfield of Oregon, who proposed an "executive amendment" to the SALT II treaty calling for the freezing of R&D, testing, manufacture, and deployment of new nuclear weapons and delivery systems. In Lens' words, this was "a compromise to which the 'left-wing' critics of SALT II ... could and did subscribe." The amendment died along with SALT II.

In a modest moment, Lens gave credit for the present impetus in the nuclear freeze movement to the efforts of two others, Terry Provan, national coordinator of the AFSC's disarmament program, and Randall Forsberg, president of IDDS.

Provan has a history of anti-U.S. military activism dating to the Vietnam era. He was also a member of Lens' Mobilization for Survival.

Forsberg is also a veteran "peace" campaigner. After a start in U.S. left issues, she became an analyst in the Stockholm International Peace Research Institute (SIPRI) in 1968, working in the area of arms control. She returned to the United States in 1974 for study at MIT and to co-found the Boston Study Group. In the Spring of 1981 the AFSC published her *Call to Halt the Nuclear Arms Race*. For practical purposes, as far as media attention is concerned, the U.S. nuclear freeze movement dates from that time.

In addition to the AFSC and Mobilization for Survival, initial support for the new freeze movement was also provided by two other established antidefense groups, Clergy & Laity Concerned (CALC) and the Fellowship of Reconciliation. Through its more than 40 chapters around the country, CALC, in particular, lent critical support to the campaigns.

BROADENING THE FREEZE INITIATIVE

Another element of the freeze campaign originated in the western Massachusetts leftist colony centered in the five universities located in Amherst, Northampton, and South Hadley. Randy Kehler of the Traprock Center and the Northampton chapter of AFSC made a pioneering effort to place a nuclear weapons freeze on the ballot in three Massachusetts senatorial districts in the fall of 1980. After obtaining the necessary voter signatures to accomplish this, Kehler and his associates waged a media and bumpersticker blitz which resulted in victory by a 59-to-41 ratio.

This achievement became the model for similar freeze campaigns in other states. In California a couple named Seidita copied Kehler's techniques to collect 750,000 signatures, more than twice the number needed to place a freeze referendum on the ballot for the 1982 elections in California. The campaign there is being financed by millionaire Harold Willens, a long-time disarmament activist and founder of the Center for Defense Information. Meanwhile, Kehler has become codirector of a National Clearinghouse for the Nuclear Weapons Freeze Campaign, with headquarters in St. Louis.

Many of the old guard antidefense organizations have lined up behind the Forsberg/

AFSC freeze proposal and are working through the Clearinghouse.

Organizations, besides those mentioned already, include: Council for a New Foreign & Military Policy (CNFMP); Democratic Socialists of America; National Council of Churches (NCC); Physicians for Social Responsibility; SANE; Sojourners; Women Strike for Peace (WSP); Women's International League for Peace & Freedom (WILPF).

A workhorse in the freeze effort has been the Physicians for Social Responsibility, a 1960's group which had become practically moribund until it was revived with a vengeance in 1980 when Dr. Helen Caldicott, an Australian, was appointed president. Of Caldicott, Sidney Lens once said, "She can wring a heart of stone with her recitations of the horrors of nuclear radiation." She and such other speakers as Dr. Jack Geiger and ex-SIPRI peace specialist Kosta Tsipis, now at MIT, have preached to live and television audiences of millions about the imminent doom of our planet unless we renounce nuclear weapons.

One antidefense group which is pursuing a more or less independent course of antinuclear propagandizing is the Union of Concerned Scientists (UCS). Its full-page ad in the April 25 issue of *The New York Times* urged that NATO announce a "Policy of No First Use of Nuclear Weapons in Europe," and also that NATO withdraw its forward-based tactical nuclear weapons and ask that the USSR do the same.

The UCS's position closely parallels the approach taken by former disarmament specialists Robert McNamara, McGeorge Bundy, George Kennan, and Gerard Smith, as expressed in a major article in *Foreign Affairs*, Spring 1982. Both these initiatives would couple a no-first-strike declaration to a buildup of conventional military strength in Europe.

George Kennan is also the author of a proposal for the superpowers to cut their present nuclear arsenals by 50 percent. This recommendation is endorsed by another organization, the Committee for East-West Accord.

Another important network of antidefense organizations is working along lines closely paralleling the freeze movement. This is the Fund for Peace group. It comprises the Center for Defense Information, Center for International Policy, and Center for National Security Studies, all in Washington; and the Institute for Study of World Politics plus a nationwide network of radio programs, "In the Public Interest," with headquarters in New York. Some of the funding for this group is provided by the Stewart Mott organization/United Methodist Church complex in Washington. According to a February 1982 report by this group's Anne Zill, the Center for Defense Information will stage a major disarmament happening in June, in conjunction with the United Nations Special Session in Disarmament. This will include bringing together a clutch of ex-NATO and Warsaw Pact officers. CDI's "Nuclear War Prevention Kit" for speakers is to be updated for this event.

An affiliated organization, the Council for a Livable World (CLW), is reportedly setting up a "nuclear hotline" to assist antidefense groups around the country with details of legislation, hearing, and so forth.

Another organization, Ground Zero, headed by former National Security Council nuclear specialist Roger Molander, is a relative newcomer to the antinuclear scene. In spite of this, it has managed in a very short

time to seize the media spotlight by staging a "Ground Zero Week" in April 1982 and by publishing a folksy paperback entitled *Nuclear War—What's in It for You?*

Ground Zero literature takes considerable pains to project an image of impartiality. Nevertheless, the purpose and net effect of its programs is to promote a nuclear freeze and to generate fear in the U.S. public. It is reportedly coordinating its actions with the Physicians for Social Responsibility. Ground Zero specializes in flooding the country with its extensive stable of speakers.

It should be noted in passing that a number of formal nuclear disarmament initiatives have existed for many years, usually involving annual conferences of American and Soviet disarmament "experts" or peace advocates. Chief among these are the Pugwash and Dartmouth conferences which have become a tradition, the "Airlie" conferences which feature antinuclear declarations by U.S., Soviet, and other foreign medical authorities, and the Stanley Foundation's conferences. Their efforts have by no means stirred sizable grass-roots reaction.

THE EUROPEAN CONNECTION

The ongoing U.S. nuclear freeze campaigns are closely associated with similar efforts in Western Europe. Indeed, there is a which-came-first question. It is difficult to tell whether individual freeze initiatives began in America and/or Europe. It is clear, however, that close coordination and cooperation exists between some U.S. groups and activists on the other side of the Atlantic. For example, a West German Protestant disarmament activist credits the American group Clergy & Laity Concerned with originating the disarmament campaign ideas put to use in Germany.

On the other hand, British Roman Catholic priest Bruce Kent heads an organization called Campaign for Nuclear Disarmament, which has led the drive to create local "nuclear-free" regions in many parts of England. It is the special goal of CND (which includes a number of British communist members) to block the deployment of U.S.-made cruise missiles in Britain. CND also calls for unilateral British disarmament, particularly an end to British ownership of Trident-equipped submarines. In early 1982, Kent and other CND persons toured a number of U.S. cities and universities, in a briefing and propaganda campaign arranged by the AFSC's Peace Committee, CALC, and others.

Similarly, SANE recently imported such German nuclear disarmament figures as Petra Kelly and retired Bundeswehr general Gerd Bastian, to speak against U.S. nuclear weapons programs. Ms. Kelly exemplifies the inextricable interconnection between U.S. and European "peaceniks." Stepdaughter of a U.S. military officer, reared in West Germany and educated in U.S. universities, she participated in antidefense activities in Washington from 1966 to 1970. Returning to Europe as a European Common Market advisor in Brussels, Kelly worked her way up to into a leadership position in the West German "Green" (ecological) movement, which soon reoriented itself toward antinuclear issues. She and Bastian were leaders in the "Krefeld Appeal" of 1981, which induced over two million Europeans to sign a call for an end to nuclear weapons in Europe. The German news magazine *Der Spiegel* describes Kelly as "the personification of activism," and "always under high tension." On either side of the Atlantic she

is a driving force in movements to disarm the West.

THE SOVIET CONNECTION

Demonstrating the interconnections between such movements and U.S. counterparts is not especially difficult. Tying them directly to Soviet interests, however, is another matter. Only occasional bits of information appear which clearly show Soviet coordination or control of European disarmament groups. For example, TASS employee Vadim Leonov was obliged to leave the Netherlands after it became known that he had passed orders and funds to Dutch communist and peace groups. Similar incidents have occurred in the Scandinavian countries.

No such Soviet intelligence links to American organizations have been made public. However, we can cite in this regard statements made in a CIA report to the Congress in 1980: "Soviet international fronts—organizations which appear to be independent from the CPSU but in fact are funded and guided by Moscow—were and are active in issuing propaganda statements supporting Brezhnev's [disarmament] proposals. . . . The World Peace Council (WPC), largest of the thirteen major Soviet front groups, has played a leading role in organizing demonstrations and in issuing formal condemnations of NATO plans."

Among the more than 130 worldwide affiliates of the WPC is the United States Peace Council (USPC), which is headquartered in New York City. We can catch a glimpse of the close liaison which exists between this group and its parent body by noting that it hosted a ten-city speaking tour of the United States by the WPC a year ago. The delegation included WPC president Romesh Chandra, a member of the Central Committee of the Indian Communist party.

This year the USPC is participating actively in the June 12 demonstrations planned to coincide with the U.N. Special Session on Disarmament in New York. The Council outlines its own contribution to this occasion: "For our part, we will make special efforts to guarantee massive participation from labor and the Black, Hispanic and other oppressed minority communities."

The futility of gestures by peaceniks like E.P. Thompson to press their disarmament ideas "deep into Russian opinion also" was shown with special clarity on April 19, when seven West European disarmament activists attempted to unfurl a banner and hand out leaflets in Moscow's Red Square. KGB agents, apparently alerted in advance, hustled the men off before a single leaflet could be passed out.

Some disarmament sentiment has been manifested in East Germany, chiefly among Protestant leaders and conscientious objectors. The fact that this trend also has elements of pan-German nationalism, calling for a unified Germany free of both U.S. and Soviet military power, has made the Soviets uneasy. This resulted in an official East German crackdown on any displays of this sentiment. Police have stripped peace emblems from the jackets of hundreds of students, and some have been threatened with dismissal from higher education. The Soviet Union is spending billions of dollars to spur disarmament initiatives in the West. But this is strictly a one-way street; the communist system cannot afford to allow citizen participation in its security policies.

THE SOVIET CONNECTION GOES PUBLIC

A new avenue of linkage, however, between U.S. disarmament groups and the

Soviet Union seems to have been opened in recent months. This phenomenon, carried on with little attempt at secrecy could have far-reaching implications for U.S. security.

Last December, Randall Forsberg, the intellectual mother of the present freeze movement, spent two weeks in the Soviet Union, apparently under the auspices of the AFSC. While there she conferred with Soviet disarmament experts at "five research institutes."

In April of this year a delegation of eight persons from the U.S. Peace Council also traveled to Moscow, according to the *Daily World*, at the invitation of the Soviet Peace Council. The *Daily World* quotes the vice chairman of the Soviet group to the effect that the stated goals of the American representatives "fully coincided with the goals of the Soviet Peace campaign." These goals include "negotiations to prevent the introduction of additional nuclear weapons in the European theater." In other words, the Pershing IIs and cruise missiles must be excluded, but the Soviet SS-20s can remain.

An even more blatant flouting of U.S. security interests was the trip to Moscow, also in April, of a ten-member delegation sponsored by the leftist think-tank Institute for Policy Studies. According to the *Washington Post's* Moscow correspondent, these Americans, including top IPS brass Robert Borosage and Marcus Raskin, conferred with five members of the Communist Party of the Soviet Union. Among the latter was Vadim Zagladin, deputy chief of the party's International Department. In its report to the Congress in 1980, cited earlier, the CIA said that the International Department "maintains liaison with many foreign organizations which are frequently used to disseminate Soviet propaganda and views on international affairs."

With such major U.S. antidefense groups forging direct connections with the Soviet government, inside the USSR, there is less need for intrigue, for Soviet diplomats or TASS "correspondents" to risk disclosure for paying off Western disarmament groups. The United States now has no effective mechanism to block this form of subversion, in the absence of an Attorney General's list or other specific legislation; indeed, we cannot even define the term. Citizens like Forsberg and the IPS chiefs can travel legally and openly to Moscow, and there receive advice, instructions, or whatever, directly from the party hierarchy. The doors and windows to U.S. society are wide open, and the American left is taking advantage of it by riding the Moscow shuttle.

It should be noted also that Soviet policies can be targeted directly against the Congress, through the medium of the quasi-official Members of Congress for Peace through Law. This body is closely linked to the IPS, for example, through its participation in the "Washington Seminars" conducted by IPS.

IMPACT OF THE FREEZE MOVEMENT

The freeze has probably achieved much of its impact from the fact that the media have over-reported the issue. For example, across the country the public response to the "Ground Zero Week" of last April fell completely to match the exaggerated attention given to it in advance by network and local television and *Newsweek* magazine.

By contrast, the American Security Council's Peace Through Strength Resolution has been passed by more state legislatures (13 states plus the territory of Guam) than have adopted the Kennedy-Hatfield freeze

resolution (eight), and has been sponsored by more members of the U.S. Congress (288) than have endorsed the freeze (about 190). This record has been achieved in spite of the fact that Peace Through Strength has never once been mentioned on any evening TV news program.

The fact that these successes have been scored by Peace Through Strength without benefit of intense media "hype," and without the aid of a corps of dedicated activists, shows clearly that the tenets of Peace Through Strength reflect truer indications of American sentiment regarding the threat of nuclear war than do the craven alarms of the freeze proponents. A majority of Americans obviously still face the future with courage, resolve, and hope.

A blizzard of pamphlets, resolutions, and even bound volumes advocating various forms of nuclear arms freeze has blanketed the country in a few short months. Kennedy-Hatfield's Freeze has managed to upstage so far the mammoth statement of the freeze philosophy in the book by Jonathan Schell, which has yet to appear in bound form (the text has been released in three installments in the New Yorker magazine). Hundreds of pages of material, pro and con, have been entered into the Congressional Record, and every editorial writer in the nation has aired his opinion of the movement.

One of the most reasoned of the comments was that of columnist David Wilson in the Boston Globe of April 12, 1982. On the question: "What ought I to be doing, at this instant, to prevent nuclear war?", Wilson says:

"The instinct is to 'do something.' Of course, doing nothing is, in a way, doing something, and frequently is the most benign course among options of conduct. . . .

"To be opposed to nuclear war is rather like being opposed to crime or cancer. Everybody is, but very few know how to go about it. . . .

"The certain consequence is that those individuals who vote and campaign for a freeze will experience the satisfaction of believing that they have 'done something' to stop nuclear war. The act will make them 'feel good.'"

"Instead, it seems to me, they are increasing the likelihood of conflict by inviting hostilities to arise from existing and potential situations of tension around the world."

"What Americans certainly can anticipate, as spring warms into summer this year, is a new and divisive national debate in which political partisanship and ambition will be mixed with religious conviction and misguided idealism in a confrontation remarkably resembling the anti-war movement of the 60s."

Wilson's description touches on two key points which should be kept in mind in regard to the freeze and similar disarmament initiatives. First, the great majority of concerned persons who become involved in some form of political or social action in this vital and emotional issue are well-intentioned, patriotic citizens.

At the same time, however, it should be clearly understood that many of the activists in the new "freeze" organizations are professional leftists with backgrounds of prior work in antidefense causes. Among themselves, and in the literature of the "alternative" world, they make no secret of their political beliefs and aims. A majority of these professionals are Marxists of some stamp or other, whose whole lives have been devoted to bringing about the eventual end

of the capitalist system in America. Heated issues such as survival in the nuclear age offer them unexcelled opportunities to weaken our country's defenses and thereby bring the attainment of their goal a little nearer.

The other point is that the nuclear freeze issue promises to become as divisive as the Vietnam war. The parallel may be even closer than envisioned by Wilson, since many of the freeze leaders were deeply involved in the radical organizations and movements during that period. Some of the present groups date from Vietnam days; others are skeleton cadres from such groups, but with new names and causes to exploit the problems of today's world.

There are other valid objections to the idea of an immediate nuclear freeze. One of these is the realistic fact that a blanket freeze of all nuclear weapons really does not correspond to Soviet desires at this point, in spite of Brezhnev's apparent willingness. The Soviets want more military advantage, not a freeze. Therefore, the whole exercise is futile on face value, *except as a device to frighten and confuse the American public and halt American military programs.*

Another objection is the unlikelihood that the Soviet Union will ever agree to a reliable verification system which would cover all aspects of R&D, testing, manufacture, and deployment. As Stubbs points out, the claim of the freeze proponents that all this is feasible by "national technical means" is patently ridiculous.

But the most basic flaw in the freeze concept, in our view, is that it focuses on the existence of nuclear weapons as the primary threat to America. In reality the overriding menace is the inescapable fact that the Soviet Union is bent on winning, on imposing its political system on the world, by any and all means possible. This is the impetus for the massive "peace" offensive aimed at locking us into inferiority.

Therefore, as opposed to a freeze of nuclear weapons followed by negotiations aimed at reductions—with no guarantees or stipulations ahead of time—the American Security Council believes that the proper policy for our national security is to place primary reliance on our national strength. The U.S. should and must be willing to negotiate, but it must avoid the delusions and self-deceptions of the past 12 years of SALT. Detente is not only dead; it never lived. We have tried the course of self-restraint and unilateral arms reduction, in the hope of Soviet reciprocation. There has been no reciprocation. Moreover, the United States must enter any new rounds of negotiations with a full appreciation for the fact that the negotiating process is not important of and by itself. What is important are the terms of the finished product. In the interest of our freedom we must set as our high standard the resolve that we will not accept any arms control agreement which does not truly contribute to world peace and stability and enhance our own survival.

THE COUNTERFEIT PEACEMAKERS: ATOMIC FREEZE

(By Rael Jean Isaac and Erich Isaac)

WHO'S BEHIND THE POLITICS OF NUCLEAR NEUROSIS? THE CRABSHILL-KREMLIN ALLIANCE?

What the media have dubbed a "peace crusade" is sweeping the country. It centers on something known as the Nuclear Freeze petition, which calls for a mutual freeze by the United States and the Soviet Union on the testing, production, and deployment of nuclear weapons and their delivery systems.

Nuclear freeze petitions are on street corners, in front of super-markets, in churches and synagogues. State legislatures have passed freeze resolutions with scarcely a demurring vote. In California, a drive to put the freeze on the ballot collected the requisite 350,000 signatures in two months and more than twice that number are expected to be collected by the deadline for submitting them. There seems every prospect of its passage, since polls show that Americans would vote for a freeze on local ballots by a margin of 3 to 2. Mass demonstrations are on the way, scheduled to coincide with the UN Special Session on Disarmament beginning June 9. Some of their footpower will come from the campuses, energized by April's week-long teach-in campaign.

Every effort is being made to galvanize the unimaginative. In the first week of March, buildings, signs, office elevators, and windows at 17th and M Streets in Washington, just north of the White House, were plastered with two-inch circular gummed labels that said: "Flash! Boom! You're dead!!!" The presumably startled reader was enlightened by the small print: "A small nuclear bomb explodes over the White House. Standing here, you have a 98 percent chance of dying immediately, from leveled buildings, intense heat, lethal radiation, or debris flying to 500 m.p.h." On a national scale there is the effort of a group called Physicians for Social Responsibility to spell out the physical suffering their audiences will experience following a nuclear explosion: the starvation, dehydration, radiation sickness, and infections. These doctors will provide you with an entire bibliography explaining the horrible aftermath of nuclear war and their total inability as physicians to help any of the survivors. (Not that they want to improve their capacity to cope. Far from urging rational civil defense measures, which the Soviets have taken, a film produced by the Physicians for Social Responsibility includes a statement that it is a breach of medical ethics for a physician to participate in planning for emergency medical services in the event of nuclear attack.)

While no one doubts the dreadful consequences of nuclear war and the need to avert it, this can scarcely explain the peace crusade. The nuclear age has been with us since 1945. Why the sudden ferment, to the point that a Wall Street Journal front page headline reports "Town of Pella, Iowa talks of little other than nuclear attack"? Where did the nuclear freeze come from? Where do its initiators plan to take us? Answers to these questions are in order before the public throws itself headlong into a current whose direction it little understands.

The nuclear freeze was initially coordinated in early 1980 by two pacifist organizations: the American Friends Service Committee (AFSC) and the Fellowship of Reconciliation. The first is wealthier and better known, but both originated at the end of World War I as religiously based organizations committed to nonviolence. The freeze quickly won the support of almost all the organizations that make up what in current jargon could be called "the peace community." These are both pacifist and nonpacifist groups devoted to reducing the prospects of war: The best established of those who signed the initial "Call to Halt the Nuclear Arms Race," as the freeze was originally titled, were Clergy and Laity Concerned and SANE (which have been the most active in procuring signatures for the freeze). Mobilization for Survival, Pax Christi (a Catholic organization), Riverside Church Disarma-

ment Program, and Women's International League for Peace and Freedom. Once the freeze caught on, the Nuclear Freeze Weapons Campaign, consisting primarily of organizations which signed the initial "Call," decided to establish a special clearing-house in the center of the country. Using the tax exemption of one of them (the Council for a Liveable World Education Fund), the clearing house opened in St. Louis in January 1982.

Most Americans have a warm, if hazy, image of peace organizations, especially pacifist groups, whose dedication to nonviolence is seen as admirable, if impractical. A closer look, however, would produce some major surprises. The major pacifist organizations—the AFSC, the Fellowship of Reconciliation (FOR), the War Resisters League (WRL), and the Women's International League for Peace and Freedom (WILPF)—are centers of radicalism whose relation to nonviolence is highly problematical, since in practice they condone violence to achieve the goals of what the Left defines as, "liberation movements". The distinction between pacifist and nonpacifist peace organizations, indeed between most peace organizations and radical left-wing political groups, has become a distinction without a difference.

Intrinsic to pacifism, of course, is the view that means and ends cannot be separated, and all the pacifist organizations continue to pay lip service to this principle. A 1980 article in the Fellowship of Reconciliation's journal states the case as eloquently as ever: "Nonviolent activists dispute the assertion that the end justifies the means: they see means and ends as one and inseparable. . . . The means invariably become embodied in the end, however noble, and skew and distort that end—often beyond recognition." The article quotes a pithy phrase: "You can't grow a rose from a cactus seed." Similar passages could readily be produced from every pacifist publication.

One dramatic example of the gap between pacifist rhetoric and reality is the attitude of these groups toward the Palestine Liberation Organization. As the world's chief terror organization, the inspiration and actual training agency for the world's proliferating terror groups, from the Baader Meinhof to the Red Brigades to a host of groups in Latin America, the PLO should be especially abhorrent to pacifists. Instead, the attitude of the pacifist organizations toward the PLO is one of warmth, even admiration. For example, in 1975 the Fellowship of Reconciliation sent a group to PLO headquarters in Lebanon. The members returned to praise the PLO officials with whom they had spoken, and were particularly enthusiastic about one whom they said "spoke in near pacifist terms about guerrilla violence." (The very fact that such a phrase could be formulated says something about what has happened to American pacifism.) One member of the Fellowship group criticized Secretary of State Henry Kissinger, then engaged in his famous "shuttle diplomacy" in the Middle East, for "inviting Palestinian militants to return to terrorist tactics in the absence of any peaceful alternative for justice." If the United States did not give the PLO what it wanted, the PLO had no "alternative" except violence.

The Women's International League for Peace and Freedom seems almost obsessed with the PLO. In a recent year its journal, *Peace and Freedom*, ran ten articles on the Middle East, the purport always the need to involve the PLO. WILPF's 1979 resolution

on the Middle East calls for negotiations with the PLO without any suggestion that the PLO abandon terrorism or recognize Israel's right to exist. International WILPF (for years headed by Americans, first Kay Camp, now Carol Pendell, wife of a Methodist minister in California) sent its journal's editor as the organization's delegate to a PLO conference in Lebanon. This pacifist lady described with obvious relish being "driven into town escorted by jeeps full of Palestine Liberation Army soldiers" who permitted nothing "to break our line." Her only regret was that "more of us could not be there to come to understand why the struggle of the Palestinian people must continue."

The AFSC meanwhile has done more. Its activities in Israel, ostensibly "humanitarian," provoked the Israeli government to the point where it sought to remove the AFSC's Middle East representative for pro-PLO activities. The AFSC maintains a Community Information and Legal Aid Center in East Jerusalem. While the Israeli authorities were told it would be a counseling center, it rapidly developed into a legal aid service for captured PLO terrorists. In an interview in 1979 Jean de Mural, then its director, said: "We help the small fry. The big people have their own connections and don't need our help." In the United States the AFSC has organized lobbying efforts on behalf of the PLO and speaking tours for its propagandists.

The identification of pacifist organizations with the PLO is a particularly striking illustration of the breakdown of pacifist principles; however, instances of pacifist support for terrorist groups could be multiplied. Almost any Third World "liberation movement," provided it attacks the West, can count at the very least on full moral support from the U.S. pacifist organizations whose fundamental principle, to use the words of an AFSC brochure, is that "violence can never be right."

Although the breakdown of American pacifism is a phenomenon only of the last fifteen years, the tensions that led to its disintegration are much older. They stemmed from the conviction of pacifists that war would be eliminated only if the cause of war were eliminated, this cause being social injustice. With the Bolshevik Revolution, many pacifists became attracted to revolutionary Marxism and its promise to eliminate injustice once and for all. The Fellowship of Reconciliation was the most influential pacifist organization in the interwar years, and it was repeatedly battered by conflicts between those who opposed all violence and those who were convinced that class warfare was necessary to prevent international warfare. The Fellowship came down on the side of non-violence, and in the mid-thirties, the dissidents—who at one point included the organization's executive secretary, J. B. Matthews—were forced to resign. The most famous American pacifist, A. J. Muste, briefly left the Fellowship for a fling at Communism, becoming general secretary of the Communist League of America, a section of the Trotskyite Fourth International. He returned to pacifism, and the Fellowship, in 1937.

All this ferment left its mark. While still a pacifist but undergoing the intellectual development that would make him, if only temporarily, a Communist, Muste developed a radical conception of pacifism outlined in his 1928 essay, "Pacifism and Class War." Here he expanded the definition of violence, declaring that "the basic fact is that the

economic, social, political order in which we live was built up largely by violence, is now being extended by violence and is maintained only by violence." He insisted that since 90 percent of the violence in the world was perpetrated by forces of the status quo, it was somewhat "ludicrous" that public concern centered on the 10 percent of violence used by rebels against repression. Not only did Muste minimize the importance of revolutionary violence, but he argued that it is improper even to counsel nonviolence so long as we benefit from the existing "violent" order.

After World War II, Muste's doctrines became pacifist orthodoxy. Conscientious objectors, particularly those who chose prison over the forms of alternative service offered by the government, emerged with a new conception of nonviolent tactics as the way "to shake the present order to its foundations." Although the Fellowship initially resisted, the War Resisters League (a non-religiously based pacifist group that developed out of the Fellowship in 1923) resolved in 1947 to work for "political, economic and social revolution by nonviolent means." David Dellinger, a member of the League's executive committee, published a paper called *Direct Action* whose first issue advocated "strikes, sabotage and seizure of public property now being held by private owners." One writer suggested that a mass invasion of A&P supermarkets by housewives with hungry families, for the express purpose of emptying shelves, would be a good way of keeping down the profits of the masters." The editor felt called upon to object, protesting that "taking goods surreptitiously" would imply they rightfully belonged to store-owners, "thereby continually paying homage to capitalist ideals of property."

What happened when Muste's broadened definition of violence was accepted was that the distinction between violence and nonviolence disappeared. All governments, including democratic governments, were violent because they implicitly had the sanctions of violence behind them. There then was no way of distinguishing between the violence of the status quo and the bombs and guns of the revolutionaries who challenge it. Indeed revolutionaries were to be preferred, for they merely respond to the prior violence of the established order and seek to achieve greater justice.

Pacifists thus have so extended the meaning of violence that it no longer even refers to the use of force, implicit or explicit. According to David McReynolds, a War Resisters League staffer, nonviolence is "most deeply violated" when it is confined to the area where "the state kills people"; poor housing, racism, and sexism are equally "violent," and the violence of unemployment is as real "as napalm falling on Vietnam." An article in the Fellowship of Reconciliation's Fellowship claims that "where a woman is denied equal pay for equal work . . . it is an example of violence." War Resisters League President Norma Becker believes all our institutions must be overturned "because unless these institutions are eradicated," it doesn't seem likely that we "will be in a position to really practice nonviolence."

Another revealing glimpse into modern pacifism comes from the reading list compiled by the War Resisters League in response to requests for books on the meaning of pacifism and nonviolence today. Under the heading of "Race" the League offers five books, two of them attacks on nonvio-

lence: Eldridge Cleaver's *Soul on Ice* and Frantz Fanon's extended paean to the therapeutic power of violence, *Wretched of the Earth*. Under "Socialism" seven books are offered, including the Communist Manifesto, German Communist Rosa Luxemburg's *The Russian Revolution*, and Carl Oglesby and Richard Shaull's *Continuity and Change*. (Oglesby was a New Left organizer and Shaull is a liberation theologian who believes that only at the center of the revolution can man "perceive what God is doing.") Under the heading of "Biography" one would expect to find books describing the lives of great pacifists. But of the eight biographies presented, only two are of pacifists. Among the others are Leon Trotsky, labor radical Eugene Debs, anarchist Emma Goldman, and black revolutionary Malcolm X.

While pacifist identification of revolutionary socialism with "justice" is the most obvious explanation for such reading lists, there may be deeper factors involved in the power violent revolutionaries have exercised over the imagination of modern pacifists. George Orwell, writing during World War II, noted the attraction some leading pacifists felt toward Hitler. A revealing reply to Orwell's charges came from D. S. Savage, one of the pacifists to whom Orwell had pointed. He wrote:

"The pacifists' championing of Hitler referred to by Orwell is simply a recognition by us that Hitler and Germany contain a real historical dynamic, whereas we do not. . . . Personally I do not care for Hitler. He is, however, 'realler' than Chamberlain, Churchill, Cripps, etc. in that he is the vehicle of raw historical forces, whereas they are stuffed dummies, waxwork figures, living in unreality."

Although it is difficult to know to what extent modern pacifists respond to a sense that Yasser Arafat represents "raw historical forces" in contrast to the "waxwork figures" cut by Western statesmen, there may well be a psychological component of this sort in the attraction men who live by violence exert upon those who have renounced it.

Given the breakdown of pacifism in traditional pacifist organizations, it is hardly surprising that the formally nonpacifist peace organizations that have sprung up since World War II have also come to identify with violent movements. The most important to develop prior to the Vietnam war were SANE in 1957 and Women Strike for Peace in 1961, both of which arose to protest nuclear atmospheric testing. (Physicians for Social Responsibility also dates to 1961 but became moribund until revived by pediatrician Helen Caldicott in 1979.) The Vietnam war produced a series of organizations, the most lasting of which has been Clergy and Laity Concerned about the Vietnam War (CALC). After the war was over, it dropped the last four words in its title. CALC is now simply "Concerned," chiefly about the evils of the American Empire. Several of the prominent peace organizations are coalitions: The Coalition for a New Foreign and Military Policy brings together many of the organizations active against the Vietnam war, especially the churches; the Mobilization for Survival combines anti-nuclear energy groups with disarmament and radical political groups.

Insofar as they are influential, disarmament movements by their very nature serve to weaken Western defenses and inhibit the willingness of Western countries to project their forces beyond their borders. It thus

goes without saying that these movements are an obvious target for Soviet manipulation and penetration. If the Soviet Union can manipulate them to focus exclusively on Western disarmament and discount the existence of external threats—or better still to serve as apologists for aggressive Soviet actions—they are even more useful to the Soviets. The point is to help the Soviet Union project an image of itself as the major force for peace in the world, its initiatives thwarted by Western militarism.

The Soviet Union has a front organization, the World Peace Council (WPC), designed to identify the Soviet Union as the world's chief force for peace among Third World countries and to manipulate Western public opinion, especially Western peace movements, on issues the Soviet Union deems vital to its interests. Created shortly after World War II, the WPC sponsored the Stockholm Peace Petition Campaign of 1950 as its first major effort. The Campaign obtained almost 500 million signatures worldwide, over a million of them in the United States, where most of the signatories had no idea of the campaign's origin. In 1975 the WPC launched a second Stockholm Peace Petition, this time obtaining 700 million signatures.

While the WPC has devoted much effort to extolling the Soviet Union, promoting Soviet-backed liberation movements, and attacking the United States and its "puppets," it has in the last few years assumed an even larger role mobilizing the Western disarmament protests. It has been trying to block U.S. plans to modernize NATO's Theater Nuclear Forces with medium range Pershing II and cruise missiles and to upgrade NATO's antitank capabilities with neutron bombs. In an article in *Ons Leger* in October 1981, Dutch journalist J.A.E. Vermaat analyzes the extensive role the World Peace Council and a sister Soviet front, the Christian Peace Conference, have played since 1977 in the Dutch peace movement, that major testing ground in the Soviet effort to promote Western disarmament initiatives. Obviously pleased by the success of the Dutch movement and its spread throughout Western Europe, Boris Ponomarev, veteran head of the Communist Party's International Department, told a group of Soviet and foreign scientists in 1981 that even though the antiwar movement had reached unprecedented proportions, "the interests of preserving peace call for further development of the anti-war movement."

The World Peace Council, of course, is the most transparent of fronts, the "peace" in its title the purest Orwellian doublethink. IN 1975 the Council gave its highest award, the Frederic Joliot-Curie Gold Medal for Peace, to Yasser Arafat. That same year it gave a lesser peace award to Lolita Lebron as an "outstanding Puerto Rican freedom fighter . . . who has been in U.S. jails for the last 20 years." (Lebron was one of four Puerto Rican terrorists who opened fire on the U.S. House of Representatives from the visitors' gallery during the Truman Administration.) Another former winner of the Joliot-Curie Gold Medal for Peace is Leonid Brezhnev. On its thirtieth anniversary the World Peace Council celebrated ever new "victories for peace" in "Ethiopia, Afghanistan, Iran." Presumably to help celebrate one of these Soviet "victories for peace," the WPC has scheduled its next meeting in Afghanistan.

In reaching public opinion in the United States, the WPC has been aided since 1979 by the presence of an American affiliate,

the United States Peace Council. The groundwork for the U.S. Peace Council was laid in 1975 when a nine-member delegation from the WPC came to this country to publicize the WPC's Second Stockholm Peace Petition.

The reaction of established U.S. peace organizations to the WPC visit was revealing. In the past, and for all their internal tensions, U.S. pacifist organizations would have been wary of Communist manipulation. "Communist-inspired 'peace campaigns' are not genuine," announced the Fellowship of Reconciliation when the first Stockholm Peace Campaign was launched, and lead "to building up the Communist party rather than pacifism or peace." This time, however, none of them decried the delegation as a fraud and several in fact used their standing to give the delegation credibility among unsuspecting American political and religious leaders. The delegation's Washington visit, for instance, was coordinated by Edith Villalago, director of the Washington office of Women Strike for Peace. As a result, the WPC delegation was able to meet with twenty members of Congress (several of whom hosted a luncheon for the delegation) and was welcomed at the Methodist Church Center by leading clergymen. Thanks to preparations by various peace and church groups in the fifteen cities it visited, the delegation met with local and state officials, spoke at church meetings, campuses, even high schools (the delegation reported that following its presentation at University High School in Milwaukee many students asked if they could join the World Peace Council). Delegation members appeared on television and met with editorial boards of major daily newspapers.

Indeed, the reception accorded this delegation of the world's leading communist front was nothing short of amazing. In New York City, Ambassador Angier Biddle Duke, on behalf of then mayor Abraham Beame, presented delegation members with Bicentennial Medals. In both Los Angeles and Milwaukee the delegation accepted mayoral proclamations in its honor. In Detroit the delegation won a sheriff's escort and keys to the city. It also accepted a "Spirit of Detroit Award" given to the WPC for its "substantial effort to achieve peace." In South Bend, Indiana, the delegation received keys to the city and a luncheon in its honor was given by the Chamber of Commerce! In each community—and the delegation also visited Seattle, Cleveland, and San Francisco—the group left behind what it described as an "ongoing WPC committee." Local Peace Councils already existed in Los Angeles and Chicago. The delegation's report mentioned that the Chicago Peace Council would continue "as always to maintain contact with the WPC."

The seeds planted by the delegation came to fruition in 1979 with the establishment of the United States Peace Council. The Communist Daily World hailed its advent, saying the organization "may mean the difference between life and death for humanity." WPC President Romesh Chandra showed up for the first national conference, echoing in his speech the WPC line that liberation struggles are the peace movements of their people. In the words of this former member of the central committee of the Communist Party of India:

"People ask me, 'You are a peace movement. Why do you support the armed struggles in Nicaragua, Palestine, Vietnam?' And I reply, 'The armed struggle in these countries is the peace movement.'"

U.S. Peace Council executive director Michael Myerson, a long-time official of the U.S. Communist Party, announced at the conference that "the main threat to world peace is the U.S. military industrial machine."

Wherever possible, the resolutions passed by the conference packaged Soviet foreign policy objectives to appeal to segments of American society. The conference appealed to the anti-nuclear energy movement by linking the need to shut down nuclear plants with "the recognition that nuclear arms production is even more dangerous and needs to be shut down also." It appealed to distinctive American preoccupations by emphasizing the threat "the draft poses to human rights." It resolved not only to work closely with existing anti-draft registration organizations but to form a GI and Veterans Committee "to organize the thirty million American veterans and two million GIs to fight for peace."

On the whole, however, the conference simply passed resolutions conforming to major Soviet objectives: support for Third World liberation movements and U.S. disarmament. It passed a resolution, "In Solidarity with the Arab People of Palestine and Their Central Issue: Palestine," which condemned the Camp David accords as "a cornerstone of a new U.S. offensive in the Middle East." Another resolution called for withdrawal of U.S. bases from the Philippines and an end to all aid to that country. On the other hand, resolutions called for U.S. aid to Communist Vietnam, Laos, and Kampuchea. Other resolutions concentrated on cutting back U.S. defense expenditures and "forming coalitions of peace groups." Resolutions were passed opposed to all new U.S. weapons systems.

The U.S. Peace Council has established a "Peace Education Foundation," which has received tax exempt status from the IRS. The Fund is headed by Abe Feinglass, a World Peace Council Presidium member and secretary-treasurer of the Amalgamated Meatcutters Union. The Fund has announced plans to explore the effects of the military budget on blacks and other minorities. At its second national conference in 1981, the U.S. Peace Council established a youth caucus, designed to reach out to junior high and high school youth with anti-draft and antiwar themes, and announced development of a curriculum guide for courses on peace in public schools.

Even the symbol at the top of U.S. Peace Council literature tells the story: It is a dove shaped into a clenched fist.

It is bad enough that established U.S. peace organizations have failed to denounce the U.S. Peace Council and its transparent effort to channel the desire for peace to serve Soviet purposes. But even worse than their silence has been that virtually all of them have become involved with the U.S. Peace Council in some way. Before its founding conference the U.S. Peace Council issued a "Call" which said:

"We who initiate this Call believe that there is a peace majority in our country. . . . We seek to help organize our peace majority in its entire spectrum because only then can our people compel peace."

Those who gave their names as sponsors of this Call in effect endorsed the U.S. Peace Council as a bona fide peace-seeking organization. Yet the sponsors included the president of the Women's International League for Peace and Freedom, the executive director of SANE, the disarmament co-

ordinator of the American Friends Service Committee, the director of the Washington office of Women Strike for Peace (who had coordinated the 1975 WPC visit), and a leader of Clergy and Laity Concerned. For many, more than sponsorship was involved. At the founding conference the executive director of SANE, the disarmament director of the AFSC, an official of the Women's International League for Peace and Freedom, and a representative of Clergy and Laity Concerned conducted workshops. When the U.S. Peace Council took out a full-page ad in the New York Times in June 1979 to attack Joan Baez and others who had criticized human rights violations in Vietnam (the U.S. Peace Council ad countered that "Vietnam now enjoys human rights as it has never known in history"), it was signed not only by assorted Communists and far leftists, but by the president and vice-president of Women's International League for Peace and Freedom and by several leaders of Clergy and Laity Concerned.

Two pacifist organizations were conspicuous by their absence as sponsors of the U.S. Peace Council "Call"—the Fellowship for Reconciliation and the War Resisters League. The League did send an observer to the 1979 U.S. Peace Council conference who was sufficiently disturbed by the proceedings—she noted that Communist Party literature was "everywhere"—to prepare a critical statement which she tried to read to those assembled. The organizers, however, told her that there was "no time."

Nonetheless, the Fellowship and the War Resisters League together with the other peace organizations have been working with the U.S. Peace Council in a series of strategy groups set up to plan demonstrations for the UN Special Session on Disarmament scheduled to begin this June. Indeed the U.S. Peace Council has begun to show up regularly at meetings of the various peace organizations. Add to this the increasingly frequent references in peace group literature to joint local projects of peace and Peace Council groups and the picture is clear: The U.S. Peace Council is fast becoming an accepted member of the "Peace Club."

Nor are joint strategy sessions the only form cooperation takes. The Mobilization for Survival (MFS) can serve as a model of how Communist and peace organizations have become intertwined. Until recently, when the size of the crowds expected this June made it too much for one organization to handle, the MFS has primary responsibility for organizing the mass demonstrations planned for the Second UN Special Session on Disarmament. (Now, organizing will be done by over a dozen groups making up the June 12 Rally Committee, among them the U.S. Peace Council.) According to the published accounts by MFS leaders, the organization was established in 1977 after Peggy Duff, a leader in the British disarmament movement long active in the World Peace Council, told U.S. peace group representatives that the first UN Special Session on Disarmament (which started as a WPC project in 1975), scheduled for May 1978, was of "historic importance" and it was up to American peace groups to make sure it had maximum public impact. Labor organizer Sidney Lens, long active in the Chicago Peace Council, and sociology professor Dr. Sidney Peck, identified in a 1970 staff study prepared for the Internal Security Committee of the House of Representatives as a member of the Wisconsin State Committee of the Communist Party, took the initiative

in establishing the Mobilization for Survival which then organized demonstrations in connection with the 1978 UN Special Session on Disarmament. According to its own no doubt generous estimate, MFS was able to produce only 25,000 demonstrators for that first disarmament session. It is a mark of the peace-movement explosion about 250,000 demonstrators are now expected. A delegation is coming from Europe, and from Japan alone 1,000 demonstrators are being flown in.

The Fellowship of Reconciliation and the War Resisters League and other pacifist organizations became part of MFS upon its founding in 1977. So did SANE and Clergy and Laity Concerned, the U.S. Communist Party with three of its fronts, and in 1979 the U.S. Peace Council. The third element in the MFS was anti-nuclear energy groups. No national environmental organizations joined, but a host of local groups did, their names ranging from Mississippi Alliance for the Environment to the more colorful Appletree, Dogwood, Jackrabbit and Crabshell Alliance.

With a double constituency of anti-nuclear energy and anti-nuclear weapons groups, the Mobilization has worked on both fronts, using such slogans as "Zero Nuclear Weapons" and "Ban Nuclear Power." But there is little doubt that the primary interest of its leaders is in disarmament. A 1979 MFS demonstration in Washington, D.C. brought a World Peace Council delegation to address the rally, including Werner Rumpel, head of the East German Peace Council and Nicholas Schouten, a leader of the Communist Party of the Netherlands, who played a key role in organizing the anti-neutron bomb campaign there.

Those directing MFS activities wear a variety of hats. The head of its Labor Taskforce is Gil Green, a member of the U.S. Communist Party's central committee, whose major responsibility within the Party has been coordinating relations with peace organizations. Head of the MFS International Task Force is Terry Provance, who also heads the AFSC's Disarmament Task Force and was one of the sponsors of the U.S. Peace Council.

Needless to say, what such developments as the founding and growing acceptance of the U.S. Peace Council or the unabashed fellow-travelling of the Mobilization for Survival coalition signify is that the Soviets do indeed have input into the U.S. Peace movement. And whenever well-intentioned people, who are not necessarily wise people, have tried to cooperate with Communists for what they are persuaded are common goals, the results have been disastrous to the well-intentioned. So well did a socialist-pacifist like Norman Thomas learn this lesson that, shortly before America's entry into World War II, in his last ditch effort to keep America out of the war, he cooperated with the America First movement, which he detested, but refused to cooperate with the Communists (then opposed to entering the war because the Stalin-Hitler pact was in effect). Even A. J. Muste knew better than he spoke when he encouraged pacifists to enter into coalitions with Communists during the Vietnam era. At the time of the Korean War, Muste wrote that Communists advocate coalition governments because the strictly disciplined Communist Party always dominates such coalitions and before long takes them over. It is presumably a principle equally applicable to coalitions with Communists outside of government.

Does it then follow that the nuclear freeze is an example of successful Soviet manipulation? Is the specific proposal simply a target of opportunity, or is more involved? According to journalist Peter Pringle, writing in the *New Republic*, the nuclear freeze proposal had its origin in a meeting called by the American Friends Service Committee in the summer of 1979. Sidney Lens writes in *April's Progressive* that the freeze was "organized on the initiative" of Terry Provan and Randall Forsberg. Forsberg, formerly of the Stockholm Peace Research Institute, has now established her own think tank, the Institute for Defense and Disarmament Studies. Provan, as we just noted, is disarmament director of the American Friends Service Committee, head of the MFS International Task Force, and was a sponsor of the U.S. Peace Council. But he wears yet another hat. Terry Provan is one of 40 official U.S. members of the World Peace Council. He was elected to this position at the WPC's 1977 meeting in Warsaw. Whatever the case, it is clear that the Soviets want to see the freeze grow. Last August, when the AFSC was trying to build momentum for the freeze, it staged a three-day march in New England. En route the marchers were addressed by Yuri Kapralov, a counselor at the Soviet Embassy in Washington, who said that the Soviet Union had "a very favorable view of the idea of a weapons freeze." The International Secretariat of the Christian Peace Conference, the Soviet front that targets Western churches, declared at a meeting in Moscow in January 1982 that "the principle task of the peace movement today is to support all efforts for a freeze on nuclear weapons as a first step toward disarmament." The U.S. Peace Council has thrown itself into freeze work. U.S. Peace Council chairman Michael Myerson signed the initial "Call" for the freeze and the World Peace Council's Peace Courier in December 1981 praised the role the U.S. Peace Council was taking in collecting signatures for it. U.S. Peace Council sponsor and U.S. delegate to the 1980 World Peace Council conference in Bulgaria Irving Stolberg, who is also a Connecticut state legislator, coordinated the campaign that passed the freeze proposal at the state level in Connecticut and Michigan state senators and U.S. Peace Council sponsors Jackie Vaughan III and Perry Bullard worked for it in the Michigan legislature.

There is small cause for wonder that the Soviet Union encourages the freeze campaign; Secretary Haig, however, calls it "not only bad defense and security policy . . . [but] bad arms control policy as well." The Administration's skepticism is warranted, the freeze is bad security policy because the U.S. land-based missile force is vulnerable to a Soviet first strike—and a nuclear freeze would freeze its vulnerability, ensuring the Soviet Union an enormous strategic advantage in any future negotiations. In Europe, now targeted by 300 Soviet mobile missiles equipped with 900 warheads, failure to deploy the Pershing II and cruise missiles would ensure its neutralization, eventually giving the Soviet Union the kind of dominant influence it exerts over Finland. It is bad arms control policy because the Soviet Union would have no incentive to negotiate arms reduction—the goal of arms control policies—once its superiority were frozen. From the Soviet standpoint, the fervor over the freeze offers the opportunity to revert to earlier proposals and call them a freeze: Brezhnev has proposed that in exchange for a U.S. "freeze" in not deploying any weap-

ons systems to counter the SS20s, the Soviet Union will withdraw the latter behind the Urals. Since the missiles are mobile, however, they could be returned at the Soviet Union's convenience; moreover, even from behind the Urals they could devastate any European target.

Does the Soviet Union want a freeze on nuclear weapons beyond Europe? Not if it is verifiable, i.e., with on-site inspection. (Aware of this, freeze leaders say satellite inspection will be ample.) For the Soviet Union the ideal situation is prolonged negotiations over the content (and method of verification) of a freeze, during which the United States would be restrained by public opinion from deploying new systems or even increasing defense expenditures while the Soviet Union methodically continued to build up its arsenal.

Nonetheless, the idea of the freeze has tremendous power. One organization, the War Resisters League, was initially lukewarm on the grounds that the freeze failed to make connections to "anti-racist, anti-sexist and a whole variety of other oppressed peoples' struggles." But this is precisely its attraction. The freeze appeals to the fears everyone shares of nuclear war and presents a measure that is simple, one the man in the street feels he can fully grasp. Moreover, it sounds even-handed for it calls upon the United States and Soviet Union to adopt a mutual freeze. And why should one expect the average person to think more carefully of the implications of the freeze when congressmen, with staffs hired to consider the ramifications of legislation, are piling on the freeze bandwagon? By March 10, 129 congressmen had announced they would seek a resolution of both houses asking the President to negotiate an atomic-weapons freeze.

Why have peace organizations, both the traditional pacifist ones and the newer breed of post-World War II organizations, shown so little resistance to Soviet manipulation? Why were the organizations, under their initial leadership, so much more wary of Communism? For one thing, some of the earlier leaders had been burned by actual experience and their subsequent vigilance sheltered a newer generation. Stalin's death was immensely important allowing the leaders of peace organizations to delude themselves that the Communist world had been transformed. The greater sophistication of some of the post-war peace fronts also played a role. The Christian Peace Conference, for instance, which gives Soviet policies a theological aura, convinced many organizations—and churches—that there are independent peace movements behind the Iron Curtain.

A major turning point in making cooperation with Communists acceptable was the Vietnam war. A. J. Muste's influence was again important. He eased pacifist fears of cooperating with groups that endorsed revolutionary violence by suggesting that radical pacifists were equally compromised by cooperating with those who "in practice are aligned with Western nations and are less sensitive to factors of violence, suppression and evil in American and Western culture than in the non-Western world." Critics within the pacifist movement charged that the end result of all the coalitions of peace groups and sectarian varieties of Communists was to destroy pacifism. Albert Hassler, a Fellowship of Reconciliation staffer for 32 years, and executive secretary from 1960 until his retirement in 1974, wrote:

"The question for pacifists, I think is whether, in their proper sympathy for the exploited and oppressed of the world, they are willing to justify the use of killing violence to rectify the situation, when it is used by 'liberation' movements. If they are, then pacifism itself was one of the casualties of Vietnam."

Nonpacifist peace organizations, including SANE and Women Strike for Peace, were equally affected. SANE experienced sharp divisions, with its executive director, Donald Keys, and others on the staff resigning after a number of chapters were captured by radicals. During the war years, a number of U.S. peace organizations began to send delegations to participate in World Peace Council conferences which, under Soviet guidance, were designed to coordinate activities in opposition to the war.

Deliberate Communist infiltration is yet another factor that has driven the peace movements leftward. SANE and Women Strike for Peace have been Communist targets from their inception. SANE was forced to purge itself of Communists in 1960, only three years after its formation; so successful had the infiltration been that a fourth of the chapters had to be expelled from the organization. But, as we have seen, with the Vietnam war SANE was again radicalized. In 1962, Congress held hearings on Communist infiltration of Women Strike for Peace. The women achieved a publicity victory by packing the hearing room with their babies and handing flowers to each of the women called to testify. In the end penetration continued unchecked. Lawrence Scott, an executive of the American Friends Service Committee who initiated SANE as an attempt to reach out to nonpacifists, acknowledged the problem of Communist infiltration over twenty years ago. He believed that pacifist organizations were better protected because of their refusal to separate ends and means. Of course, with the breakdown of the commitment to that principle, pacifist groups have become equally subject to infiltration and manipulation. The process is furthest advanced in Europe. According to the annual report of the Office for the Defense of the Constitution of the West German Ministry of the Interior, Communists have leading positions in the national executive of the West German War Resisters League.

But by far the most important factor in facilitating the transformation of the peace organizations into channels that, for all practical purposes, serve Soviet interests has been a common view of the world all the peace groups discussed here have come to share; the vision of the United States as the greatest threat to world peace and the chief agent of militarism, imperialism, racism, and economic exploitation. In a by no means atypical article, a Women's International League for Peace and Freedom staffer writes that United States society is "an oligarchy composed of a very few wealthy people who have been able to spread considerable well-being among their supporters, agents, willing serfs and the general public by plundering the ignorant and weak here and in other parts of the world." The co-chairman of Clergy and Laity Concerned, John Collins, quotes approvingly the words of another CALC official who said that corporate capitalism "needs a hungry world to enable it to operate 'efficiently.'" A 1981 conference held by the War Resisters League on Feminism and Militarism turned into a burlesque of these causes. A graduate student in "Irish Liberation Theology" explained the sexism inherent in the neutron

bomb which "would destroy all that was born of women or the earth, while preserving men's creative efforts." A black lesbian organizer with the Marxist-Leninist People's Anti-War Mobilization tore into capitalism and imperialism.

There is, in other words, hardly any gap between the peace movement's perspective and that of the Soviet Union on how to create a more just global society. The World Peace Council's publications also inveigh against the evils of imperialism, militarism, sexism, racism, all of which they too define as the peculiar property of the United States and its "puppets." It is difficult to distinguish between the foreign policy the World Peace Council, under Soviet guidance, would like the United States to pursue, and the policy the peace organizations would like it to pursue. Indeed, given the identity of underlying views, is there any reason for peace organizations to resist Soviet infiltration and manipulation?

We are left, finally, with an approach to peacemaking whose essence is the double standard. After the Soviet invasion of Afghanistan the pacifist organizations, all of which make a strong point of their belief in resistance—nonviolent resistance—to aggression, might have been expected to support United States responses that stopped short of violence, including the Olympic boycott and the grain embargo. In fact, they sharply opposed any U.S. efforts to counter the Soviet action. (The same thing happened after the repression of Solidarity in Poland. WILPF passed a statement that ignored events in Poland but attacked Reagan's "political and economic sanctions" and called on him "to restore ties with Poland and the Soviet Union to their previous levels.") An article in WILPF's journal by then WILPF international president Kay Camp summed up the organization's view of the invasion of Afghanistan: "While military intervention is always regrettable, the Soviet interest in having close relations with a neighboring country with which it shares a 2000 mile border is understandable."

The peace organizations are concerned almost wholly with U.S. disarmament. David McReynolds of the War Resisters League says frankly that the only "politically realistic" approach is bold unilateral initiatives and the League is in fact circulating a statement calling for unilateral nuclear disarmament. The Riverside Church Disarmament Program minimizes the Soviet "threat" which its publications put in quotation marks. It relies heavily on publications and speakers from the American-the-enemy think tank, the Institute for Policy Studies. This is scarcely surprising since the program is headed by Cora Weiss, daughter of Samuel Rubin, whose Samuel Rubin Foundation, directed by Cora and her husband Peter Weiss, has long served as the major funder of IPS. We are even hearing Soviet slogans passed off as native American peace products. The Women's International League for Peace and Freedom recently announced a new program called STAR, standing for Stop the Arms Race. An innocent enough sounding phrase, it was the slogan of the World Peace Council's 1975 Second Stockholm Appeal campaign, repeated as a litany in its documents: To Make Détente Irreversible—Stop the Arms Race, To Defend the Peace and Build a New World—Stop the Arms Race. What the Women's International League for Peace and Freedom has been able to add is some Hollywood stars—Joanne Woodward, Marlo Thomas, Vinie Burrows, and Polly Bergen are partici-

pating in this latest World Peace Council propaganda triumph.

For all their fraudulence, the American peace organizations have grounds to hope that they may find themselves at the center of a great mass movement for disarmament in the United States. Peace organizations have been mushrooming—there are now sixty sizable ones. The older organizations are growing. The Fellowship doubled its membership last year; Physicians for Social Responsibility increased its membership sevenfold; SANE reported an 88-percent increase; the U.S. Peace Council now boasts forty chapters around the country. Other organizations are rediscovering the bomb. The Union of Concerned Scientists, which began in 1969 as a disarmament group, turned almost all its attention in the 1970s to the then more fashionable issue of nuclear power. Now it is back with the bomb, organizing teachins on campuses around the country, a consciousness-raising tactic which proved effective in the Vietnam war period.

Much more important than the growth of the peace organizations themselves is the influence they are having on major institutions, especially the church. An "Abolitionist Covenant" is circulating through the churches which affirms willingness to live without nuclear weapons as a religious commitment and calls for a freeze as a first step. The Presbyterian Church, the United Church of Christ, the Disciples of Christ, the Methodist Church, and the Episcopal Church have all voted to make "peace" their priority issue. This is being translated into such measures as the creation, by the United Church of Christ, of "Peace Advocacy" groups in every state to encourage people to "lobby for peace" in Washington. The umbrella National Council of Churches has already endorsed the freeze. The Riverside Church Disarmament Program is training Disciples of Christ ministers to become peace pastors. And the National Conference of Catholic Bishops is taking an active role, condemning any threat to use the American nuclear arsenal, even in response to Soviet prior use. Last November, 29 Catholic bishops condemned the very possession of nuclear weapons as "immoral."

Major environmental organizations, long wary of becoming involved in defense issues, are beginning to man the peace barricades. The Physicians for Social Responsibility's Helen Caldicott, who recently called the nuclear arms race a case of "missile envy" stemming "from an inadequate male sexual complex on the part of world leaders," has urged the Sierra Club to come in on the ground that nuclear war would destroy mammals, birds, and the ozone layer. Caldicott suggested that this was really her own primary concern. She said she had "come to terms with my own death" but "I just worship this earth. . . . So I really care immensely if this earth is to be destroyed. And that's where the Sierra Club comes in." The Sierra Club, whose ranks have been swollen to 300,000 members in 1982, a 44-percent increase in one year, shows every sign of indeed coming in. Its executive committee has already adopted a resolution to lend "support for worldwide disarmament," a cautious entry to be sure, but one likely to lead to what, from the standpoint of the peace movement, are better things. Environmental groups see new propaganda potentialities for their long-standing fight against nuclear power. The Environmental Policy Center now calculates the "warhead equivalent" of commercial reactors. South Caroli-

na's anti-nuclear energy Palmetto Alliance argues that "every time you flick a switch and it's nuclear generated electricity, you're helping to make a bomb." The Alliance notes happily that "people really respond to that."

What explains the current runaway success of the disarmament movement? Fear of nuclear war, never far below the surface of public consciousness, has in the past been tempered by other fears and by confidence in public authorities. For the generation of World War II the Soviet threat was real, as was belief in the need for American strength to contain it. Whatever moral reservations were held regarding nuclear bombs, the right and even necessity of their being a component of the U.S. arsenal was not generally challenged.

What is new is distrust of the U.S. government by its citizens which in recent years has mounted to such an extent that for significant numbers the mere fact that the government states something is sufficient warrant to believe the opposite is true. Long nurtured by the extreme Left, this attitude has spilled over to segments of the media, to the universities, to the leadership of mainline churches. The resolutions passed by these churches in the last decade reflect a view of American institutions as oppressive and of America's role in the world as one of global oppressor. Such attitudes made the climate ripe for Soviet propaganda offensives conducted chiefly through the World Peace Council, which had been able to establish ties with elements of the adversary culture.

The election of Ronald Reagan was a galvanizing experience for those in the adversary culture—at the same time a shattering defeat and a proof that their worst fears were on the verge of being realized. The nuclear freeze proposal, with its evenhanded veneer, has served as a brilliant, even inspired lever by which to mobilize the public's inevitable anxieties about living in the nuclear age into a weapon to prevent achievement of the Reagan Administration's keystone effort: the restoration of U.S. defense capabilities.

Only two years ago a study of peace organizations commissioned by the Institute of World Order found them discouraged and demoralized. Thanks largely to the runaway success of the freeze, they are today transformed. This is not to say that all the peace organizations are enamored of the freeze. We have already noted the objections of the War Resisters League. Roger Molander, head of Ground Zero, which for a week in April raised consciousness by hypothesizing direct hits in several hundred cities and describing how they would look after an atomic bomb has hit them, says he does not like the freeze because it will not lead to arms reductions.

Even the most ardent proponents of the freeze see it as just the beginning. Don Ebener of the Fellowship of Reconciliation says "the freeze is only the first step toward total disarmament and it's only to be used as a tool toward that end." Peace groups have plenty of other proposals in the works, including tax resistance, initially in the "symbolic" form of withholding the federal tax on the telephone bill. The project dearest to the heart of the peace movement is "conversion," i.e., converting military industries to civilian production. Pacifist organizations, of course, want to eliminate our war-making potential altogether. Other groups propose cutting military expenditures by 50-80 percent, cuts they say are

feasible even if no further arms agreements are reached with the Soviets.

Given the international realities, it is all too obvious where the peace movement would lead us. *Contentions*, the newsletter of the Committee for the Free World, whose executive director is writer Midge Decter, has put it succinctly:

"The people who claim to seek universal disarmament, to the extent that their efforts will succeed, will bring about only the disarmament of the democracies. A world in which the democracies have renounced the means to defend themselves against a mightily armed totalitarianism is a world in which there will be no freedom and no peace."

There are signs some peace organizations are aware of what lies down the road. If disarmament lead to invasion, they are calling for "transarmament," which means nonviolent resistance and noncooperation. They assure us it will make effective occupation of this country "impossible." Indeed, an article in the *War Resisters League* journal suggests that it is time for the United States to start thinking about the nonviolent defense of the country.

[From the New York Times, June 18, 1982]

ANTINUCLEAR MOVEMENT AND ITS GOALS

(By Fox Butterfield)

As thousands of marchers inched past a platform in front of the United Nations at last Saturday's huge disarmament march, Elizabeth Holtzman, Brooklyn's District Attorney, told those in the crowd that they constituted a message to President Reagan and the Soviet leader, Leonid I. Brezhnev.

"If you don't listen to us now, we will be five million people the next time, and 50 million the next time and 500 million after that," Miss Holtzman shouted over a battery of loudspeakers. "We won't stop until we win, because we are for the forces of life."

This week, with the fading of the euphoria over what has been described as the nation's largest rally on a political issue, the leaders of the movement against nuclear arms are trying to assess how great an impact they had and whether Miss Holtzman's suggestion that the movement can muster growing strength will prove correct.

PRAYER VIGIL IS PLANNED

In the weeks ahead, the movement's supporters plan an array of activities, such as a rally in Oregon, a demonstration in Nebraska, a conference in New Hampshire and, in August, a nationwide prayer vigil. And the Union of Concerned Scientists is organizing a series of teach-ins on university campuses for next Veterans Day.

The movement itself is an amorphous one aimed at seeking an end to the arms race. The freeze idea has proved popular, but is only one of several proposals and has drawn criticism even within the movement as being simplistic. Some question whether the movement can make real progress without a sharper focus.

But the movement's supporters say their real goal is educational, to raise public concern about the issue. They believe that the key question is whether they can convert the rapidly growing public concern about the nuclear arms race into votes in Congress.

The first test of whether last Saturday's demonstration will carry any political influence may come next Tuesday, when the House Foreign Affairs Committee is scheduled to vote on a resolution calling for a

mutual and verifiable freeze on nuclear arsenals in the United States and the Soviet Union. A similar freeze proposal, considered to be the most politically acceptable organizing device that the movement has come up with, was rejected by the Senate Foreign Relations Committee last week, before the rally, on a strict partyline vote, 9 to 6.

THEY VOLUNTEER FOR CAMPAIGNS

Representative Edward Markey, Democrat of Massachusetts, one of the original sponsors of the freeze idea in the House, says: "Everyone in the House that I've spoken to recently who has talked to their constituents about the nuclear arms issue ends up walking out of the room with 15 or 20 more volunteers for their campaign next fall."

Whatever the outcome of the committee vote, the leaders of the disparate peace groups are clearly ecstatic about the size, composition and good behavior of last weekend's marchers, who were estimated by the police to number 600,000 to 700,000.

"It was far more people than we expected," said Dr. James Muller, secretary of the International Physicians for the Prevention of Nuclear War and an assistant professor of cardiology at the Harvard Medical School.

Dr. Muller, who traveled to New York by bus with a group organized by the Wellesley Freeze Committee in suburban Boston, noted that, unlike earlier protest marches he had been in, there were many middle-aged and elderly people with middle-class backgrounds.

"LIKE THE ABOLITION MOVEMENT"

"I think we are going to be stronger and more broad based than the anti-Vietnam War movement," Dr. Muller predicted. "This is going to be more like the abolition movement that ended slavery."

Patrick H. Caddell, the Carter Administration's poll-taker, said that last weekend's demonstration tended to confirm his impression that "the antinuclear arms movement is the most significant movement since the environmental movement in the late 1960's."

One of its key features, he said, is that "most of the impetus has come inside the political process, from things like town meetings and state-wide initiatives."

"This is not just a protest movement, which leads you to believe in the end it will have some political impact," Mr. Caddell went on.

HE SEES PEAK AFTER NOVEMBER

In Mr. Caddell's view, it is still hard to tell what shape the movement will eventually have. In this November's Congressional elections the antinuclear movement may still be a secondary issue to the economy, he said, "but I think you should look at it as a long-term movement that will come to a head after November."

On the other hand, Lance Tarrance, Jr., a poll-taker who works mainly for Republicans, said that when he measured public attitudes toward the freeze in states from Maine to Wyoming, he found support for it not firm.

Although many polls show that 75 percent of the population favor a moratorium on nuclear weapons, he said, when people are asked if they want a freeze that would leave the United States militarily behind the Soviet Union, "many people fall off the bandwagon."

For example, a New York Times/CBS News Poll conducted May 19 to 23 found 72 percent of those responding favored "putting a stop to the testing" of nuclear arms,

but half that group said they would oppose a moratorium if it would give the Soviet Union a nuclear advantage over the United States.

Mr. Tarrance has advised his clients not to be afraid of being hurt by the freeze issue. "It is not going to have a detonator affect in national politics," he said.

White House officials are very concerned about the impact the movement might have. But they have decided that the best approach is to put forward proposals for arms reductions rather than criticize the movement.

Officially, Defense Secretary Caspar W. Weinberger says last weekend's demonstration will not influence the Reagan Administration. But it has already affected Mr. Reagan's public statements, if not his private thinking.

After years of arguing that arms control was wrong, Mr. Reagan has now put forward a series of sweeping and dramatic arms control proposals to Moscow.

Some skeptics have asked whether the movement has concentrated on stopping the buildup of arms of the United States while ignoring the Soviet threat. But Dr. Muller of Harvard said that he and two colleagues from the International Physicians group had been invited to appear on Russian television for an hour on June 30.

They will discuss the medical consequences of nuclear war, and Dr. Muller, who studied in the Soviet Union, plans to speak in Russian appealing to the Russian people to join the United States as allies against the arms race just as the two countries fought together against the Nazis in World War II.

[From the Wall Street Journal, June 10, 1982]

THE BUILDING BLOCKS OF THE FREEZE MOVEMENT

(By Dorothy Rabinowitz)

Within a day or so, the disarmament movement begins the climactic hour of its spring "peace offensive." Nuclear freeze proponents along with peace activists of every stripe will converge on New York City for a series of demonstrations this weekend to coincide with the United Nations special session on disarmament.

The mammoth size of the crowds will, freeze coordinators contend, bear out their claim that the clamor for a nuclear freeze is a spontaneous movement of ordinary citizens concerned about the perils of nuclear war. The details of the American peace movement, however, are a good deal more complicated and interesting than its proponents would have us believe. Indeed a good many people who have spent the last months gathering nuclear-freeze petitions, as well as many of the church and professional groups that have signed on as sponsors, might be taken aback by the aims and allegiances of the architects of the freeze in whose campaign they have enlisted.

Prominent among them are the American Friends Service Committee, which had the key role in conceiving the freeze idea in 1979; the Fellowship of Reconciliation, and the Women's International League for Peace and Freedom. All are old-line peace organizations that in the past 10 years have drifted far from the pacifist idealism of their beginnings.

One of the central freeze events, planned to coincide with the UN disarmament conference, is a sit-in next Monday in New York to block entrances to the resident mis-

sions of the five nations that now possess nuclear arms. The sponsoring organizations listed in the literature being distributed to promote the sit-in include the War Resisters League, a nominally pacifist group founded in 1923, whose chief energies today are spent advancing the cause of world revolution; Clergy and Laity Concerned, formed to oppose the Vietnam war and today the principal left-wing network among U.S. churches; Mobilization for Survival, an umbrella disarmament organization composed chiefly of radical activists, Communists and assorted peace groups.

SAME ANTI-AMERICAN ATTITUDE

These well-established peace groups have in common a remarkably consistent sociopolitical outlook, not the least significant aspect of which is a unity of attitude about the government of the United States and its role in the world. It is an attitude these groups have purveyed repeatedly and publicly during the past decade. One does not have to look far for a reflection of this attitude. (Indeed a good portion of the material drawn on for this piece is in the peace collection of the Swarthmore College library in Bryn Mawr, Pa.)

The Women's International League for Peace and Freedom in a statement on foreign policy: "All life on earth is threatened by U.S. imperialism." The avowedly pacifist women's league is an enthusiastic public supporter of the Palestine Liberation Organization.

For Clergy and Laity Concerned, the movement against the Vietnam war represented a "struggle against American imperialism and exploitation in just about every corner of the world." The task now, the group said, was to join those who "hate the corporate power which the United States presently represents. . . ."

A pamphlet written under the auspices of the Quaker American Friends Service Committee warns against passing judgment on the violence perpetrated by "liberation" movements; the writer explains that the worst violence begins with those who "control weapons and institutions of repressive violence." The most prominent agent of this control is identified as the United States, "Before we deplore 'terrorism,'" writes this representative of the nation's most venerable pacifist organization, "it is essential for us to recognize clearly whose terrorism came first." The pamphlet's author, James Bristol, writes that to much of the world, "the United States is an outlaw nation."

The groups organizing next week's sit-in, or "Civil Disobedience Campaign," have published an official handbook for the event. Anyone under the impression that the freeze campaign planned by the disarmament movement expresses the voice of grassroots America might note this handbook's introduction, which includes the information that, "The foreign policy of the U.S. continues to profit the very rich and powerful while stripping everyone else of self-determination, resources and money."

The established groups at the center of the nuclear-freeze movement also share a common view of the Soviet Union and the Communist world. That view is best reflected in the marked incapacity of these groups to perceive in the practices or policies of the Soviet Union or its allies anything meriting blame. The same organizational newsletters that inveigh endlessly against U.S. imperialism contain no word of condemnation for the invasion of Afghanistan or the events in Poland.

The leader of the Women's International League for Peace and Freedom said of the Soviet invasion of Afghanistan that while military intervention was always "regrettable," it was nonetheless "understandable," given the "Soviet interest in having close relations with a neighboring country with which it shares a 2,000-mile border."

Similarly, a member of Clergy and Laity Concerned at a disarmament conference held at the Cathedral of St. John the Divine in New York City last month explained that Afghanistan is "within the Soviet sphere of influence" and that the Soviet Union was thus doing only what it considered necessary under the circumstances.

No country, however, evokes more solidarity or exculpatory wisdom among the peace groups now leading the nuclear freeze movement than Cuba.

A 1977 report on a visit to Castro's Cuba in the journal of the Women's International League for Peace and Freedom concludes that "the healthy relation of the individual to society is a priority in Cuba." The exposure to healthy individualism in Cuba had come, the writer reports, from her experience of marching in the Cuban May Day Parade, watching Cuban government films on liberation struggles and attending a Paul Robeson memorial festival.

Russell Johnson, an official of the American Friends Service Committee, notes in a 1982 article in the Fellowship of Reconciliation magazine that "Our nation [the U.S.] today is the very fount of violence in many places in the Third World," and cites as his authority a Cuban who told American visitors, "Maybe we wouldn't have to carry weapons here in Cuba" if "you North Americans would go back to your country and work to disarm it."

Nowhere is the propensity to exculpate the Soviets and the socialist countries more evident than in the question of disarmament. Notwithstanding the suggestion of even-handedness implicit in a mutual freeze, it is clear from the testimony offered up by the movement's guiding spirits that the U.S. is the main culprit in the arms race.

The Fellowship of Reconciliation and the Methodist Peace Fellowship, for example, published a joint, September 1981 flyer titled "Anti-Soviet Fixation Rules the U.S." The Women's International League for Peace and Freedom puts out "Who Sets the Pace for the Arms Race?" as well as "The Myth of the Soviet Threat."

The congeniality of views between the Soviet Union and the socialist countries and these prominent Western peace groups has its roots in good measure in the success of the Soviet peace offensive in Europe. Soviet expropriation of the peace issue goes back to the early 1950s and the Stockholm Peace Appeal, the earliest in a series of campaigns to stir up and exploit popular fear of nuclear war.

The principal outlet for Soviet peace propaganda since then has been the World Peace Council. Founded in the late 1940s, the council functions, today as then, as a Soviet front organization. In 1975, it presented its highest award, the Joliet Curie Gold Medal, to Yasser Arafat and gave a peace award to Lolita Lebrun, one of the Puerto Rican terrorists who invaded and shot up the U.S. House of Representatives in the 1950s.

DON'T CONSIDER USSR A THREAT

Now headquartered in Helsinki, having been expelled from various other European countries, the World Peace Council took a leading role in two recent successful disar-

mament offensive mounted by the Soviets: the stop-the-neutron-bomb movement of 1977-78 and the Soviets more recent campaign against modernization of NATO theater nuclear weapons, which eventually broadened into the current disarmament movement.

The connection between the European peace movement and many of the groups organizing the disarmament movement in the U.S. comes through the U.S. Peace Council, a domestic affiliate of the Soviet-dominated World Peace Council. The U.S. Peace Council has elicited support for its activities from most of the key figures in the U.S. freeze movement.

For instance, the World Peace Council lists the disarmament director of the American Friends Service Committee as one of its 40 official U.S. members. In an interview, Terry Provance, the committee's disarmament director and one of the chief originators of the freeze idea, denies that he belongs to the council but says it is necessary "in an important cause such as this to work with groups like the U.S. Peace Council and also to support their right."

The fact is there is almost no distinguishable difference between the foreign policy pronouncements of Michael Meyerson, the head of the U.S. Peace Council and a member of the U.S. Communist party, that "the main threat to world peace is the U.S. military industrial machine" and that of any number of similar statements by officials of Clergy and Laity Concerned, the American Friends Service Committee, the Fellowship of Reconciliation, Women's International League for Peace and Freedom, the War Resisters League, Mobilization for Survival or the Coalition for a new Foreign and Military Policy.

This, in short, is the constituency that today presumes to counsel us on our security interest, a constituency that refuses to consider the Soviet Union a threat but that holds the United States to be the chief enemy of peace and freedom. Those multitudes now enlisting in their ranks would do well to consider these credentials and to ponder just whose music it is they will be marching to behind the nuclear-freeze banners.

[From the Washington Times, Oct. 18, 1982]

COMMENTARY—NUCLEAR FREEZE CAMPAIGN

INSTIGATED BY KGB

(By John Barron)

It has spread like a raging fever throughout the world. From Bonn to Istanbul, Lima to New York, millions upon millions of people have joined in the nuclear freeze movement. It is a movement largely made up of patriotic, sensible people who earnestly believe that they are doing what they must to prevent nuclear war.

But it is also a movement that has been penetrated, manipulated and distorted to an amazing degree by people who have but one aim—to promote communist tyranny by weakening the United States.

Whether Americans want to acknowledge the fact or not, the evidence is clear: the Soviet Committee for State Security, better known as the KGB, and other arms of the Soviet government have been involved from day number one in the U.S. disarmament campaign.

Throughout the 1980 presidential campaign, candidate Ronald Reagan declared that, if elected, he would restore American military power to the degree necessary to deter Soviet intimidation or attack. A few

days after Reagan won, the Soviet Union instigated a great new campaign to reverse the American election results by nullifying the defense buildup implicitly mandated by the voters.

On Feb. 23, 1981, Leonid Brezhnev, addressing the 26th Communist Party Congress, issued an official call for a nuclear freeze—an immediate cessation of development of any new weapons system.

Such a moratorium would achieve the fundamental Soviet objective of aborting American production and deployment of the enhanced radiation warhead, the mobile MX, Pershing II and cruise missiles and a new manned bomber, the B-1. It would leave Western Europe vulnerable to 315 deadly SS-20 missiles. It would leave the United States with a fleet of old, obsolete strategic bombers unlikely to penetrate Soviet air defenses and with an aging force of fixed land-based missiles vulnerable to a first strike by gigantic new Soviet missiles.

Instantly the KGB and the International Department of the Central Committee of the Soviet Communist Party heeded Brezhnev's call. On March 20, 1981, less than one month later, the first national strategy conference of the American Nuclear Freeze Campaign convened for three days in a meeting hall at Georgetown University in Washington.

Virtually the entire blueprint for the nuclear freeze campaign that followed was drawn in comprehensive detail. According to a "peace" movement newspaper, the organizers at Georgetown comprised "between 275 and 300 predominantly white middle-class people from 33 states, Great Britain and the Soviet Union."

Records available today identify two of the invited Soviet guests. One was Oleg Bogdanov, an International Department specialist who flew in from Moscow. The other was Yuri S. Kapralov, who represents himself as a counselor at the Soviet embassy in Washington but is in actuality a KGB officer who, since arriving in the United States in 1978, has dedicated himself to penetrating the peace movement.

Kapralov was not merely an observer. He mingled with disarmament proponents, urging them on in their efforts to abort new American weapons. He was an official member of the discussion panel, and, as one listener put it, his statements were "very impressive." Thus, little more than two miles from the White House, the KGB helped organize and inaugurate the American "nuclear freeze" campaign.

Following the Georgetown conference, a delegation of the Soviet-controlled World Peace Council arrived to tour American cities. The appearance most beneficial to the visitors, led by an Indian communist, was on Capitol Hill where, in May, Reps. John Conyers Jr., D-Mich., Don Edwards, D-Calif., Mervyn Dymally, D-Calif., George Crockett Jr., D-Mich., Ted Weiss, D-N.Y., and Mickey Leland, D-Texas, invited colleagues to meet and listen to the WPC delegates.

On orders from KGB headquarters in Moscow's old Lubyanka Prison, the KGB residency in New York concentrated much of its manpower upon the freeze campaign. U.S. counterintelligence identified more than 20 Soviet agents endeavoring to influence elements of the peace movement, particularly leaders in religion, labor and science. Typical of them were KGB officers Sergei Paramonov, Vladimir Shustov and Sergei Divilkovsky, all of whom masquerade as diplomats at the U.N.

The Soviets supplemented the labors of their New York and Washington residencies by sending people from the Lubyanka "Center" into the United States on temporary assignments. Even before the freeze movement materialized, a Soviet delegation including KGB officer Andrei Afanasyevich Kokoshin toured the United States, visiting Americans who were to be prominent in the campaign. Another delegation led by Nikolai Mostovets, who heads the North American section of the International Department, plotted strategy with the U.S. Peace Council.

Of the Soviets who applied for visas to attend a disarmament conference sponsored by the National Academy of Sciences in Washington in January 1982, roughly half were known intelligence officers. The State Department refused entry to most of them. Nevertheless, of those who came, almost half were co-opted KGB agents or International Department operatives.

Throughout the U.S., town councils and county boards of supervisors paused in their deliberations about zoning, sewage systems and school budgets to pass resolutions favoring the nuclear freeze. Nearly 600,000 Californians petitioned for a referendum to record their state in favor of the freeze. Prominent religious leaders, educators, scientists, artists, entertainers and other public figures endorsed the nuclear freeze.

In anticipation of a massive nuclear freeze rally on June 12, 1982, emissaries from 13 Soviet international fronts flooded into New York City. They joined more than 700,000 Americans who paraded and spoke out for peace.

The following week the Soviet Union staged a terrifying rehearsal of a surprise nuclear attack on the United States and Western Europe. In a span of seven hours, they fired land- and sea-based missiles designed to kill American satellites, destroy U.S. retaliatory power, obliterate American cities and wipe out Europe. There was, of course, no great outcry against these ominous Soviet preparations. Neither has there been any outcry against the relentless Soviet buildup of offensive nuclear weapons.

Not long after the mammoth New York demonstration, on Aug. 8, the Associated Press reported from Moscow: "A co-founder of Moscow's only independent disarmament group is being administered depressant drugs against his will in the psychiatric hospital where he is being held, his wife said today."

Thanks in large part to the efforts of the Soviet KGB, talk of a nuclear freeze sounds resonantly in the West today. In the KGB's own backyard, of course, it is business as usual. Moscow's military buildup continues unabated, and any talk of nuclear disarmament is quickly put to rest.

[From Human Events, Oct. 30, 1982]

THE KGB'S ROLE IN VERMONT'S NUCLEAR FREEZE REFERENDUM

The latest word on the nuclear disarmament front is that 24 national organizations have combined to form a coalition boasting an estimated membership of 18 million. The aim, according to its president, Terry Herndon, is to make the Administration "respond to the absolute urgency" of reducing the nuclear arms race.

One might add, tell it to the Russians. But the suggestion would fall on deaf ears. Not only are the coalition's disarmers not listening, they are also bitterly attacking anyone who dares to question their political judgment. No more vivid example of the latter

can be found than in Vermont, where the nuclear freeze movement had its inception and gained national attention by placing a nuclear moratorium resolution on its town ballot in March of this year.

Republican State Sen. Madeline B. Harwood has long been a strong but lonely voice, crying out in the political wilderness of Vermont's heavily orchestrated nuclear freeze campaign. Unlike most of Vermont's elected representatives—state and national—the doughty senator knows exactly where she stands on the issue. Her support of the President and his Administration in dealing with the Soviets from a position of strength has been steadfast in the face of a rising tide of liberal attack, climaxed on October 8 by an editorial in the Rutland (Vt.) *Daily Herald*, accusing her of McCarthyism.

The roots of the accusation can be found in a peace march organized by David McCauley of the American Friends Service Committee in August 1981. About 400 marchers hiked some 35 miles between Washington and Moscow, Vt., to hear McCauley's special guest speaker, Soviet Embassy Counselor Yuri S. Kapralov, maintain that the Kremlin is not opposed to a nuclear freeze, or a reduction of forces, and is willing to allow "necessary" on-site inspection of nuclear facilities.

Kapralov's talk was given a wide play in both the news and editorial columns of Vermont's dailies, most of the comment praiseworthy. Sen. Harwood raised her voice in warning, joined by a handful of other realists, and was generally ignored.

In March of this year, 177 towns in Vermont voted in favor of a nuclear freeze resolution, and the Rutland *Daily Herald* gave McCauley credit for organizing the vote. On March 11, following the vote, Sen. Harwood spoke on the Senate floor against the ratification of the resolution. "The Resolution," she said, "calls for a moratorium with immediate cessation of testing, producing and deployment of all nuclear warheads, missiles and delivery systems—this, at a time of Soviet superiority."

"The wording is such that almost anyone might be expected to agree with it. The problem is, there's a hook in this attractive bit of bait." She went on to describe the hook to her fellow senators: the military balance in the Kremlin's favor and the Soviet's long record of refusal to consider on-site inspection.

"Some important points," she said, "must be considered before voting for this Resolution. Why was it important for David McCauley of Putney, one of 15 peace workers from across the United States, to travel to Western Europe in a delegation organized by the American Friends Service Committee National Disarmament Program last November to find out what made the anti-nuclear demonstrations so successful there?"

Another question she asked her fellow solons was: "Why was Yuri Kapralov invited to be a speaker at the Wesley Methodist Church in Waterbury, Vt., on August 8 [1981]?"

The senator then gave some prescient information to her listeners about Kapralov which the Vermont press ignored. "Kapralov does not take his orders from the Soviet Embassy—his instructions come from the Central Committee in Moscow," she advised. "He is a point man in the Kremlin's No. 1 priority, U.S. disarmament. Kapralov is known to be a disinformation specialist. . . ."

As noted, no one paid much attention to the senator's warnings about the weakness

in the Resolution or the kind of supporters its leaders had so proudly enlisted and the state Senate voted ratification.

A month ago, Sen. Harwood shook up the peace movement and the Vermont newspapers that support it. She sent them all a letter, declaring that Yuri Kapralov was indeed a KGB agent and his assignment since his arrival in Washington, D.C., in 1978 had been to penetrate and influence the peace movement. Somehow, the senator, who is seeking her seventh term and has been a Republican National Committee-woman since 1973, had gotten hold of advance word on John Barron's explosive Reader's Digest exposé detailing Soviet involvement in the nuclear freeze campaign, and she spoke out before the magazine hit the newsstands.

Said Barron, "While the Soviet-inspired demonstrations against NATO and the new missiles raged across Europe, protests in America initially were scant and inconsequential. But on March 20, 1981, less than one month after Brezhnev called for a nuclear freeze, the first national strategy conference of the American Nuclear Freeze Campaign convened for three days in a meeting hall at Georgetown University in Washington.

"Virtually the entire blueprint for the nuclear-freeze campaign that followed was drawn in comprehensive detail. Speakers stressed that the beauty of the nuclear freeze derives from its simplicity. It would enable all people sincerely concerned about the danger of nuclear war to answer for themselves the question, 'What can I do?'"

According to a peace movement newspaper, the organizers at Georgetown comprised "between 275 and 300 predominantly white middle-class people from 33 states, Great Britain and the Soviet Union." Records available today identify only two of the invited Soviet guests. One was Oleg Bogdanov, an International Department specialist in Active Measures, who flew in from Moscow. The other was Yuri S. Kapralov, who represents himself as a counselor at the Soviet Embassy in Washington.

Kapralov was not merely an observer. He mingled with disarmament proponents, urging them on in their efforts to abort new American weapons. He was an official member of the discussion panel, and, as one listener put it, his statements were "very impressive."

"But Yuri Kapralov did not speak just for himself. Kapralov is a KGB officer who, ever since arriving in the United States in 1978, has dedicated himself to penetrating the peace movement. Thus, little more than two miles from the White House, the KGB helped organize and inaugurate the American nuclear freeze campaign.

On September 21, according to Sen. Harwood, reporter Dan Gillmor, of the Times-Argus, owned by the Rutland Herald, wanted to know how the senator had obtained her information. Sen. Harwood wanted to know, in turn, why, if he had seen her letter, it had not been published. (It was not published until October 2.) The senator refused to divulge her sources but suggested that the reporter might read Barron's KGB for information purposes.

Gillmor, she said, wanted to know what that had to do with the question and asked the senator her opinion of the many people who had voted for the nuclear freeze. She responded that she felt they were not well informed. She suggested they might begin reading U.S. News & World Report for starters. She then reminded the reporter of

her previous statements on the issue and said that it made little difference to her whether Kapralov was KGB or not, for he was following the Kremlin's propaganda line. At the conclusion of the conversation the senator said she told Gillmor how he could go about reaching The Reader's Digest.

[From the Washington Post, Oct. 1, 1982]

THE ACTIVISTS: FAMILIAR FACES, A FAMILIAR FIGHT, DIFFERENT ARENA

(By Joyce Wadler)

Benjamin Spock, the grand old pediatrician of the anti-Vietnam movement, is 79 now and lives much of the time in his solar-heated home in rural Arkansas. Throughout the year, however, he can be found lecturing on such issues as a nuclear arms freeze or organizing against a local nuclear plant.

Dave Dellinger, the oldest of the Chicago Seven, lives in the small Vermont town of Peacham and has been active in organizing a protest that prevented the shipment of nuclear wastes from Canada through Vermont. He became involved in the protest through Abbie Hoffman, another '60s activist, who is in the St. Lawrence River area, about an hour away.

In the rapidly expanding anti-nuclear political movement there are many familiar faces from the '60s and '70s.

Daniel Ellsberg, who lives near Oakland, Calif., has been protesting the development of nuclear warheads at the nearby Lawrence Livermore Laboratories. The Berrigan brothers, proponents of civil disobedience, were found guilty this past July—with nine others—of destroying nuclear missile nose cones at a break-in at a General Electric plant in Pennsylvania. The Berrigans pleaded "not guilty by reason of government insanity."

Have they suddenly found a new cause after years of silence? Are they the base of the new anti-nuclear political movement? The answer, according to movement leaders, is no.

"I don't want it to seem that this movement is simply old retreads," said Randy Kehler, national coordinator of the Nuclear Weapons Freeze Campaign and a former anti-Vietnam leader. "What makes this movement exciting is that there are a lot of people who are now active who have never been active before."

But there are also many people who have given their lives to political activism, and to whom the nuclear issue is not suddenly this year's issue, but one that is 30 years old.

"We didn't come out of nowhere, you know," laughed Dave McReynolds, of the War Resisters League. "A lot of us were active in the radical movement before Vietnam. There are a lot of new people, but there are also people who belonged to political formations."

"I lived through a student upsurge in 1947 when there was the same fear of nuclear war. We had just used the bomb and it had an impact . . . it exploded inside people's minds, it changed the ways we thought. The fear broke out again in the '50s and now there is a third wave of fear, with totally new people who have never thought about it. . . ."

The concern about nuclear power and the environment led many into the nuclear arms freeze movement.

Kehler, who went to jail for two years as a Vietnam draft resister, became involved in local economic and nuclear issues after moving to western Massachusetts.

"I worked on agricultural revitalization, on the local economy, and on a safe energy issue—there were two nuclear powerplants in the area, and there was a move to build two more," Kehler said. "My energy—until moving to St. Louis for the Freeze Campaign—became very much focused within the community context. I think this is the story of a great many activists from the '60s—they realized that they can't make great changes overnight . . . that perhaps change does have to start on a grassroots level." ●

SOVIET USE OF CHEMICAL AGENTS

● Mr. BOREN. Mr. President, I have been concerned for some time about the reports that the Soviet Union has been using chemical agents as weapons in their conflict in Afghanistan and in their involvement in Kampuchea.

There has been a growing body of persuasive evidence that toxin weapons have been used in these areas. I have followed with interest and dismay the reports on "yellow rain" that have appeared in the Wall Street Journal and other noted publications. I have read the periodic reports released by the State Department containing evidence of not only the use of these substances, but of Soviet complicity in that use.

Today in the Washington Post an article by Philip J. Hiltz chronicles new evidence of these atrocities. The world cannot, through silence, condone these actions. I ask my colleagues to read this latest report and to reflect on both its contents and what it portends as to the nature of the Soviet leadership and the respect they may have for treaties and protocols to which they are a signatory.

Mr. President, I ask that the entire text of Mr. Hiltz' article be published in the RECORD.

The article follows:

[From the Washington Post]

PROOF OF SOVIET TOXIC WARFARE CLAIMED BY U.S.

(By Philip J. Hiltz)

Secretary of State George P. Shultz said yesterday the United States has conclusive proof, including two captured Soviet gas masks contaminated with toxins, that the Soviets are using chemical warfare in Afghanistan.

The gas masks are the first physical evidence to support claims that "yellow rain" toxin is being used in Afghanistan, although guerrilla fighters and journalists have reported incidents of chemical warfare there for several years.

In half a dozen previous reports, the United States has attempted to document the use of chemical and toxin warfare by the Soviets and their allies in Asia, chiefly in Kampuchea, formerly known as Cambodia, and Laos. The evidence has included samples of the "yellow rain" toxin itself from areas of alleged attacks, as well as samples of toxin-contaminated blood, tissue and urine from 16 victims. The samples were shipped to the United States for analysis.

In the new report, Shultz once again accused the Soviets and their allies of violating both the 1925 Geneva Protocol on chemical warfare and the 1972 Biological and Toxin Weapons convention. He called on other nations to speak out against the use of chemical warfare. State Department spokesmen say chemical attacks in Asia have been reported within the past six weeks.

The report delivered to the Congress and the United Nations yesterday said, "For the first time we have obtained convincing evidence of the use of mycotoxins [fungal poisons] by Soviet forces through analyses of two contaminated Soviet gas masks acquired from Afghanistan."

Officials said that the two masks were standard-issue Soviet-manufactured gas masks, equipped with the latest breathing canister made by the Soviets.

State Department intelligence officer Gary Crocker said that one of the two masks was torn from the head of a dead Soviet soldier somewhere in Afghanistan in December, 1981. The other mask—which was on display for the press yesterday—was obtained in Kabul, the capital of Afghanistan, in September, 1981, according to the State Department report.

Crocker said he could not elaborate on how the masks were obtained, except to say that both were obtained as a result of U.S. efforts to get evidence of chemical warfare in Afghanistan.

Both masks were swabbed with solvents which then were analyzed by two laboratories for traces of the "yellow rain," so called because it is often reported by refugees to be sprayed in a yellow cloud of gas from an airplane or a rocket.

The mask obtained in Kabul had the yellow rain toxin called T2, a variety of poison that is a member of the mycotoxin family called trichothecenes, a plant-destroying fungus.

Toxins are poisonous substances secreted by certain organisms. Various kinds are alleged to have been used by the Soviet in their effort to subdue resistance forces in Afghanistan and to have been supplied by the Soviets to their Vietnamese and Laotian allies.

Small quantities of the trichothecenes, which have historically been found in agricultural outbreaks of fungus, can cause vomiting, nausea, a severe skin blistering, and sometimes death.

The second mask had T2 toxin as well as several other varieties of trichothecene toxins, according to lab tests conducted by two separate laboratories, including that of Chester Mirocha of the University of Minnesota, an expert on such toxins.

Further evidence from Southeast Asia collected in 1982 was also presented in the report, which stated that "To date, biomedical samples (blood, urine, and/or tissue) from 33 alleged victims have been screened. Specimens from 16 of these individuals show the presence of trichothecene mycotoxins. In addition, six environmental samples from alleged attack sites have been analyzed by Dr. Mirocha. Five show the presence of unusually high concentrations and combinations of trichothecene mycotoxins."

The State Department has said in previous reports that chemical attacks have killed 10,000 persons in the three nations, but "we believe there are many more" that could not be verified from intelligence sources, said Crocker.

State Department spokesmen said that the United States has had some difficulty in

convincing other nations and a United Nations commission on the subject to accept their accumulating body of evidence on chemical warfare in Asia.

All but three nations—Canada, Britain and Thailand—shied away from the subject, Crocker said, chiefly for political reasons. Skepticism about the evidence itself and whether it could be faked has faded within the past year, chiefly because of the poisons found in the blood and tissues of victims, something that would be extremely difficult to fake.

The United Nations is scheduled to issue its own report within weeks. Officials who said they have seen a draft copy said it takes note of the samples from the United States and other sources, but draws no conclusion about validity of the evidence.

Critics have said that the rules under which the commission is operating are so restrictive that unless the commission collects and analyzes evidence immediately after an attack, no verdict could be reached. The commission has been denied access to the war zones in Kampuchea and Laos, making any such evidence-gathering impossible. ●

HAROLD HAYDEN

● Mr. RIEGLE. Mr. President, recently my hometown of Flint, Mich., and the people of Genesee County honored one of their most outstanding community leaders, Harold Hayden. If it is not already, Harold Hayden's record of service to his city and county should be a model for all of us who have chosen public service as a career.

That service began many years ago with Harold's activities in United Autoworkers Local No. 659, and has reached all the way to national leadership with the National Association of Counties. Along the way, Harold Hayden found several ways to provide service to the people of Genesee County through leadership roles at Flint General Hospital, with the Boy Scouts of America, with the NAACP, with the Urban League, and with and endless list of community groups.

Perhaps his most noteworthy accomplishment was the service and leadership he provided to our community as a member—and eventually as chairman—of the Genesee County Board of Commissioners. If his 13 years on the county board are not a record for their longevity, they should be a record for dedication to the county.

Harold Hayden's record of public service is marked in another positive way. He kept in touch with the people all along the way—his has been a career marked with concern and compassion.

I am proud to join all the citizens of Genesee County in this tribute to Harold Hayden, and to Harold, Margaret, and their family—I wish the best for the future; a future that has been made better because men like Harold Hayden helped shape it. ●

THE ECONOMIC CRISIS

● Mr. BOREN. Mr. President, during this past recess, I spent a great deal of

time traveling in my State and talking to Oklahomans about their concerns. I found that people are generally worried about their own personal future and the future of their country. While the worries expressed cover a wide range, I believe that it can be fairly said that the basis of their concern is rooted in the economic condition of the country.

The people of the United States have been buffeted continuously with bad and worsening economic news. Two years ago it was double-digit inflation, which melded directly into astronomical interest rates which, in turn, pushed the country into an economic slowdown, which slid into a mild and then deep recession and, for some segments of the economy such as agriculture, a full-fledged depression. All this seemed to occur within the space of a relatively few months.

These same people were told by those who were in an apparent position to know, that things would get better. It seemed that the blacker the economic clouds became, the rosier were the predictions that recovery was just around the corner. It is certainly true that there were political overtones to both the rhetoric of despair and the rhetoric of hope. I believe that by their votes in this past election, the people of Oklahoma and this country were casting their ballots for a moderation of both rhetoric and the economic experiments in which we have engaged.

The people of Oklahoma believe today, as they have believed all along, that the way to economic health requires action on a wide front. The Federal Reserve Board must do its part by moderating its policies; the administration must do its part by realistically proposing revenues and expenditures; and the Congress must do its part through restraint and through steady progress toward balancing Federal revenues and outlays.

The people in Oklahoma have listened with the rest of the country to repeated calls for a balanced budget while, at the same time, deficits have done nothing but increase. Just in my short tenure in the Senate, I can recall being shocked at projections of deficits approaching \$50 billion. Now we are told that we can expect deficits in fiscal 1983 to approach \$200 billion, and even \$250 billion in 1987. I have told the people of Oklahoma that without corrective action, our \$1 trillion national debt will double in the next 5 or 6 years. What a tragedy this is, Mr. President.

I returned to Washington to find news headlines quoting the President as saying that only economic recovery, rather than budget cuts or tax increases, can reduce Federal deficits. These reports contain references to a new and frightening phrase called

structural deficits. In a speech to the National League of Cities in Los Angeles, the President applauded the reduction in the annual increase of Federal spending, but warned that budget cuts alone or increasing taxes alone will not deal with the structural deficits built into the budget.

Mr. President, many of my colleagues will recall the emphasis placed by this Congress a few short months ago on the need to increase productivity in the United States. Certainly the President is right in reemphasizing that need. But we must not fall victim to the blandishments that increased productivity alone will resolve this economic crisis. It is disturbing to hear some Members of Congress say that they do not believe that the next Congress will significantly reduce social spending or defense spending, and to hear others say that certain programs designed to alleviate near-term problems will increase the budget deficit. It is the return to the old idea that deficits do not matter. Deficits do matter, Mr. President, and they lie very close to the heart of this country's economic condition. Everyone must sacrifice to remedy our current ills. There are no quick fixes or single panaceas. American agriculture is devastated. And when the family farm disappears, the economic infrastructure of this country will not be far behind.

During this lameduck session, I am going to expand on the points I have made today and suggest actions which will help meet the needs of the times. For now, I am sounding a warning note that just as all of us are now being touched by the economic depression of the moment, so all of us must do our share to achieve and enjoy the fruits of recovery.●

QUORUM CALL

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BAKER. Mr. President, I ask unanimous consent that the order of the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GORTON). Without objection, it is so ordered.

The majority leader is recognized.

Mr. BAKER. Mr. President, I see no Senator seeking recognition.

Would the Chair be disposed to inquire if there is further morning business?

CONCLUSION OF MORNING BUSINESS

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

ANTITRUST EQUAL ENFORCEMENT

Mr. BAKER. Mr. President, previously I had indicated to the minority leader and other Senators that I would today move to the consideration of S. 995, Calendar Order No. 511.

This is a matter that has been discussed at some length both yesterday in the Chamber, previously, and in private conversation.

Mr. President, I now move that the Senate proceed to the consideration of S. 995, Calendar Order No. 511.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Tennessee.

Mr. METZENBAUM. Mr. President, I ask for the yeas and nays on the motion to proceed.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Tennessee to proceed to the consideration of S. 995.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. STEVENS. I announce that the Senator from Mississippi (Mr. COCHRAN), the Senator from Arizona (Mr. GOLDWATER), the Senator from Iowa (Mr. JEPSEN), and the Senator from Maryland (Mr. MATHIAS) are necessarily absent.

Mr. CRANSTON. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Colorado (Mr. HART), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Kentucky (Mr. HUDDLESTON), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Arkansas (Mr. PRYOR), the Senator from Maryland (Mr. SARBANES), and the Senator from Massachusetts (Mr. TSONGAS) are necessarily absent.

I further announce that the Senator from Nevada (Mr. CANNON) is absent on official business.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 67, nays 20, as follows:

[Rollcall Vote No. 388 Leg.]

YEAS—67

Abdnor	DeConcini	Heinz
Andrews	Denton	Helms
Armstrong	Dixon	Jackson
Baker	Dole	Johnston
Bentsen	Domenici	Kassebaum
Boren	East	Kasten
Boschwitz	Ford	Laxalt
Brady	Garn	Leahy
Bumpers	Glenn	Levin
Byrd	Gorton	Long
Harry F., Jr.	Grassley	Lugar
Byrd, Robert C.	Hatch	Mattingly
Chafee	Hatfield	McClure
Chiles	Hawkins	Melcher
D'Amato	Hayakawa	Mitchell
Danforth	Heflin	Murkowski

Nickles
Nunn
Packwood
Pell
Percy
Pressler
Quayle

Randolph
Riegle
Roth
Sasser
Schmitt
Simpson
Specter

Stevens
Symms
Thurmond
Tower
Wallop
Warner

NAYS—20

Baucus
Bradley
Burdick
Cohen
Cranston
Dodd
Durenberger

Eagleton
Exon
Humphrey
Inouye
Matsunaga
Metzenbaum
Moynihan

Proxmire
Rudman
Stafford
Stennis
Weicker
Zorinsky

NOT VOTING—13

Biden
Cannon
Cochran
Goldwater
Hart

Hollings
Huddleston
Jepsen
Kennedy
Mathias

Pryor
Sarbanes
Tsongas

So the motion to proceed to the consideration of S. 995 was agreed to.

Mr. BAKER addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. BAKER. Mr. President, will the Chair please announce the result of the vote once more?

The PRESIDING OFFICER. The yeas were 67, the nays were 20. The motion was agreed to.

Mr. BAKER. Mr. President, I move to reconsider the vote by which the motion was agreed to.

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

The motion to lay on the table was agreed to.

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

Clayton Act (15 U.S.C. 12 et seq.) is amended by inserting after section 4H the following new section:

"Sec. 41. (a) Two or more persons who are subject to liability for damages attributable to an agreement to fix, maintain, or stabilize prices under section 4, 4A, or 4C of this Act may claim contribution among them according to the damages attributable to each such person's sales or purchases of goods or services. A claim for contribution by such person or persons against whom an action has been commenced may be asserted by cross-claim, counterclaim, third-party claim, or in a separate action, whether or not an action has been brought or a judgment has been rendered against the persons from whom contribution is sought.

"(b) A release or a covenant not to sue or not to enforce a judgement received in settlement by one of two or more persons subject to contribution under this section shall not discharge any other persons from liability unless its terms expressly so provide. The court shall reduce the claim of the person giving the release or covenant against other persons subject to liability by the greatest of: (1) any amount stipulated by the release or covenant, (2) the amount of consideration paid for it, or (3) the actual damages attributable to the settling person's sales or purchases of goods or services. Under item (3) above, actual damages shall not be trebled in proceedings under section 4A of this Act.

"(c) A release or covenant, or an agreement which provides for a release or covenant, entered into in good faith, relieves the recipient from liability to any other person for contribution, with respect to the claim of the person giving the release or covenant, or agreement, unless the settlement provided for in any such release, covenant, or agreement is not consummated.

"(d) Nothing in this section shall affect the joint and several liability of any person who enters into an agreement to fix, maintain, or stabilize prices.

"(e) This section shall apply to all actions under section 4, 4A, or 4C of this Act commenced after the date of enactment of this section.

"(f)(1) The claim reduction principle of subsection (b) of this section shall also apply to actions alleging an agreement to fix, maintain, or stabilize prices under section 4, 4A, or 4C of this Act which are pending on the date of enactment of this section, if upon proof by any party subject to liability for damages in such an action, the court determines that it would be inequitable, in light of all the circumstances and notwithstanding subsection (f)(2), not to apply the principle in that action. In ruling on a request to apply claim reduction, the court shall find the facts specially.

"(f)(2) No agreement to settle, compromise, or release a claim under section 4, 4A, or 4C of this Act which has been signed by the parties prior to the date of enactment of this section may be rescinded, disapproved, reformed, or modified by the parties or by the court because of the application of the claim reduction principle, except upon the written consent of all the parties thereto.

"(g) Each subsection of this section is severable from all other subsections, and the invalidity of any subsection for any reason shall not affect the validity of the remaining subsections: *Provided*, That subsections (f)(1) and (f)(2) are not severable from each other, and the invalidity of any provision of those subsections as applied in an action shall render the remainder to those subsections inapplicable in that action."

Mr. BAKER. Mr. President, what is the business pending before the Senate?

The PRESIDING OFFICER. The committee amendment to S. 995.

Mr. BAKER. Mr. President, may we first have order in the Senate? After that, we shall have debate on this measure. I expect we shall stay on this measure, S. 995, for a reasonable length of time today. I hope we might be able to arrange to lay this measure aside temporarily and take up an appropriations bill. That has not yet been accomplished and it may not be possible to do so.

Senators should know that we shall be on S. 995 for perhaps the next hour.

Mr. BAUCUS. Will the Senator yield?

Mr. BAKER. Yes, Mr. President.

Mr. BAUCUS. Would it be proper to ask for the yeas and nays on the amendment at this time?

Mr. BAKER. Mr. President, is there an amendment pending?

The PRESIDING OFFICER. The committee amendment is pending.

Mr. BAKER. I assume it is in order, but prior to that, if the Senator will

permit me, I promised the Senator from Kansas to yield for an unrelated matter.

Mr. BAUCUS. This will take just a moment to ask for the yeas and nays on the amendment.

Mr. BAKER. I yield.

Mr. BAUCUS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. BAKER. Mr. President, there is no time agreement on this measure.

The PRESIDING OFFICER. Will the Senate be in order? The majority leader is making a statement and cannot be heard.

Mr. BAKER. Mr. President, there is no time agreement on this bill. In a moment, I shall yield the floor so the distinguished chairman of the Committee on the Judiciary (Mr. THURMOND), the President pro tempore, may seek recognition. Before I do so, I wish to yield to the distinguished Senator from Minnesota for the purpose of making an introduction.

Mr. President, I ask unanimous consent that, after the introduction is made, the Senate stand in recess for 1 minute so that we may greet our visitor.

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

VISIT TO THE SENATE BY THE VICE SPEAKER OF THE TUNISIAN ASSEMBLY

Mr. BOSCHWITZ. Mr. President, it is my pleasure to welcome today Mr. Abbella Ziz Beltaief, who is the Vice Speaker of the Tunisian Assembly. I ask unanimous consent that we set aside one moment so we may greet him.

(Applause, Senators rising.)

RECESS FOR 1 MINUTE

The PRESIDING OFFICER. Without objection, there will be a brief recess for 1 minute so that Senators may greet our guest.

There being no objection, the Senate, at 3:33 p.m., recessed for 1 minute; whereupon, at 3:34 p.m. the Senate reassemble when called to order by the Presiding Officer (Mr. GORTON).

ANTITRUST EQUAL ENFORCEMENT

Mr. LEAHY. Mr. President, may we have a modicum of order, just for practice?

The PRESIDING OFFICER. The Senate will be in order so that the Senator from Vermont may be heard. The Senator may proceed.

Mr. LEAHY. Mr. President, I note for the record that I voted to proceed

with S. 995. It has been my longstanding practice to support, whenever possible, the Senate majority leader of either party when he seeks to bring up a bill. I suspect that will continue to be my practice. I would not want that to be construed as indicating that I favor S. 995 precisely the way it is now written, since it may be applied retroactively. I note for the Senate that I may well have amendments to the bill as presented before the Senate. I certainly will have a number of statements I shall want to make about it, focusing on the retroactivity provisions of the bill.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. Who seeks recognition?

In my capacity as Senator from the State of Washington, I suggest the absence of a quorum. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

Mr. METZENBAUM. I object.

Mr. BAUCUS. I object.

The PRESIDING OFFICER. Objection is heard. The clerk will continue to call the roll.

The bill clerk continued to call the roll.

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

The PRESIDING OFFICER (Mr. HAYAKAWA). Without objection, it is so ordered.

Mr. THURMOND. Mr. President, today I am pleased to present for consideration by the Senate, S. 995, the Antitrust Equal Enforcement Act. This bill is designed to improve the equity and the effectiveness of antitrust law enforcement by establishing a right of contribution and claim reduction among defendants subject to liability in horizontal price-fixing cases.

The distinguished Senator from Montana has asked for the yeas and nays on the amendment as reported from the Committee on the Judiciary. I favor the committee amendment and I hope the Senate will adopt it.

The bill applies only to price fixing among competitors, known as horizontal price fixing.

Under the present law of joint and several liability, a single price-fixing defendant may be subject to treble damage liability based on a plaintiff's total damages attributable to the actions of all participants in the price-fixing conspiracy. If a plaintiff settles with some defendants for less than treble the actual damages caused by those defendants, the excess damages can be recovered from nonsettling defendants. Thus, even though one de-

defendant's sales may account for only a small portion of a plaintiff's damages, the defendant nevertheless may find himself responsible for the damages caused by many other co-conspirators, trebled in accordance with the provisions of the Clayton Act.

The question of whether effective antitrust law enforcement requires modification of the present law to provide that a single defendant will be held accountable only for treble the damages caused by his own wrongdoing has been expressly left to Congress by the Supreme Court. In 1981, in the case of *Texas Industries, Inc. against Radcliff Materials, Inc.*, the Court held that there is no express or implied right of contribution under the antitrust laws, nor does such a right exist under Federal common law. However, the Court took note of the far-reaching policy questions involved in the contribution issue and concluded that the matter was one for Congress to resolve. Recognizing its responsibility to consider these important issues, the Committee on the Judiciary conducted hearings both in the present Congress and in the 96th Congress. Based on the extensive record compiled in these hearings, the committee has concluded that a right of contribution should be established for antitrust price-fixing cases.

In recent years, the existence of the principle of joint and several liability without contribution has fostered the increasing use of whipsaw tactics by plaintiffs in price-fixing cases. Once a plaintiff commences such litigation against several defendants, he typically settles for low amounts with a few defendants at an early stage in the litigation. Then, armed with the threat of treble liability for all remaining damages resulting from the conspiracy, the plaintiff is able to bring increasing pressure to bear on the remaining defendants to settle at ever higher amounts.

The use of this coercive practice was well documented during committee hearings on S. 995. For example, Mr. George Kress, chairman of the board of Green Bay Packaging, Inc., related how his company was forced to forgo the defense of its innocence and to settle for \$5.5 million in the *Corrugated Container* litigation, after concluding that its potential liability could otherwise reach \$5 billion. Green Bay Packaging's settlement amounted to \$3.7 million per market percentage point whereas the first defendants to settle escaped for \$500,000 per market percentage point. Despite the inequities of this settlement result, companies in Green Bay Packaging's position have no realistic alternative. Even if they choose to litigate and ultimately establish their innocence, the victory may prove hollow due to the severe impact on the company's borrowing capabilities created by the pending

litigation. Because of the existence of contingent liabilities of such magnitude, smaller companies which do not settle have found it difficult, if not impossible, to obtain necessary financing to keep their businesses going as long as the litigation remains unresolved.

S. 995 will put a stop to the inequitable results I have just described. The bill will achieve this first by permitting defendants who are sued or held accountable for price-fixing damages caused by other conspirators to seek contribution from the co-conspirators. This right of contribution may be asserted through procedural mechanisms already established by the Federal Rules of Civil Procedure. Each defendant's share of the damage liability will be based upon its own sales to or purchases from the plaintiffs.

To further insure that each defendant pays no more than his fair share of the plaintiff's damages, the bill provides a carve out formula pursuant to which any damages attributable to defendants who settle the litigation will not be charged to those defendants who do not choose to settle. Basically, the formula operates to reduce the litigating defendants' liability by the amount of any settlement agreed to by the plaintiff and settling defendants or three times the actual damages attributable to the settling defendants' misconduct, whichever is greater.

One of the threshold issues that the committee confronted in its consideration of S. 995 was whether contribution among price-fixing defendants is appropriate from a philosophical standpoint. It was argued by some that the courts and Congress should not be concerned over whether equity is achieved among wrongdoers through contribution.

Although a rule against contribution among joint tort-feasors was originally established in 18th century English common law, the contribution concept has had a much more favorable reception in the United States. At least 37 States have statutes which expressly permit contribution. The Federal courts have established a contribution rule governing tort situations, and Congress has specifically enacted provisions in several statutes permitting contribution even where the wrongdoing is intentional.

It is evident that jurisprudence in the United States is moving more and more toward permitting contribution. Our legal philosophy clearly reflects a belief that every wrongdoer must pay his share of the damages caused. As the Honorable Charles B. Renfrew, a distinguished former Federal judge and current antitrust law practitioner observed in his testimony before the committee: "There has been a clear and unmistakable trend in the law permitting contribution based upon principles of fundamental fairness, and it reflects the policy of allocating dam-

ages in an equitable manner upon the responsible parties." The committee therefore concluded that the adoption of a contribution rule in price-fixing cases would be in harmony with our principles of jurisprudence.

It has also been argued by some that allowance of contribution among price-fixing defendants would do harm to the deterrent factor embodied in the principle of joint and several liability without contribution. According to this theory, a potential price fixer is more readily discouraged from illegal conduct if he faces the prospect of having to pay treble the total damages caused by all the conspirators.

The committee carefully considered and rejected this argument for several reasons. First, numerous witnesses testified that actual treble damage liability, coupled with the threat of criminal fines and jail sentences, provide adequate deterrence to world-be price fixers. The Honorable Griffin Bell, former Attorney General of the United States, testified that "the best deterrent to price fixing is vigorous criminal prosecutions" by the Department of Justice, and further, "that treble damages based on the defendants' own market share afford a sufficient deterrent to price fixing." These conclusions were shared by numerous other experts who testified at the hearings and have been affirmed by several noted antitrust scholars.

Second, rather than deterrence being reduced by contribution, some experts feel contribution would actually improve deterrence by providing certainty to all would-be violators that they cannot avoid liability simply by being excluded from direct suits by plaintiffs. Prof. Lawrence Sullivan, for example, has observed that by insuring a larger number of antitrust violators are subject to liability, contribution "maximizes the deterrence goal of certainty of punishment."

It also has been suggested that contribution and claim reduction will discourage settlements in price-fixing cases. The committee found little evidence that the provisions in S. 995 would have an adverse effect on legitimate settlements whereby plaintiffs and defendants enter into a true compromise of their claims. The bill might, however, discourage the coercive settlements that plaintiffs presently are able to extract through the threat that full treble liability for the sins of all conspirators will be visited upon the heads of one or a few defendants.

The very nature of the litigation settlement is compromise. A plaintiff relinquishes some of the damages to which he might otherwise be entitled in exchange for the avoidance of the expense and uncertainty of going to trial. It is indeed ironic that, under current antitrust principles, a price-

fixing plaintiff can "settle," and in reality give up nothing because he retains the right to collect all of his damages from other defendants. It is this very situation that has led to the strategy of plaintiffs' demanding ever higher settlements from the remaining defendants in price-fixing cases.

The hearing record established that price-fixing defendants often are compelled to abandon their defenses and settle in order to avoid massive potential liability occasioned by the absence of contribution. On too many occasions, these defendants, after having paid their settlement amounts, are judged not to have been civilly or criminally liable for antitrust violations. While legitimate settlements of complex antitrust litigation should be encouraged, defendants should not be forced to forego their day in court because of the high-pressure situations described to the committee.

The Honorable William Baxter, Assistant Attorney General in charge of the Antitrust Division of the Department of Justice, gave his assessment of the situation in his testimony before the committee last December. According to Professor Baxter:

The kind of settlement in which interference will be at its greatest is the dynamic whipsaw financing kind of settlement, whereby the first defendant gets out for half a cent on the dollar and the next one for one cent on the dollar and the last one winds up facing an enormous potential liability because he essentially is in a position of having to respond to potential liability for the entire industry.

Professor Baxter then observed that:

If these cases are made somewhat more difficult to settle, I am not at all sure that should be grieved.

The committee shares Professor Baxter's sentiments.

Some critics of S. 995 objected that contribution issues inserted in the midst of antitrust trials would greatly complicate the already complex litigation and deprive plaintiffs of control of their cases. This objection ignores the fact that the Federal Rules of Civil Procedure provide Federal judges with adequate tools to prevent such an occurrence. Under the Federal rules, judges have the authority to order separate trials on some issues. Thus, the courts may allow plaintiffs to prove the collect their total damages in trials against one or any number of defendants. The amount of contribution due from each defendant or from other conspirators not named in the suit clearly is a separate issue which can be tried alone without harming the plaintiff's case.

The committee spent an entire hearing session on the question of whether the contribution and claim reduction provisions of S. 995 should apply to pending cases. After careful consideration of the testimony of numerous antitrust and constitutional scholars, as well as statements from representa-

tives of companies on both sides of price-fixing suits, the committee concluded not to make the contribution section of the bill applicable to pending cases. The committee did, however, adopt a provision making the claim reduction section of the bill applicable to any case pending before the courts on the date of enactment if the presiding judge determines that it would be inequitable not to apply the principle to the particular case.

In adopting this provision, the committee recognized that the question of whether equity and fairness required application of the claim reduction section of S. 995 could not necessarily be resolved in the same manner for all pending cases. By directing the courts to consider this issue, the individual circumstances of each case will be the determining factor and the Federal judges, who are in the best position to determine the equities in each case, can choose to apply or not apply the claim reduction principle as equity demands.

In conclusion, Mr. President, after an exhaustive examination of the issues, it is the opinion of the Committee on the Judiciary that the provisions of S. 995, establishing a right of contribution and claim reduction in antitrust price-fixing cases, will greatly improve the effectiveness of enforcement of the antitrust laws. The principles embodied in the bill reflect a growing consensus in this country that some wrongdoers should not be permitted to escape the payment of their fair share of damages resulting from a conspiracy in which they participated. The bill will not reduce the deterrence factor already embodied in the antitrust laws, nor will it complicate antitrust litigation or hinder legitimate settlements of price-fixing cases. The only settlements that might be reduced are those which permit plaintiffs to intimidate other defendants into foregoing their day in court due to potentially massive liabilities based on damages caused by all participants in a conspiracy. Finally, S. 995 appropriately recognizes that in some situations, equity and fairness may demand that the claim reduction principles embodied in the bill be applied to pending cases. This decision has been left to the Federal judges presiding over the cases, who are in the best position to weigh the equitable concerns of all parties.

In closing, Mr. President, I would like to take this opportunity to thank the cosponsors of S. 995, the distinguished Senator from Montana (Mr. BAUCUS), the distinguished Senator from Arizona (Mr. DECONCINI), the distinguished Senator from Alabama (Mr. HEFLIN), the distinguished Senator from Nevada (Mr. LAXALT), and the distinguished Senator from Utah (Mr. HATCH) for their thoughtful insight and dedicated work on this bill.

Mr. President, I ask my colleagues to join me and the cosponsors of S. 995 in approving this most important and beneficial revision to our system of antitrust law enforcement.

Mr. President, I want to make this clear so people will understand. Nothing in this bill is retroactive as to cases that have been settled. It only provides that in the event that the trial judge feels it would be unjust not to apply it to a case that has not been finally adjudicated, it would be lawful to do so. If the trial judge thinks that it should be applied to a pending case, then he would apply it; otherwise, he would not.

I wanted to clarify that fact because a good many Senators have asked about this. This is not a bill to sanction any price fixing. Some people in some statements in the news media have said something about relieving price fixing. That simply is not true. It merely provides that anyone that is sued for damages under the antitrust laws may only be responsible for their pro rata share of the damages caused.

We think that if the principle of claim reduction is good to apply to future cases, the courts should have the discretion to apply it to pending cases. It does not affect any case that has been finally adjudicated and it does not affect any settlement that has been made.

Now some defendants have made settlements and were concerned about them. The committee put in a special provision in this bill to protect settlements. It reads this way:

No agreement to settle, compromise, or release a claim under section 4, 4A, or 4C of this Act which has been signed by the parties prior to the date of enactment of this section may be rescinded, disapproved, reformed, or modified by the parties or by the court because of the application of the claim reduction principle, except upon the written consent of all the parties thereto.

So, Mr. President, we think that this bill is fair; we think it is just; and we think it will be a great improvement in the antitrust laws on the books today.

I yield to the distinguished Senator from Arizona.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. DECONCINI. I thank the distinguished chairman, the Senator from South Carolina, Mr. THURMOND.

Mr. President, I am pleased to be here today working for the passage of the Antitrust Equal Enforcement Act, S. 995. In my opinion, there is a crucial need for changes in our antitrust laws to restore fairness and equity and to eliminate the ability of some defendants to escape responsibility for their actions. I believe, Mr. President, that the single most important mechanism for antitrust law enforcement is the knowledge on the part of potential violators that, if they are caught, they will face certain and severe punish-

ment. Today, this fundamental enforcement mechanism does not exist. Instead, it is common knowledge that antitrust violators can, and do, avoid the serious consequences of their activities by entering into "sweetheart" settlements with private antitrust plaintiffs. As long as we permit potential violators to gamble on the fact that the financial rewards of price fixing can be substantial, even if they are caught, we will insure that such violations will continue to occur and that respect for the law will deteriorate.

Because S. 995 closes this significant law enforcement loophole, it is one of the most important antitrust law changes that Congress has considered in recent years. If we adopt S. 995, we will send a message to those who would engage in price fixing that the treble damage liability provisions of the antitrust laws are for real. We will inform plaintiffs and defendants alike that Congress adheres to the predominant legal philosophy in this country that multiple wrongdoers should share equally in compensating the victims of their misconducts. And we will say to the defendants in price fixing cases that we believe they should have an opportunity for their day in court, without fear of massive liability far out of proportion to any damages they themselves possibly could have caused.

I have listened to the primary policy arguments that are raised against S. 995. I submit they are without merit. It is argued by some that the present situation, where some price fixers escape liability while others bear the burden for the entire industry is a greater deterrent to price fixing than the S. 995 approach, which insures that all violators receive their just punishment. I know of no evidence upon which such a conclusion can be based. It certainly seems more logical to me, however, that potential price fixers would be less likely to gamble on illegality if punishment in the form of treble the actual damages they caused was more certain.

I have also heard it said that S. 995 will discourage settlements. The only settlements it will discourage are the "sweetheart" arrangements and the consequent "blackmail" settlements which the present law makes possible. Since I do not believe these inequitable settlements should be countenanced, in any event, I would not be grieved to see them made more difficult.

In conclusion, Mr. President, the antitrust law enforcement system in this country needs this legislation. We should no longer wait for its passage.

All the Senators involved in this legislation have worked hard to achieve meaningful antitrust law reform. Of particular note have been the efforts of the chairman of the Judiciary Committee, Senator THURMOND, and the

Senator from Nevada, Senator LAXALT, the Senator from Utah, Senator HATCH, and the Senator from Montana, Senator BAUCUS, as well as the Senator from Ohio, Senator METZENBAUM.

We all agreed on the basic principles embodied in this bill. Following many hearings and discussions among members of the committee, we have approached near unanimity on how to handle almost all key portions of the bill. The only remaining issue to be resolved is whether to apply claim reduction to pending cases. It is my hope that this last remaining issue can be resolved quickly.

Mr. President, I urge my colleagues to approach this task with all the skill and acumen they possess in order that this vital piece of legislation can be processed quickly and that this body can proceed to other vital pending matters.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. BAUCUS. Mr. President, no one in the Senate is more saddened by the current circumstances surrounding S. 995 than this Senator. I am a strong supporter of S. 995 as it was introduced. I have worked hard to promote the passage of S. 995 as it was introduced.

Therefore, Mr. President, it troubles me greatly that that bill is now here in a form that I cannot support and that I believe cannot pass Congress. I believe that S. 995, as introduced, was a positive piece of legislation, and that it now has been converted to nothing short of a bailout for price fixers.

Mr. President, the reason that this bill is here before us today, as a private relief bill, is that a few companies are trying to undo the work of our Federal courts. They are coming here attempting to use this body as a court of last resort, and I believe that is wrong.

As I have served in this Congress, I have become more and more impressed with the brilliance of the design of our Constitution. I have repeatedly discussed here on the Senate floor the wisdom of our Founding Fathers in separating the functions of the legislative and the judicial branches.

Once again, Mr. President, we have before us today legislation that ignores the important distinction between the judicial and legislative branches. The legislature is to make the law and the judicial branch is to interpret it. If we permit the legisla-

ture to become a court of last resort, then the role of the judicial branch is profoundly undercut. We in the Senate must remain sensitive to the essential doctrine of the separation of powers and the legislation before us blatantly violates that doctrine.

Mr. President, I wish that we had a consensus piece of legislation before us. I wish that S. 995 could breeze through the Senate and the House and be passed by the end of this session of Congress. But, unfortunately, this bill is no longer a consensus bill to make our antitrust laws more fair. Rather, it is now a private relief bill for price fixers who are trying to lessen their liability through the legislative process.

Such a controversial and offensive provision is not the kind of business that should be before us during the lame duck session of Congress. The country wants us working on creating jobs and on appropriating money for the Government. Let us bail out the economy—not price fixers.

S. 995, as introduced, is a bill that I continue to support. I underline "as introduced." It is unfortunate that because of the greed of a few companies that we cannot pass that legislation and benefit the entire business community, which, in my view, should benefit because of the underlying thrust of the bill. However, those few companies and the sponsors of the retroactivity provision are the people who have killed this bill and prevented the businesses of this country from having its benefits far into the future.

The sponsors of the retroactivity provision are responsible for this bill's not passing and the business community should hold them accountable for its not having been enacted during the 97th Congress.

I deeply regret that I cannot wholeheartedly support a bill today on the floor that I have advocated for two Congresses.

I am a primary cosponsor of this bill and I cosponsored a bill that I introduced in the last Congress. I wish that the few companies who are insisting on retroactive application would now back down and allow us to enact an imminently fair bill. If they do not do that, I will feel obliged to do all I can to keep the bill in its current form from passing.

If we permit a few companies to come into Congress now and get bailed out from liability imposed on them by the Federal courts, we are extending an open invitation to every party who is subject to an adverse ruling in a Federal court to come to Congress and try to get bailed out. We cannot let that happen and that is why I cannot support this legislation in its current form.

Mr. President, I yield the floor.

Mr. METZENBAUM. Mr. President, I rise not to address myself at this time to the merit of lack of merit of this legislation but, rather, to address myself to the fact that the matter is before the Senate at all. At this very moment, there is 10.5 percent unemployment in this country. The President, in an ad lib, off-the-cuff remark, mentioned just recently that the economy is in a mess, that the international situation is certainly nothing to be enthused about, that trade negotiations in Europe have not moved forward satisfactorily. There is hardly any problem of major concern that is moving forward in a satisfactory manner, and what does the U.S. Senate do? It stops its action in connection with the special session that was convened at the request of the President to consider certain appropriations bills and we take up a special-interest piece of legislation.

The New York Times today, on the front page, said "Campaign Season Persuades Parties That Voters Want Unemployment Action." This bill is hardly any unemployment action. We are too busy to get into that. No, we have to take up S. 995 because some special interest lobbyists were told that the bill would be taken up during this special session.

As a matter of fact, there is a jobs bill and a program dealing with the economy that the Democrats indicated they wanted to bring up. According to the report in the New York Times:

Senate Republican leaders, however, warned that there would probably not be enough time to consider the new measure in the special post-election session that began this afternoon.

The new measure that would deal with work renovating veterans hospitals and low-cost housing and other public facilities.

We do not have time to do anything that is important. We have plenty of time to take up every special interest bill that any high-priced lobbyist pushes before the Congress of the United States. This legislation should not be taken up during this special session. It does not belong on our agenda. The American people are not asking for this bill. Some special groups are asking for this bill. This is the session that will be remembered as the one in which every special interest in the country wanted to be exempted from the antitrust laws.

There will be an effort made, I am told, to exempt the shipping industry, in another bill that is waiting to be brought up on the floor of the U.S. Senate, from the antitrust laws; a special effort to bring up the bill to exempt beverage dealers from the antitrust laws; a special effort to exempt the National Football League from the antitrust laws; a special effort to exempt the doctors, the attorneys, and the professions from the antitrust laws; and a special bill to exempt agricultural crops from anti-

trust laws. Is it not wonderful that the U.S. Senate was brought back for a special session to deal with the appropriations bills and, instead of doing that, we address ourselves to S. 995?

You do not have to be a genius or a profound student of what is going on in Washington to know that there have been more lobbyists hired on both sides of this issue, more high-priced lobbyists than probably any other measure pending before the Congress. This is a high-priced bill, but it is a low-priority measure for the people of this country.

There are 230 million Americans, and I would guess there are not 10,000 of them concerned about this bill. We owe it to them to be doing something about unemployment, something about the economy. But oh, no, it is Tuesday. Wednesday will drag on, Thursday will drag on, and Friday will drag on, and an effort will be made to come in by a side door on one of these other measures. But this bill will have the priority on the floor of the U.S. Senate and only by unanimous consent will it be set aside.

I say to the Members of the U.S. Senate that this bill does not belong here today. It never should have been brought up. It is legislation that, if it should have been taken up at all, should have been taken up in the regular session. We are wasting the time of this body and we are insulting the intelligence of the American people to be debating S. 995 when there are so many pressing problems confronting this Nation.

At a more appropriate time at a later point in this debate, I shall address myself to the lack of merit of this legislation—not alone the basic bill, which I think has no merit, but the amendment that was included having to do with the retroactive aspects of it. For the moment, I shall just rest my case by saying to the Republican leadership of the Senate, this bill does not belong on the agenda and the sooner you take it down, the more gratified will the people of this Nation be.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LAXALT. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. LAXALT. Mr. President, S. 995 is urgently needed to correct what the Wall Street Journal has called "one of the most perverse injustices in our antitrust laws."

Under existing law, any company named in a private antitrust case is potentially liable for treble damages based upon nationwide sales of an entire industry, irrespective of its

market share. A company with only a 1-percent market share can be liable for 100 percent of the alleged damages based upon the sales of the entire industry. In a multi-defendant case, a non-settling defendant can be liable for damages based upon the sales of settling defendants.

The unforeseen combination of a number of unrelated legal developments which leads to this problem has created all the wrong incentives. Culpable defendants, who know they cannot go to trial, often settle first for far less than their proportionate shares. Innocent companies, which believe they injured no one and seek to prove it in court, become liable for damages attributable to settlers. This increased damage exposure deprives them, as a practical matter, of their fundamental rights to trial and appeal because they cannot take the risk of an adverse result. Many find themselves with no choice but to pay whatever amount plaintiffs ask. This is a deplorable situation.

Mr. President, I might say the majority of members of the committee came to the same conclusion. The basic bill has been in our committee for an extended length of time, originally espoused, by the way, by Senator BIRCH BAYH of Indiana. It was later in the course of this particular session that we caused to be injected in the debate—necessarily, a majority of us felt—the matter of pending cases.

I think there is nothing new or novel about the injustice that has been created in the whole field in this relatively new area of law. The matter that has recently been involved is how you treat pending cases.

I might say the distinguished chairman of the committee (Mr. THURMOND) worked long and hard to find equitable means whereby you can take pending cases without retroactive result, address them in court, and end with an adverse result. Each company should be responsible for damages it caused. No company should be able to shift its liability to its competitors.

Although the need for this reform has become urgent in the antitrust field only during the last several years, neither the problem nor the legislative solution is new or unique. Similar rights were provided for Federal securities litigation in 1933 and 1934. Great Britain provided similar rights by act of Parliament in 1935. Almost 40 States have enacted statutes of this sort, so there is nothing new or novel about the approach. These various States have recognized, as our committee did, that unless you apply legislation of this kind, you can obtain disproportionate results and the defendant will be forced to settle or to be adjudicated to a result far in excess of its appropriate share.

The hundreds of companies, small and large, involved in pending litigation affected by S. 995 should have their day in court. They should be given the opportunity to prove their innocence without facing enormous damages based upon the actions of other defendants that settled for less than their share.

S. 995, as reported, is remedial legislation which properly provides for limited application in pending cases. It neither mandates application nor arbitrarily prevents the courts from applying it in those cases where application would be just. The bill gives the courts the discretion to apply claim reduction in pending cases where the defendants establish that it would be "inequitable" not to do so. S. 995 does not permit contribution claims in pending cases. Settlements entered into prior to the date of enactment are completely safeguarded.

An amendment to S. 995 to make the bill "prospective only" would be an arbitrary decision by the Congress that no matter what the circumstances, claim reduction shall not apply. It obviously would unfairly discriminate against the parties in pending cases which gave rise to the need for the legislation in the first place. Moreover, it may prejudice rights asserted in pending cases. For example, in the linerboard case in Philadelphia, five defendants settled with plaintiffs and provided in their settlement agreements that if Congress enacted contribution legislation, the nonsettling companies would not be liable for damages based upon the sales of the settling companies. A prospective-only bill would preclude the benefits of this legislation in that case even though all the parties expressly contemplated the possibility of this legislation. If S. 995 were made expressly applicable only to cases commenced after the date of enactment, such would directly prejudice the rights of the defendants in that and other cases.

There is widespread agreement that S. 995's application to pending cases is proper and necessary. As professor and former Solicitor General Robert Bork wrote prior to being named to the Court of Appeals for the D.C. Circuit:

The patent unfairness that prompted S. 995 is as prominent in existing litigation as it will be in future litigation. Indeed, it was the stark injustice of what is occurring now that led to this bill. It would be a cruel irony to promise a cure for the future while leaving current victims of injustice to suffer the very fate which called for the cure.

Former Attorney General Griffin Bell testified:

I would recommend to the committee only a single change in S. 995. The bill as now written applies only to price-fixing cases that are brought after it becomes law. Yet there are cases now pending that should be subject to this bill. *S. 995 is designed to correct a serious injustice, and the injustice is*

equally present in pending and future cases. There is no Constitutional prohibition against making S. 995 apply to pending cases since S. 995 concerns only the remedy for price-fixing. In fact, Congress has made many statutes in the past applicable to pending cases.

The provision of S. 995 *May well lead to settlement of pending cases with the result of a lesser case load in the courts and some modicum of economic stability in the business community at a time when the nation badly needs it.* (Tr. at 19, italic added.)

Former Attorney General Benjamin Civiletti wrote:

The legislation sought would permit claim reduction to be applied in pending cases only if the courts determine that it would be fair to do so. How can it be an "outrage" for Congress to place the determination of fairness in the hands of the courts?

Remedial legislation almost always applies to pending cases to correct or prevent injustice. This remedial legislation is needed to correct a great harm, and it would be both tragic and perverse not to apply it to the very cases which so vividly demonstrate that need.

Former district judge, Deputy Attorney General, and antitrust practitioner, Charles Renfrew, wrote in his statement to the Senate Committee on the Judiciary:

Congress has on many occasions made numerous antitrust and other statutes applicable to pending cases. Indeed, a basic rule of statutory construction is that newly enacted legislation is to be applied immediately upon its effective date and in pending cases, unless to do so would result in manifest injustice or Congress expressly provided otherwise.

There are many examples of legislation applicable to pending cases in the antitrust field. The Antitrust Reciprocity Act was passed by the Senate on July 9, 1981, by voice vote. Last Congress, the Soft Drink Interbrand Competition Act was applicable to pending cases. Numerous other statutes affecting substantial rights have applied to pending cases.

As former Senator Sam Ervin states:

To be fair to all, the claim reduction provisions of S. 995 should be available in pending as well as future cases. The arguments against the amendment to S. 995 adopted by the Senate Judiciary Committee boil down to this—that Congress should delay correcting the widespread abuses of the treble damage provision of the Clayton Act and continue to permit gross injustices to be perpetrated in pending cases.

The reason we have the Congress of the United States is so the Congress can change unjust laws. Administration of justice ought not to be like playing Russian Roulette. Nobody has a vested right in an unjust law. Where the ability to perpetrate an injustice arises out of a law which Congress passed with the best of intentions, it is all the more incumbent upon Congress to change the unjust law.

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

Mr. METZENBAUM addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. METZENBAUM. Mr. President, I wonder if my good friend from Nevada, who wears two hats, as I understand it—

Mr. LAXALT. At least.

Mr. METZENBAUM. At least—and who certainly has an authoritative position with respect to the other party in this body, would not care to address himself to the issue that the Senator from Ohio raised and that is whether or not in a session which has been specially convened by the President of the United States, at least asked for by him to deal with appropriations measures, he does not feel that there is some inappropriateness in taking up a measure of this kind rather than some of the more pressing issues having to do with jobs, the MX, and some of the other issues that certainly seem to have greater national concern than does this one? And I ask him in friendliness because I know that the Senator from Nevada has been a very straight-talking person and has been very frank, and although at times I have seen fit to disagree with him I have always respected his opinion. I might say in passing that I also want to congratulate him upon assuming his new responsibilities on behalf of the other party. I think that the party has chosen well.

Mr. LAXALT. I thank my friend, the distinguished Senator from Ohio.

I think everybody on this side of the aisle shares the concerns expressed by the Senator from Ohio. Surely we are all concerned with the state of the economy. Surely we are all concerned about the unemployment problem. I might say, in reference to the President, that he called this session, yes, for the principal purpose of our addressing ourselves, as we should, to the appropriations process, feeling, as most of us do in this body, that we have indulged in this Congress, and certainly even in this body, for far too long in stopgap legislation. That is the reason why, despite, I think, a total lack of appreciation of his problem in both Houses and on both sides, he went ahead and pressed his demand.

But I think the good Senator from Ohio also recognizes, as any former Governor would, that you call a special session but the Executive cannot prescribe the agenda—and that is essentially the case here. Certainly, President Reagan has no control over what we consider. He has established what he deems to be his priority, that of the matter of the appropriation bills.

Now, with respect to S. 995, this has been in the hopper for a long while. It has been addressed to the attention of our leader for a long while. Our esteemed chairman, Senator THURMOND, has asked for action on this. We thought we were going to get action before we went out the last time, and

for reasons well beyond our control, and certainly beyond the control of the leader, he indicated that we, too, should have our day in court, so to speak, and that we would have, as our first order of business, consideration of S. 995. That is precisely where we are, with the understanding, it is to be sure, that the consideration of this legislation will in no manner impede the proper consideration of the problems which are far more serious, and those relate to the state of the economy and unemployment. I rather hope that we could address ourselves to the cogent points involved in this legislation, being especially the present cases amendment, and dispose of them. Then we can move forward and handle the bills that Senator HATFIELD wants so badly handled by way of the appropriations process.

Mr. METZENBAUM. I thank the Senator.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

(Mrs. KASSEBAUM assumed the chair.)

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

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

Mr. THURMOND. Madam President, does anybody on this side desire to speak on this measure? I do not hear anyone.

Does anybody else on the other side wish to speak? Does Senator METZENBAUM know of anyone on the other side who wants to speak?

Mr. METZENBAUM. I do not.

Mr. THURMOND. Then, I guess we are ready for a vote.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

Mr. METZENBAUM. Objection.

The PRESIDING OFFICER. Objection is heard.

The bill clerk continued with the call of the roll.

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

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

CLOTURE MOTIONS

Mr. STEVENS. Madam President, I send a cloture motion on the amendment to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the committee amendment to S. 995, a bill to provide for contribution of damages attributable to an agreement by two or more persons to fix, maintain, or stabilize prices under section 4, 4A, or 4C of the Clayton Act.

Strom Thurmond, Paul Laxalt, Howell Heflin, Orrin Hatch, Mark Hatfield, Dennis DeConcini, John Glenn, Chuck Grassley, Jesse Helms, Don Nickles, Dan Quayle, Jennings Randolph, Steve Symms, Ted Stevens, James A. McClure, and John Tower.

Mr. STEVENS. Madam President, it is my understanding that is the cloture motion on the pending amendment.

I send to the desk another cloture motion on the bill itself.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate upon the bill S. 995.

Strom Thurmond, Paul Laxalt, Howell Heflin, Orrin Hatch, Mark Hatfield, Dennis DeConcini, John Glenn, Chuck Grassley, Jesse Helms, Don Nickles, Dan Quayle, Jennings Randolph, Steve Symms, Ted Stevens, James A. McClure, and John Tower.

Mr. METZENBAUM addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. METZENBAUM. Madam President, will the Chair advise whether the Senator from Ohio is correct that this matter will come to a vote on the motion filed 2 hours after we reconvene on Thursday? Is that my understanding, unless otherwise agreed upon?

The PRESIDING OFFICER. Under the rules, it would be 1 hour after the Senate reconvenes and a quorum is established.

Mr. METZENBAUM. One hour after the Senate reconvenes?

The PRESIDING OFFICER. And a quorum is established.

Mr. METZENBAUM. When will the vote take place with respect to the second cloture motion?

The PRESIDING OFFICER. If cloture is not invoked, then a vote on the second motion will be taken immediately.

Mr. METZENBAUM. Madam President, will the Chair advise the Senator from Ohio until what time may amendments be filed with respect to

the first cloture motion and until what hour may amendments be filed with respect to the second cloture motion?

The PRESIDING OFFICER. On the first cloture motion, which is a motion to the committee amendment, amendments may be filed 1 hour prior—

Mr. METZENBAUM. Before the vote?

The PRESIDING OFFICER. Yes.

Mr. METZENBAUM. And on the second cloture motion?

The PRESIDING OFFICER. Let me see if I have it straight. First-degree amendments must be filed by 1 p.m. tomorrow.

Mr. METZENBAUM. By 1 p.m. tomorrow?

The PRESIDING OFFICER. Second-degree amendments may be filed up to 1 hour prior to a vote.

Mr. METZENBAUM. Under what circumstances are amendments required to be filed by 1 p.m. tomorrow? Do you have only the night to lay over where you have an opportunity to offer amendments; is it the Senator from Ohio's understanding that you always have that period up until the cloture vote or just 1 hour prior thereto? I am curious to know why there is a distinction between the first-degree amendments and the second-degree amendments as to when they must be filed.

The PRESIDING OFFICER. The distinction is found in rule XXII, paragraph 2, where there is a distinction made between first- and second-degree amendments.

Mr. METZENBAUM. Madam President, a further parliamentary inquiry. In view of the fact there are two cloture motions and, therefore, it is entirely possible that the amendment may be adopted to the measure itself, and the cloture motion in connection with the measure itself has been filed, is it necessary that amendments be drafted in the alternative, that is, as if the amendment were adopted and on the assumption it will not be adopted in order to offer amendments to the bill itself? Does the Parliamentary understand the question?

The PRESIDING OFFICER. I am not sure the Presiding Officer did.

I will say to the Senator from Ohio that amendments technically impossible would be out of order and, therefore, an amendment should not be offered that would be just an obstructionist amendment.

Mr. METZENBAUM. The Senator from Ohio is not talking about obstructionist amendments. He is talking about amendments that are germane and whether or not they may be offered, or whether or not they have to be drafted to the bill itself on the assumption that the amendment is adopted, or on the assumption that it is not, or need they be offered in the alternative?

The PRESIDING OFFICER. The amendments may be offered in the alternative.

Mr. METZENBAUM. Madam President, will the acting majority leader be good enough to advise as to what time he intends to reconvene the Senate in the morning?

Mr. STEVENS. It is my intention, the intention of the leadership, to recess until 11 a.m. tomorrow when that time comes. It may be slightly earlier because of routine business or special orders, but we would intend for it to be approximately 11 a.m.

Mr. METZENBAUM. I thank the acting majority leader and I thank the Chair.

Mr. THURMOND. Madam President, I wonder if the distinguished Senator from Ohio would care to have a cloture vote tomorrow and dispose of this matter so we can move on to other important things in this short session.

Mr. METZENBAUM. The answer is no.

Mr. STEVENS. Madam President, I do want to thank the Senator from South Carolina, the Senator from Montana, and the Senator from Ohio for their consideration on how this matter has just been handled.

It is not my intention to attempt to terminate debate at this point. If there is any further discussion on the bill, I would like to know it. If there is no further discussion in this bill now, it would be my hope we would be able to go to some routine matters. I see the distinguished minority leader is here, and we would be prepared to handle some routine matters and then ask the Senate to recess until tomorrow morning. It would be our intention to announce there will be no further votes or requests for attendance of Senators this evening, if that is agreeable with everybody concerned.

ORDER FOR THE RECOGNITION OF VARIOUS SENATORS ON TOMORROW

Mr. STEVENS. Madam President, I ask unanimous consent that Senator SPECTER and Senator HARRY F. BYRD,

JR., be recognized on tomorrow, December 1, 1982, for a period of not to exceed 15 minutes each.

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

VETO MESSAGE ON S. 2577 INDEFINITELY POSTPONED

Mr. STEVENS. Madam President, I ask unanimous consent that the veto message on S. 2577, the Environmental Research, Development and Demonstration Act of 1983, be postponed indefinitely.

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

ORDER FOR BUDGET COMMITTEE WAIVER TO BE FILED BY 6 P.M. TODAY ON S. 2411

Mr. STEVENS. Madam President, I ask unanimous consent that the Budget Committee have until 6 p.m. today to file a budget waiver to accompany S. 2411.

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

ORDER FOR RECESS UNTIL 10:30 A.M. TOMORROW

Mr. STEVENS. Madam President, I ask unanimous consent that when the Senate stands in recess today it stand in recess until the hour of 10:30 a.m. tomorrow.

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

Mr. STEVENS. Madam President, is there further business to come before the Senate?

The PRESIDING OFFICER. Is there further business?

Mr. STEVENS. May I inquire of the Senator from Ohio and the Senator from Montana if there is any further business to come before the Senate this evening?

Mr. METZENBAUM. I have nothing.

RECESS UNTIL 10:30 A.M. TOMORROW

Mr. STEVENS. Madam President, if there is no further business to come

before the Senate, I move that the Senate stand in recess in accordance with the previous order.

The motion was agreed to; and at 5:32 p.m., the Senate recessed until Wednesday, December 1, 1982, at 10:30 a.m.

NOMINATIONS

Executive nominations received by the Senate November 30, 1982:

The following-named persons for the positions indicated, to which positions they were appointed during the last recess of the Senate:

Manuel H. Johnson, Jr., of Virginia, to be an Assistant Secretary of the Treasury, vice Paul Craig Roberts, resigned.

Orville G. Bentley, of Illinois, to be an Assistant Secretary of Agriculture (new position).

Martin S. Feldstein, of Massachusetts, to be a member of the Council of Economic Advisers, vice Murray L. Weidenbaum, resigned.

L. Clair Nelson, of Virginia, to be a member of the Federal Mine Safety and Health Review Commission for a term of 6 years expiring August 30, 1988, vice Marian Pearlman Nease, resigned.

Caroline H. Hume, of California, to be a member of the National Museum Services Board for a term expiring December 6, 1985, vice Dorothy Graham-Wheeler.

Edward A. Knapp, of New Mexico, to be Director of the National Science Foundation for a term of 6 years, vice John Brooks Slaughter, resigned.

Jean Broward Shevlin Gerard, of New York, to be the Representative of the United States of America to the Fourth Extraordinary Session of the General Conference of the United Nations Educational, Scientific, and Cultural Organization.

James Daniel Phillips, of the District of Columbia, to be the Alternate Representative of the United States of America to the Fourth Extraordinary Session of the General Conference of the United Nations Educational, Scientific, and Cultural Organization.

WITHDRAWAL

Executive nomination withdrawn from the Senate November 30, 1982:

Norman Terrell, of California, to be an Assistant Director of the U.S. Arms Control and Disarmament Agency, vice Thomas D. Davies, resigned, which was sent to the Senate on January 28, 1982.