

EXTENSIONS OF REMARKS

NUCLEAR ARMS VERSUS
NUCLEAR FREEZE**HON. CARROLL HUBBARD, JR.**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1982

● Mr. HUBBARD. Mr. Speaker, I have received an excellent letter from one of my constituents, Ronnie Whitmer, of Hopkinsville, Ky. I believe my colleagues would be interested in Mr. Whitmer's comments concerning the great debate that is continuing in our Nation with regard to nuclear arms versus the nuclear freeze. As the House debates the President's requested budget for the Defense Department, I believe that his concerns are timely and worthy of our consideration and deliberation. The letter follows:

OCTOBER 5, 1982.

DEAR CONGRESSMAN HUBBARD: I am a thirty-three-year old Democrat who has voted in Hopkinsville, Kentucky, in every election since becoming eligible to vote in 1968.

This is my first letter to you or any politician in ten years. But my concern for my family and country has caused me to write. I am against the massive nuclear arms build-up proposed by President Reagan. I consider the nuclear freeze concept to be the best step to peace.

Would you please answer the following questions for me so I will know how you stand on this critical issue?

(1) Did you support the Zablocki resolution in the House?

(2) Do you support the building of President Reagan's proposed new generation of first-strike nukes, qualitatively more dangerous than the overkill stockpile that already exists, before we reduce?

I thank you for your time and hope that you give this "pro-freeze" issue serious thought.

Yours truly,

RONNIE WHITMER.●

TRIBUTE TO THE HONORABLE
BO GINN**HON. TOM BEVILL**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 6, 1982

● Mr. BEVILL. Mr. Speaker, I am especially saddened that my good friend and colleague, Bo GINN, of Georgia, will be leaving the House of Representatives at the end of this term.

It has been my great pleasure to serve on the Appropriations Military Construction Subcommittee, under Bo's able chairmanship. While there, I have developed a deep respect for his abilities and for his concern for the

continued military security of America.

In addition to being an effective and concerned representative of his constituents, Bo GINN became one of this body's most respected voices on the military needs of America.

Since I come from Georgia's neighboring State of Alabama, I am very familiar with Bo's extensive efforts to make known the views and desires of the people of Georgia. We have had the opportunity of working together on many issues of mutual concern to the people of our two States, and I have always been impressed with Bo's dedication and sincerity in his work in Congress.

I know that Bo GINN will continue to achieve great success in the future and I share the pride of all our colleagues that Bo GINN served with us in the U.S. House of Representatives.●

REDS AND THE PEACE
MOVEMENT**HON. LARRY McDONALD**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1982

● Mr. McDONALD. Mr. Speaker, opponents of the nuclear freeze, who are as sincere about peace as advocates, have suffered numerous slurs with little basis in fact. The attack began with an article in The Nation magazine attacking the concept of Soviet involvement in the peace movement, which has been thoroughly documented in the Western Goals Foundation study "The War Called Peace: The Soviet Peace Offensive." The Nation article was written by Frank Donner, who has a propensity to attack anyone opposing pro-Soviet policies, and was subsequently picked up by several other publications, including the Atlanta Constitution, the Baltimore Sun, the Cox newspaper chain, and, as one would expect, the Daily World, the official paper of the Communist Party, USA.

Despite these numerous smears, the fact of Communist and pro-Soviet involvement remained unchallenged. One journalist has been prominent in investigating and publicizing the nature of Soviet involvement in the American and European peace movements: John Rees. Most recently, Mr. Rees, publisher of the authoritative Information Digest, reviewed the questions raised by Donner & Co., in the weekly news magazine The Review of the News for December 8, 1982. Titled "Reds and the Peace Movement," Mr.

Rees' article is another example of the mounting evidence of Soviet involvement in the nuclear freeze movement.

I strongly commend this excellent article to my colleagues. The article follows:

[From the Review of the News, Dec. 8, 1982]

REDS AND THE PEACE MOVEMENT

(By John Rees)

"Oh, those demonstrations; you could have used newsreels from the Sixties in America. These are all sponsored by a thing called the World Peace Council, which is bought and paid for by the Soviet Union," said President Reagan in an interview a year ago. He had been asked about anti-American demonstrations in Europe whose stated goal was to prevent the United States from modernizing the N.A.T.O. deterrent.

Now we know that the World Peace Council was not content to operate only in Europe. By early spring this Moscow front was moving forcefully in the United States of America, through its affiliate U.S. Peace Council and the Communist Party, U.S.A., to promote and manipulate "peace" groups and the "nuclear freeze" campaign.

As the activities of the World Peace Council escalated, the issue was joined by publications ranging from the Wall Street Journal, Barron's, and The American Spectator through Human Events, American Opinion, Commentary, and this magazine, to National Review, Reader's Digest, and scores of other outraged media. The first detailed monograph on the subject was a Western Goals Foundation book, The War Called Peace: The Soviet Peace Offensive, prepared in association with the Information Digest and first distributed in March 1982. As the months passed, others developed more details on the Soviet role in the U.S. "peace" movement; particularly John Barron in his October Reader's Digest article, "The KGB's Magical War For 'Peace.'"

In November, with the respectability of the "nuclear freeze" movement in question, the friends of the Reds fought back with a campaign of calumny, distortion, and slander against the responsible press.

The first salvo was written by Frank J. Donner. This is the same Frank Donner who appeared before the House Committee on Un-American Activities in 1956 and 1959 and was identified in sworn testimony by Mortimer Riemer, Herbert Fuchs, and Harry Cooper as a member of the Communist Party, U.S.A. More recently head of the American Civil Liberties Union Project on Political Surveillance and a constitutional law specialist at Yale, Donner served in the mid-1970s on the advisory board of Counter-Spy magazine which sought openly to disrupt U.S. intelligence operations.

Publisher of this opening smear of journalists who have been writing about the Soviet role in the "freeze" campaign was The Nation, a magazine which is a frequent outlet for materials supporting Soviet propaganda and which more than four decades ago was even defending Stalin's Moscow purge trials.

The editorial board of The Nation includes World Peace Council member Archie

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

W. Singham, who helped found the U.S. Peace Council in 1979. Yet another is Richard Falk, a Princeton professor active in the Soviet-run International Association of Democratic Lawyers. With Roger Wilkins, Alan Wolfe, and Norman Birnbaum, Professor Falk rounds out the Institute for Policy Studies apparant on The Nation's board which takes its direction from I.P.S. co-founder Marcus Raskin. Mr. Raskin earlier this year was in Moscow meeting with officials of the Central Committee of the Communist Party of the Soviet Union at a "think-tank" called the Institute of the U.S.A. and Canada. This Soviet agency plays an important role in the Soviet "peace" campaign and has provided a cover for certain K.G.B. operations and officials.

A LOOK AT TERRY PROVANCE

Typical of Donner's distortions and evasions in *The Nation* is his defense of Terry Provance, disarmament coordinator of the American Friends Service Committee (A.F.S.C.). Mr. Donner wrote:

"In particular, the authors attack the A.F.S.C.'s disarmament director, Terry Provance, claiming he is a 'sponsor' of the U.S. Peace Council, the Kremlin's arm in America, and, worse, 'is one of 40 official U.S. members of the World Peace Council,' elected 'at the W.P.C.'s 1977 meeting in Warsaw.' These charges... are falsehoods. The truth—which the authors could have readily discovered—is that the W.P.C. in 1977 listed Provance as a member without his permission, an error which was remedied after he wrote two letters of protest. Nor was he a U.S. Peace Council sponsor: he attended a founding meeting in Philadelphia and supported the convening of the organizing conference, but then explained that his presence—for all of two hours—should not be construed as either membership or an endorsement."

The facts are quite different. Terry Provance claims that his name appeared by mistake, and says that in 1977 he asked the W.P.C. to remove his name and that they agreed. If so, one wonders, why does the W.P.C.'s current listing of members elected at Sofia, Bulgaria, for the years 1980-1983 still include the name "Terry Provance, Director of Disarmament Programme of American Friends Service Committee." Is the Soviet apparat so incompetent that the name of an unwilling associate who had quit all contact with the W.P.C. in 1977 was listed on the "re-elected" membership roster by mistake? Or did Provance just not expect to be asked about his activities with this international Communist front?

If Terry Provance of the American Friends Service Committee is embarrassed over his listing as a W.P.C. member, he must also be red-faced about the Mobilization for Survival demonstration he led on the steps of the United States Capitol on October 29, 1979, at which his fellow speakers were Dutch Communist Party leader Nico Schouten, head of the W.P.C.-related "Ban the Neutron Bomb" campaign; and a man he introduced as "my friend," Warner Rumpel, general secretary of the East German Peace Council.

Several days later, Provance attended the founding convention of the U.S. Peace Council. The conference call, issued weeks in advance and also distributed at the meeting, listed Provance as a "sponsor." While Donner in *The Nation* presents Provance's "two hours" at the U.S. Peace Council's founding conference as almost a matter of virtue and not construing "either membership or an endorsement," the fact is that

U.S.P.C. documents also list Provance as a panelist in a workshop on "New Weapons" with James Jackson, a Politburo member of the Communist Party, U.S.A., and Provance's fellow member of the World Peace Council; and the Reverend William Hogan, a member of the Chicago Peace Council (C.P.C.), another Communist Party, U.S.A., front.

As co-convenor of the Mobilization for Survival's International Taskforce and a coordinator of the anti-nuclear World Information Service on Energy, Provance was also a featured speaker on April 4, 1981, at an anti-N.A.T.O. protest in Bonn, West Germany. Rally posters showed its sponsors as the German Communist Party (D.K.P.) and the West German affiliates of Soviet-controlled international Communist fronts.

Joining Terry Provance on the speakers' platform in Bonn was Nino Pasti, an Italian Peace Council Leader and member of the Italian Senate elected on the Communist Party coalition ticket. While the Italian Peace Council is probably the least effective European branch of the W.P.C., Pasti is a former general and N.A.T.O. deputy commander. As such he has more than compensated the Comrades by his many pro-Soviet pronouncements and through his work with the pro-Soviet gang known as Generals for Peace and Disarmament.

Given these many and continuing associations with the World Peace Council and the U.S. Peace Council, why would a skilled propagandist like Donner work so hard to exonerate Terry Provance? Could it have anything to do with Provance's role as a founder of the "nuclear freeze" campaign, coordinator of the International Taskforce of the National Campaign for a Nuclear Weapons Freeze, and head of the International Taskforce of the febrile Mobilization for Survival? Or could it be that this is an attempt to conceal World Peace Council and other communist influences in the leadership of the "peace" movement?

HOW THE FRONT WORKS

A 1978 Report by the C.I.A. published by the House Select committee on Intelligence termed the W.P.C. "the Soviet Union's single most important international front organization" and "an effective instrument of Kremlin policy." It is indeed.

The current (published) roster of World Peace Council members includes Kate Abell, secretary of the Trade Union Committee for Economic Conversion and the Transfer Amendment; Barbara Armentrout of the Women's International League for Peace and Freedom, and editor of its newsletter, *Peace And Freedom*; Dee Bates of the Reverend Jesse Jackson's Operation PUSH, Washington, D.C.; Josephine Butler, head of the D.C. Statehood Party; convicted murderer and armed robber Frank Chapman, St. Louis field secretary of the American Friends Service Committee until his 1980 move to New York to take top posts in two Communist Party, U.S.A., fronts; Vencemos Brigade leader Johnetta Cole, teaching at the University of Massachusetts, Amherst; Carlton Goodlett, the frenetic joiner of Communist fronts who was founder of the National Newspaper Publishers Association; Frank Jackalone, president of the radical U.S. Student Association; SANE national treasurer Joseph Miller; Robert Prince, vice president of Colorado C.C. Federation of Teachers; Edwin Vargas, vice president of the Connecticut Federation of Labor; and Edith Villastrigo, Washington "legislative representative" of Women Strike for Peace.

This list provides an interesting example of how a Soviet front like the World Peace Council brings other "peace" organizations into its orbit by recruiting their leaders.

But even more significant is the W.P.C. membership of elected public officials who have been in the lead of the "nuclear weapons freeze" campaign. Among them are Irving Stolberg, Connecticut State legislature; Mel King, Massachusetts State legislature; Sandra Graham of the Cambridge, Massachusetts, City Council and Massachusetts State legislature; and New York City Councilman Gilberto Gerena Valentin.

Of course the U.S. membership roster of the W.P.C. also includes names associated with the Communist Party and its youth arm, the Young Workers Liberation League (Y.W.L.L.). Among them are Helen Winter, international affairs secretary, Communist Party, U.S.A.; veteran member of the Communist Party, U.S.A., Pauline Rosen; Sandy Pollock of the Y.W.L.L., solidarity coordinator of the U.S. Peace Council; Carl Bloice, Central Committee member of the Communist Party, U.S.A., and editor of the Party's West Coast newspaper, *People's World*; James E. Jackson, Communist Party, U.S.A., Politburo; Sarah Staggs of the Y.W.L.L., executive director, Chicago Peace Council; and Jack O'Dell, also known as Hunter Pitts O'Dell, International Affairs director of Operation PUSH and former member of the National Council of the Communist Party, U.S.A.

COMRADES ON THE LOCAL LEVEL

Communist Party members of both the W.P.C. and U.S.P.C. were present at a Communist Party, U.S.A., "Extraordinary Conference," held April 23-25, 1982, in Milwaukee. During these closed and guarded meetings, Communist Party leaders provided frank reports on the Party's participation in local "nuclear freeze" initiatives. Some of these reports have since been published in *Party Organizer*, a "members only" document.

Joelle Fishman, a Communist Party, U.S.A., Central Committee member, reported on C.P.U.S.A. activities in grassroots organizing campaigns. She singled out "the Connecticut Nuclear Freeze Campaign, and similar freeze campaigns through New England." Comrade Fishman explained that the first step was "collecting signatures on petitions asking elected officials to endorse the campaign. Then names from the petitions were divided out by town. Local committees were set up."

Communist official Fishman noted that the "nuclear freeze" campaign was particularly important "because of the thorough way the mass sentiment fearing nuclear holocaust was organized." She then provided her fellow Communists with a concrete example:

"One of the first towns to get started is small and generally conservative, in the shadow of the Trident Submarine Naval Base. The organizers, primarily retirees, arranged for a town meeting to vote on the freeze. In preparation they invited a retired Admiral to speak in favor of the resolution at the high school. All petition signers were called and invited to supper at one of several homes before going to the high school together. The auditorium was packed and at the town meeting a week later the resolution was passed."

Comrade Fishman noted with satisfaction: "This has been duplicated in small town after small town since, as well as the State Legislature."

In February 1982, the Connecticut House of Representatives and Senate passed "nuclear freeze" resolutions. Passage of the "freeze" was organized by State Representative Irving J. Stolberg of New Haven. Stolberg is one of a number of elected U.S. state and local legislators who have been active with the World Peace Council since the mid-1970s. As a member of the W.P.C. he was founder of the U.S. Peace Council.

Naturally the Soviets and their comrades in the local Communist parties who oversee these fronts do not like the light of public attention turned on their behind-the-scenes activities—operations the Soviets call active measures. As "freeze" critic Rael Jean Isaac has said, "They try to fool all of the people all of the time, and those they can't fool, they call 'McCarthyites.'"

Doubtless this is what lies at the heart of attacks on the distinguished author and journalist John Barron. For his excellent article in the October Reader's Digest, Barron had interviewed Stanislav Aleksandrovich Levchenko, who late in 1979 left his post with the K.G.B. and took political asylum in the United States. In the interview, Mr. Levchenko explained such active measures as follows:

"So by Active Measures, the KGB distorts reality. The trick is to make people support Soviet policy unwittingly by convincing them they are supporting something else. Almost everybody wants peace and fears war. Therefore by every conceivable means, the KGB plans and coordinates campaigns to persuade the public that whatever America does endangers peace and that whatever the Soviet Union proposes furthers peace. . . . That's the art of Active Measures, a sort of made-in-Moscow black magic. It is tragic to see how well it works."●

JOYCE HAWS—CONCERNED MOTHER AND ACTIVE LEADER

HON. RONALD M. MOTT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1982

● Mr. MOTT. Mr. Speaker, once again I would like to bring your attention to the struggle against judicial tyranny being waged by the National Association of Neighborhood Schools (NANS), and especially to the career of a dedicated leader of that struggle, Mrs. Joyce Haws of the city of Cleveland.

Joyce is a teacher by profession, and as a mother of two daughters, she has always been active in the schools of the communities where her family has lived. Fourteen years ago she returned to Cleveland, and she soon found herself and her family faced with the problems resulting from court decisions ordering busing in the local school districts. Her first efforts to halt this displacement of neighborhood children led Joyce to PTA groups and, in 1976, an organization called Citizens for Neighborhood Schools.

Joyce and CNS were aware that the sole means of removing the cases of court-ordered busing was, and is, congressional action, preferably in the form of an amendment to the Consti-

tution. They were not alone. Citizens across the country who opposed the judicial verdicts were united in the National Association for Neighborhood Schools. They were determined to let it be known that grassroots Americans did not want distant schools and long bus rides for their children, nor higher taxes for themselves.

Becoming more active with NANS as the years passed, Joyce became one of its energetic national directors. She has appeared on TV editorials and shows, organized fundraisers, published articles, spoken to church and social groups, all in a strenuous campaign to encourage those who oppose busing to become active, and make their voices heard in Washington. NANS collected over 1 million signatures for the Mottl amendment to end court-ordered busing of children. Joyce is still working tirelessly to achieve the goal of returning children to their own neighborhoods, and NANS is fortunate to have this committed and concerned parent direct its fight.

Mr. Speaker, my colleagues in the House, please join me in recognizing the hard work of Mrs. Joyce Haws, and the people she represents—NANS and the parents of America.●

THE PEOPLE'S PARADISE

HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1982

● Mr. FIELDS. Mr. Speaker, some form of socialism/communism is dominant in many nations and every continent. The idea of socialism is especially attractive to intellectuals who are able to maintain a comfortable distance from actual socialist practices.

Though socialism is a god that fails continuously, and causes more human suffering and tragedy than any idea or practice in history, there are those who stubbornly cling to its high-minded idealism. They religiously close up their eyes to the reality that the socialist promise of instant utopia brings only the tyranny of a real dystopia.

It is for them that the following glimpse of reality is provided.

[From the Washington Times]

A VISIT TO EAST BERLIN

(By Walter Williams)

The first mistake was made back in 1945. Gen. George S. Patton wanted to take all of Germany, but the White House wouldn't let him. Now we have a divided Germany—East and West. Berlin, the capital of Germany before defeat, is surrounded by Soviet-controlled East Germany. Berlin, in turn, is divided West and East. The allied (France, England and U.S.) sector of Berlin is free. The Eastern sector is dominated by the Soviets. In August, this writer had a chance to visit this part of the world.

West Germany and West Berlin are indistinguishable from the U.S. These citizens enjoy basically the same standard of living as do Americans. The cities are vibrant. And West Germans are free to come and go as they please. Having enjoyed the luxury of West Berlin, my wife and I hired a driver to take us into East Berlin.

Before we got to one of its key entry points—Checkpoint Charlie—we viewed the infamous Berlin Wall. In full view, we saw machinegun towers, barbed wire, minefields, anti-tank traps and fences that automatically fire bullets when touched. Then we proceeded through Checkpoint Charlie. After going through the East Berlin red tape, which is a whole story in itself, we were admitted.

The contrast was incredible. The fancy cars of West Berlin were not to be seen. Absent also were the numerous shops. The colorful dress was gone. And the people weren't smiling. In West Berlin there was little or no readily apparent evidence of World War II's devastation; but in East Berlin you could still see the ruins of bombed-out buildings.

Why this difference? East and West Germans are indistinguishable as people. Both had incredible devastation visited upon them in World War II. A personal observation from looking at the age of buildings was that West Berlin was bombed more heavily than East Berlin. Furthermore, there's no great natural resource advantage of one over the other. The difference is freedom. West Germans are much freer to make decisions over their lives than their Eastern brethren. This freedom not only grants them more material goods, it also frees them from arbitrary control by the state.

If only more Americans could visit East Berlin, particularly those who advocate more and more government controls. They would see the requirements for socialism. And the most basic requirement is that people cannot be free. Why? Because if they are free, they can't be trusted to do what the powerful elite thinks they should do. Anyway, before returning to Checkpoint Charlie we had to go through further East German red tape. And now we could view the wall from the communist side. From this vantage point, one could readily see that the anti-tank traps were not installed to protect East Berlin from a Western attack. They were to prevent East Berliners from running the barricades in tanks or trucks. The East Germans searched our car. They didn't bother the glove compartment, visors, door pockets, etc. why? Because people can't hide there. Instead, they lifted the rear seat, opened the trunk, and wheeled a mirror under the car looking for anyone 'crazy' enough to want to leave the communist paradise.

Well, we got back to the other side of the wall. And there I mulled over our country's second mistake: when the communists built it, we should have leveled it with our bulldozers. Isn't it a sad confession of the moral and economic bankruptcy of a system when such elaborate provisions must be made to keep citizens from leaving.●

WHALING WITH THE COLD HARPOON

HON. DON BONKER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1982

● Mr. BONKER. Mr. Speaker, the International Whaling Commission (IWC) has banned the use of the cold (nonexplosive) harpoon for the taking of all whales. Nevertheless, nearly 11,000 minke whales may be killed with the cold harpoon in the coming year. Although the whaling countries have had more than 2 years to develop an alternative to this cruel weapon, they have indicated that they are not only unable but unwilling to comply with the ban. Japan, the Soviet Union, Iceland, Brazil, and Norway each filed objections to the cold harpoon ban, and thereby exempted themselves from this important IWC regulation.

The article I wish to submit for the RECORD, an excerpt from the 1982 Greenpeace publication "Outlaw Whalers," discusses the issue of humane killing of whales and presents an eye-witness account of the cruelty of killing minke whales with the cold harpoon.

COLD HARPOON BAN LONG OVERDUE

The issue of humane killing has always been a difficult one for those who exploit whales. The simple fact is that there is no way to humanely kill any creature as large as a whale and still have the body intact. The best compromise between speed of killing and wastage of the carcass has been the standard 90 mm explosive-tipped harpoon, a weapon that does not always kill cleanly. After reading reports, questioning witnesses and going out on a catcher boat to observe whaling first hand, Sidney Frost, Chairman of the Australian Inquiry into Whales and Whaling came to this conclusion:

"Although death is brought about by a most horrible method, in the cases where it occurs instantaneously, the act of killing may be said to be not inhumane. But if the death is not instantaneous, or does not happen quickly, the animal is required to suffer from these truly terrible injuries for at the least three minutes and more usually up to five or seven minutes until a killer harpoon can be fired. There can be only one conclusion: that in these cases death is caused most inhumanely. The fact that these cases are a significant proportion of the total leads to the inevitable conclusion that the technique for killing whales at present used is not humane."

If the killing of whales by explosive harpoons is cruel, the use of non-explosive ones, particularly those of low caliber, is horrendous. It is very difficult for conversationists to observe the killing of whales by these weapons since the whalers are understandably reluctant to allow them on board their vessels. The following account is by a whale researcher who succeeded in talking his way onto the Brazilian catcher boat, the *Katsu Maru* #10.

"Around 6:30 a.m., a whale was spotted from the crow's nest as we reached our twentieth mile from shore. Minke whales come north from the Antarctic during the spring and summer months of the Southern

Hemisphere to breed and sometimes have their calves. As the ship bore down on the whale now losing strength, Sakaguchi made his way to the bow on the elevated walkway. The light-green painted harpoon cannon mounted on the foredeck was the only noticeable aspect of the vessel which wasn't rusty. Frequent clipped reports of the whale's position were relayed to the captain from observers high up on the main mast. Sakaguchi swiveled the gun back and forth and braced himself—waiting for the perfect moment for the exhausted whale to surface for air before firing. The blast of the cannon jolted the entire ship, and a cloud of brownish-pink smoke enveloped the black-capped figure standing along at the bow. A few seconds later the whale lunged up through a wild churn of white water straining on 50 yards of rope attached to the prow of the ship. A chimney of bloody fire erupted from its blow-hole; the 70 mm harpoon had torn veins and arteries deep inside the whale's body.

"Deeply resonant but uneven whale cries vibrated through the water. Tattered roses of scarlet blossomed in the blue, then faded into mottled pools of ruddy brown sinking below the surface. Another harpoon was tightly secured into the cannon and much less ceremoniously fired to try and end the whale's agony a little earlier. A bit of relief set in 20 or 30 minutes later after the giant tail had been lashed further aft to the rail and its erratic thrashing against the side of the steel boat finally ceased.

"Two whales were caught within an hour of each other, and up until that point the captain didn't seem to have shown any emotion to anyone. After the second minke was roped to the starboard side, he picked up a long handled flensing spade and made two deep cuts into their bellies to bleed them so the meat would stay fresher. Sakaguchi returned to the bridge, rinsed his hands in a bucket of water and while coming back to his seat, he caught the eye of another Japanese fellow on the bridge smiling at him. The captain smiled back and flicked some water in the other man's face. He wiped his brow and for the first time took off his sunglasses revealing a light strip of skin sharply contrasting the rest of his deeply-tanned face.

"A school of spinner dolphins came shushing into view. They bow-surfed for a while and did some incredible leaps high into the air. Smiling, Roberto said, "bonita ne" (beautiful eh?), I wondered how they felt about their giant cousins strapped to the side with their intestines hanging out.

"I photographed and photographed. Looking through my lens was the only way I could create a little space between my feelings and the whales' pain. By the fourth whale I had all the shots I needed of harpoons being fired, and all I could do was watch. This time only one harpoon was required. The violent thrashing seemed to last only 10 minutes before the animal was subdued at the waterline of the bow. It took every bit of chutzpah I could muster to produce a smile in recognition of the broad smile and thumbs up Roberto flashed me signalling his approval of the excellent shot.

"The fifth whale was the largest and most lively of the day. The previous quarries had been only 25 feet long—about three-year-old minkes. Early in the pursuit we could see it bobbing its head far out of the water. Even as we came closer, it continued to partially breach and heave down on the water. When the time approached for Sakaguchi to fire, all on the bridge waited tensely. The whale

lunged up out of the water 10 feet in front of the bow, and a voice inside me almost emerged involuntarily as a violent scream of STOP! A split second later the ear shattering explosion came, and something very heavy sank back inside of me as this cry for life had been suppressed and extinguished so quickly. Never having felt so helpless before, I curled up on a corner of the bridge, staring out to the ocean with my binoculars, and prayed we would find no more whales that day."

It is not only NGO observers who are concerned about the inhumane killing of whales by the cold harpoon. The following excerpt is taken from a letter sent October 6, 1981 from the Norwegian Department of Agriculture to that country's Department of Fisheries.

"Doubts have been raised as to whether the use of the non-explosive harpoon in small whaling satisfies the requirements for humane killing. In considering this question, the Department of Agriculture must rely on the reports from controllers who have participated aboard whaling vessels. These reports seem to conclude that when the non-explosive harpoon hits vital organs such as the heart, lungs and main arteries (mortal wounds), death occurs quickly. However, such mortal wounds only rarely occur—perhaps, in only 20 percent of the cases. Most hits go through the whale without causing death. In such cases, the whale, while being winched towards the vessel, will undertake a death fight which can vary in time. Under difficult circumstances, it may last up to one hour. All of our experience on the killing of animals indicates that this death battle is very painful. In view thereof, whaling with the non-explosive harpoon can hardly be said to satisfy the requirements for humane killing as prescribed in the Animal Protection Legislation.

"It is the opinion of the Department of Agriculture that active efforts must be made to find alternative methods of killing to replace the non-explosive harpoon. Since the use of anesthesia has been mentioned in this context we would like to draw your attention to the fact that the use of drugs as such would disqualify the meat for purposes of consumption. Based upon what we know today of the available methods of whaling, the explosive harpoon appears to be the method which ensures humane killing."

The concern of the letter was not misplaced. Three observer reports for the 1981 Norwegian minke season were obtained by Outlaw Whalers; all referred to long times to death seen during the voyages covered. Norwegian whaling vessels now carry powerful rifles such as the Mannlicher 9.3 mm to finish off any whale not killed quickly by the harpoon. Despite this, times to death on one boat observed in 1981 were generally around 10 minutes, and two whales took up to 50 minutes to die despite the presence of auxiliary weapons and an expert marksman. The other two vessels had longer times to death.

The presence of auxiliary weapons in no way guarantees even a 10 minute death time. On the *M/S Baragutt*, observed by a Norwegian inspector between June 9 and June 21, the average time to death for nine of the 10 whales harpooned was 27 minutes. The tenth broke the lines and escaped with the harpoon still embedded in it. The captain of the *Baragutt* had the following statement entered into the official report on this voyage.

"Concerning the time of killing of the nine whales witnessed by Mr. Kjesbu, I wish

to state that we were unfortunate with our shooting. The time element in killing is usually considerably shorter."—EILIF HANSEN.

In the killing of minke whales with cold harpoons there must be many such "unfortunate" shots. All of the reports make it clear that Norway's whalers are concerned about the suffering of the whales and do their best to kill them as quickly as possible. After all, it is in their own interest that the whale be landed as quickly as possible so they can resume the hunt. Still, many whales die very slowly. Expert marksmen miss their aiming point as the boat rolls and the wounded whale thrashes in the water. The use of auxiliary weapons fails to pass the test that if a significant minority of the kills cause great pain, then the whole process is inhumane.

Attempts have been made to develop alternative methods of killing, but without much success. In fact, the alternatives have proven even worse than the explosive harpoon. Drugs powerful enough to kill the whale have also killed whalers handling the products. Paralyzing drugs like succinylcholine do not hurt the meat but merely paralyze the whale, leaving it fully conscious and sensitive to pain.

Injection of compressed gases has been considered and this year Norway experimented with a carbon dioxide harpoon, carrying in its tip two liters of liquid carbon dioxide under pressure which is vented into the whale when the harpoon strikes home. This is clearly inhumane, for although it does produce quick cessation of movement and a fairly quick death, it does so by causing massive gas embolisms throughout the body of the unfortunate creature. The gas pressure causes muscles to become rigid; the animal ceases moving but is still conscious and aware of pain. The quick cessation of movement may look good in a report, but the horrendous suffering caused by literally exploding a living body with compressed gas is not acceptable to those who oppose the use of cold harpoons on humane grounds.

There have been experiments with killing by electrocution, but this requires that the whale first be harpooned and dragged by a cable back to the catcher boat so that the electrodes can be implanted, during which time the animal is conscious.

It is clear that the cold harpoon is the most inhumane way of killing and that high technology "humane" killing weapons that have been developed are not reliable. These devices are usually tested under ideal conditions which fail to simulate the worst case conditions.

Cold harpoons should not be used on any species of whale. Given the level of technology possessed by many IWC members, it should not be difficult to develop a humane alternative. The complete ban on this archaic and inhumane hunting weapon should be enforced and nations that have objected to the ban should agree on a date to stop using the cold harpoon and withdraw their objections.●

LEE NAMED INTERIM FAMILY COURT JUDGE

HON. JOHN L. NAPIER

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1982

● Mr. NAPIER. Mr. Speaker, I come from the small town of Bennettsville,

S.C., in the northeastern part of the State. Bennettsville is located in one of the smaller counties in the State in terms of population.

Until I was elected to Congress, Marlboro County had not been the home of a Congressman in this century. Congressman John L. McLaurin served in the Congress just prior to the turn of the century, and later served in the U.S. Senate.

Likewise, until recently, Marlboro County had not been the residence of a State judicial officer for over 100 years. Last week, however, Bennettsville attorney Jamie Lee was selected to fill the vacancy on the Fourth Circuit Family Court to succeed Judge LeRoy M. Want of Darlington who died in November.

Mr. Speaker, I want to congratulate Jamie Lee on his selection and wish him much success as he approaches his new assignment. His new position is an extremely important one in the South Carolina judicial structure. His court has jurisdiction over domestic matters and include divorces, adoptions, termination of parental rights, juveniles, and support and other such matters—matters which go to the heart of our family institution.

As one who has practiced law on the opposing side from Jamie Lee, I feel extremely comfortable as he assumes this important post. Jamie Lee has the temperament of a judge. He is knowledgeable. He is extremely fair. He is firm. He is compassionate.

Mr. Speaker, the people of Marlboro County are proud of Judge Lee for his accomplishment, and I wish to call to the attention of my colleagues in the House a recent news account and an editorial in the Marlboro-Herald Advocate of December 2, 1982, which detail the announcement of his selection, his background, and his accomplishments.

LEE NAMED INTERIM FAMILY COURT JUDGE

Bennettsville attorney Jamie Lee has been selected to fill the vacancy in the 4th Circuit Family Court. That vacancy occurred when Judge LeRoy M. Want of Darlington died in November.

Lee, 52, learned of his interim appointment on Monday from S.C. Gov. Richard Riley. Lee will still have a couple of obstacles to hurdle as any opposition that would file against him has until Friday to do so. Lee's interim term lasts until the legislature acts in 1985 to fill the unexpired term, which ends March 1, 1984.

"It is a great honor for me. I am very grateful for the appointment and confidence that has been shown in me by the governor and the Chief Justice," Lee said.

"I realize that Judge Want's shoes will not be easy to fill, but I will do the best job that I can," Lee said. Want had served as Family Court Judge since 1977 and died on November 9 after a long illness.

FIRST IN 105 YEARS

Lee will be the first state judge to come from Marlboro County in over 100 years.

Judge Joshua H. Hudson was the last to be named in 1878. "I hope that I can be a credit to the county and to the community.

This is my home and it is an honor to have the chance to serve," Lee said.

Coincidentally, Jamie Lee is a great-great nephew of Judge Hudson, as is Fourth Circuit Solicitor DuPre Miller, also of Bennettsville.

Lee has been a practicing attorney here since graduating from the University of South Carolina Law School in 1959. Lee and his wife, the former Mary Breeden, have three children.

Lee served in the S.C. House of Representatives 1962-1966 and is a veteran of the Korean War. He currently holds the rank of Lieutenant Colonel in the U.S. Air Force Reserve.

Lee has also been an active member of the Marlboro community as a Shriner, Mason, in Boy Scouts and the United Way.

Lee has also served as attorney for the City of Bennettsville and also for the Marlboro County School Board. He has also been chairman of the Marlboro County Board of Elections.

Lee has informed the Herald-Advocate that he will resign from these jobs and also will close his law practice. Work on that had already started on Wednesday morning.

"Whenever you receive a Judgeship you have to close down your practice and also remove yourself from all other duties," Lee said.

His new position would mean, Lee said, that as a Family Court Judge he would have jurisdiction over all domestic claims like divorce, adoption, support and juvenile cases.

"This means anyone under 17 years old and would include anything from not going to school to robbing a store," Lee said.

Lee said that he would be the resident judge in Marlboro County and his work would take him to the four counties in the district (Marlboro, Chesterfield, Darlington, and Dillon) and wherever else he might be assigned by the Chief Justice of the S.C. Supreme Court.

DIFFERENT FEELING

After so many years of being on the other side of the courtroom, how will it feel to be behind the bench?

"It will be a different feeling to be sure, but an awful lot of people have made the adjustment and I am looking forward to it. I would like to say thanks to all the people that helped me and I will try to do my best," Lee said.

A CREDIT TO US ALL

The "Marlboro Herald-Advocate" hails the appointment of Bennettsville attorney Jamie F. Lee to an interim appointment as Family Court Judge for the Fourth Judicial Circuit.

Lee's appointment by Gov. Richard W. Riley this week is a historic one in that it has been more than 105 years since the last Marlboro County attorney was named to a state bench.

In 1878, Joshua Hillary Hudson of Bennettsville was named Fourth Judicial Circuit Judge on Feb. 14, 1878, succeeding another Bennettsville attorney Charles Pinckney Townsend, who sat as circuit judge since 1873.

This is not the first time that Lee's name has surfaced for consideration for such a judgeship. When the family court system was inaugurated in S.C., Lee was then considered a likely candidate for such a seat, but was not then named.

It seems very appropriate to us that he should be named to fill the interim for the

late Judge Leroy Want of Darlington, who died in office last month.

Lee's credentials are many, illuminating his career: State Champion B.H.S. Basketball Team member, honor guard to Gen. Douglas McArthur, University of S.C. and USC Law School graduate, former member of the S.C. House of Representatives, attorney in private practice here as well as serving as attorney for the Marlboro County Board of Education and City of Bennettsville, and election commissioner for Marlboro County.

We congratulate Jamie Lee on this signal selection and express to him our appreciation for bringing this coveted position home to Marlboro County once again. ●

PERSONAL EXPLANATION

HON. MICHAEL D. BARNES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1982

● Mr. BARNES. Mr. Speaker, I was absent from the House on official business on Monday, December 6, 1982. I am using this opportunity to indicate my positions on some of the votes conducted on that day in relation to H.R. 6211, the Surface Transportation Act. Rollcall No. 416, "no"; rollcall No. 417, "no"; rollcall No. 418, "no"; rollcall No. 419, "no"; rollcall No. 420, "aye"; rollcall No. 421, "aye."

On rollcall No. 422, on Tuesday, December 7, I would have voted "aye." ●

TELECOMMUNICATIONS FOR THE DISABLED

HON. TIMOTHY E. WIRTH

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1982

● Mr. WIRTH. Mr. Speaker, the Committee on Energy and Commerce has unanimously reported S. 2355, the Telecommunications for the Disabled Act of 1982. This bill accomplishes two vital purposes. It changes an intrusive and ill considered Federal regulation that would prevent telephone companies from supplying equipment to deaf and other handicapped individuals under the approval of State regulatory commissions. Second, the legislation resolves a longstanding dispute within the telephone industry by directing the Federal Communications Commission to establish a technical standard for the manufacture of telephones that are compatible with hearing aids.

The regulation that S. 2355 modifies is scheduled to become effective on January 1, 1983. Unless Congress acts this session, disabled Americans will be unable to obtain tariffed new terminal equipment after that date. Many disabled persons rely on this equipment to lead productive, self-sufficient, and independent lives. Therefore, I am pleased that the major telephone carriers—and unaffiliated manufacturers

of telephone equipment—have joined with the handicapped community and State utility commissions to support this consensus legislation. Mr. Speaker, I ask unanimous consent to insert in the RECORD a selection of their letters, which explain the urgency of this legislation.

DISABLED AMERICAN VETERANS,
Washington, D.C., September 23, 1982.
Hon. TIMOTHY E. WIRTH,
U.S. House of Representatives, Chairman,
Subcommittee on Telecommunications,
Consumer Protection and Finance, Committee on Energy and Commerce, Washington, D.C.

DEAR CHAIRMAN WIRTH: I am writing to you in response to the legislation you are proposing that would amend the Communications Act of 1934 to provide reasonable access to telephone service for persons with impaired hearing and enable telephone companies to accommodate persons with other physical disabilities.

Quite frankly, the Disabled American Veterans has supported efforts to improve the lives of all American citizens with physical and mental disabilities, particularly, those disabled while in the wartime service to the United States.

A review of the legislation which you are proposing reveals that essential and frequently used coin operated telephones will be made compatible for specially equipped hearing aids utilized by the hearing impaired.

As equally important, your bill will finally permit telephone companies to make special telephone communications equipment available to the seriously handicapped at affordable costs.

Chairman Wirth, the DAV believes that your proposal will, if enacted, go a long way towards improving the quality of life for millions of hearing impaired and physically handicapped Americans.

On behalf of the 687,000 members of the Disabled American Veterans, I am pleased to strongly endorse your proposal and thank you for your endeavors to enable handicapped citizens to gain greater freedom and access to the mainstream of American society.

Sincerely yours,

EDWARD G. GALIAN,
National Commander.

PARALYZED VETERANS OF AMERICA,
Bethesda, Md., September 22, 1982.
Hon. TIMOTHY E. WIRTH,
Chairman Subcommittee on Telecommunications, Consumer Protection, and Finance Committee on Energy and Commerce, U.S. House of Representatives, Washington, D.C.

DEAR REPRESENTATIVE WIRTH: On behalf of the 11,000 members of Paralyzed Veterans of America, I want to express appreciation for your efforts to promote access to the telephone communications system for individuals with physical impairments. Your recognition of the importance of improved and available communications for disabled citizens and the essential role modern communications play in assisting disabled people to achieve maximum independence is gratifying.

Your legislative proposal clearly addresses many problems presently facing disabled citizens regarding the acquisition and payment for specialized communications equipment. The recent Federal Communications Commission decision, Computer II, would

preclude many individuals from obtaining this necessary, and often only means of contact with other people including vital medical and emergency personnel. Additionally, this FCC decision serves to retard technological innovations which benefit disabled people by drastically restricting their use and potential market.

Under the Computer II decision telephone companies would be prevented from subsidizing special and unique equipment which meet the needs of handicapped individuals. This not only will sever their primary means of communications but will also, in certain cases, prevent their gainful employment. This decision is unduly harsh and restrictive as it applies to devices for disabled people and presents a great hardship and peril to many of the most catastrophically disabled citizens.

Again, thank you for your recognition of this issue. If I or any member of my staff can further assist you in securing passage of this legislation, please contact us.

Sincerely yours,

R. JACK POWELL,
Executive Director.

NATIONAL EASTER SEAL SOCIETY,
Washington, D.C., September 27, 1982.
Hon. TIMOTHY E. WIRTH,
Chairman, Subcommittee on Telecommunications, Consumer Protection and Finance, Committee on Energy and Commerce, Washington, D.C.

DEAR REPRESENTATIVE WIRTH: I am writing on behalf of the National Easter Seal Society to express support for the "Telecommunications for the Disabled Act of 1982". We believe that this bill, H.R. 7168, amends the Communications Act of 1934 so that the Federal Communications Commission (FCC) will address two issues of critical importance to persons with disabilities. With respect to individuals with hearing impairments, the bill provides for reasonable access to telephone services. Moreover, H.R. 7168 provides states with the flexibility needed to allow telephone companies to continue to meet the unique needs of individuals with disabilities.

The National Society has consistently promoted efforts to provide persons with disabilities every opportunity to achieve fully productive and independent lives. For this reason, efforts by the Bell System and other telephone companies to render the telephone network accessible to persons with disabilities have been viewed very favorably. In the past, these companies have readily developed and distributed special telephone equipment for private and public use. By incorporating the costs associated with special terminal equipment into the regular rate structure, telephone companies have enabled thousands of individuals with hearing, speech, vision or mobility impairments to purchase telephone service at a reasonable cost.

The National Easter Seal Society is concerned, however, that recent action by the FCC to deregulate terminal equipment will jeopardize access to the telephone network for persons with disabilities. The FCC's Computer II decision prohibits state communications commissions from allowing telephone companies to subsidize terminal equipment. We believe that this ruling, although apparently not directed at the equipment used by persons with disabilities, could, nonetheless, have a devastating impact on their access to the telephone system. Unless states are once again allowed to permit telephone companies to recover a

portion of the development and distribution costs of special terminal equipment, individuals with disabilities may soon be confronted with exorbitant telephone equipment costs. Disabled consumers will be forced to either forego the use of the telephone or pay charges considerably higher than those borne by the general public.

The National Society believes that H.R. 7168 provides the necessary statutory flexibility to permit telephone companies to continue to meet the unique needs of persons with disabilities at a reasonable charge to the disabled consumer. Access to the telephone system is crucial to the lives of persons with disabling conditions and should not be threatened.

Furthermore, the National Easter Seal Society is fully supportive of provisions within the "Telecommunications for the Disabled Act of 1982" ensuring reasonable access to telephone services for person with hearing impairments. Telephones provided for emergency use or that are used frequently by persons with hearing impairments should be made compatible for use with a hearing aid as soon as possible. We are also encouraged by those sections of H.R. 7168 regarding rulemaking activity and consumer education. These provisions will further enhance access to telephone services for persons with impaired hearing.

We were pleased that H.R. 7168 received such strong and favorable support from the Committee on Energy and Commerce. We would urge the House to act in an expeditious and equally positive manner.

Sincerely,

JOSEPH D. ROMER,
Director of Governmental Affairs.

AMERICAN ASSOCIATION
OF RETIRED PERSONS,

Washington, D.C., September 23, 1982.

Hon. TIMOTHY E. WIRTH,
Chairman, Subcommittee on Telecommunications, Consumer Protection, and Finance, Washington, D.C.

DEAR CONGRESSMAN WIRTH: The American Association of Retired Persons is writing in support of H.R. 7168, the Telecommunications for the Disabled Act of 1982, designed to promote access to the telephone network for persons with physical impairments.

We are pleased that this legislation recognizes and begins to address the problem of telephone receiver incompatibility with hearing aid telephone pickups. The Association is concerned that incompatible telephone equipment is restricting certain individuals' access to the use of the telephone—an integral part of everyday life.

Hearing impairment among the elderly is a widespread disability which threatens the quality of life of our elderly by inhibiting their communication with others. The hearing aid, although not a panacea, is a rehabilitative device which provides assistance to many hearing impaired elderly. Hearing aids should serve the hearing impaired elderly in as many different situations as possible; using the telephone is one method of communication which should not be denied this population.

Nor should access to the telephone be denied to those individuals with other physical impairments who need different types of specialized telephone equipment. Therefore, as contained in section (g) of H.R. 7168, it is important that telephone companies be allowed and encouraged to provide that specialized telephone equipment in a manner which is affordable to those who need access to the telephone most.

The lack of access to telephones has far-reaching implications in such problem areas as freedom from isolation, emergency protection, equal employment opportunities, and freedom of mobility. For example, there are elderly individuals who suffer from severe chronic conditions which restrict their mobility and cause them to be confined to their homes. For them, the telephone is an essential tool for communication. It may be the only or major means for them to have contact with others and thereby provide protection from social isolation. In an emergency situation, the telephone may be their only resource for obtaining assistance.

Again, AARP supports H.R. 7168, the Telecommunications for the Disabled Act of 1982, and urges that this legislation be acted upon favorably during this session of Congress.

Sincerely,

PETER W. HUGHES,
Legislative Counsel.

STATE OF MICHIGAN,
DEPARTMENT OF COMMERCE,

Lansing, Mich., September 24, 1982.

Hon. TIMOTHY WIRTH,
Chairman, U.S. House of Representatives,
Subcommittee on Telecommunications,
Consumer Protection and Finance,
Washington, D.C.

DEAR REPRESENTATIVE WIRTH: I am writing to you today to express my support for H.R. 7168. This bill will provide access to telephone service for persons with impaired hearing and it will also enable telephone companies to provide other specialized terminal equipment needed by persons whose hearing, speech, vision or mobility is impaired. In the latter instance, the bill authorizes State commissions to allow carriers to recover in their regulated service tariffs reasonable costs of this equipment not charged directly to the users of this equipment. I commend you for introducing this legislation and support you in your efforts to enact this bill.

Sincerely,

ERIC J. SCHNEIDEWIND,
Chairman.

CENTEL,

Washington, D.C., September 24, 1982.

Hon. JOHN D. DINGELL,
Chairman, House Energy and Commerce
Committee, Washington, D.C.

DEAR MR. DINGELL: We understand that your committee has been very receptive to newly introduced H.R. 7168, the Telecommunications for the Disabled Act of 1982.

H.R. 7168 is a bill designed to achieve a worthwhile objective. Moreover, it involves minimal regulatory involvement and limited cost to telephone manufacturers, telephone companies and ratepayers. A similar bill, S. 2355, was recently passed by the Senate, and we supported that bill.

Central Corporation supports your actions and the efforts of Mr. Wirth and the bill's other cosponsors to move this legislation to the full House. I shall be happy to encourage support for H.R. 7168 as incorporated into S. 2355 among our representatives in the full House.

Very truly yours,

MARTIN T. McCUE.

AMERICAN SPEECH-
LANGUAGE-HEARING ASSOCIATION,
Rockville, Md., October 13, 1982.

Hon. JAMES T. BROYHILL,
U.S. House of Representatives
Washington, D.C.

DEAR REPRESENTATIVE BROYHILL: The American Speech-Language-Hearing Association (ASHA) supports S. 2355 as amended to incorporate the changes provided by H.R. 7168, the Telecommunications for the Disabled Act of 1982. We agree with the four points discussed under Section 2 of the bill and find that the new section, Telephone Service for the Disabled, appropriately resolves many of the difficulties the speech, language and hearing impaired have had with obtaining and funding the correct telephone.

The telephone is an important part of the lives of most Americans and, therefore, the telephone should be as accessible as possible for those Americans who have communicative disorders. As ASHA testified on May 6, 1982, before the Senate Subcommittee on Communications, there is a rise in incidence of hearing loss in our country. The National Center for Health Statistics reported that in 1971 there were 14.5 million individuals with hearing impairment and that by 1977 the figure rose to well over 16 million. We need to be certain that those who have a hearing loss serious enough to warrant the wearing of a hearing aid find that telephones are compatible with the induction coils of their hearing aids. ASHA would like to see the telephone companies required to insure availability of induction coil telephones in all settings. These induction coil units are readily available at present and all consumers and telephone personnel should be made aware that ordering a more useful telephone for their home or office is possible. The bill calls for the labeling of packaging material and this action should remedy the situation in the homes and workplaces of the hearing impaired. The necessity of compatible essential telephones mandated by the bill would improve ease of telephones by the hearing impaired when outside of their homes and work environments.

It is our hope that you will support the prompt passage of S. 2355 during the post-election session of the 97th Congress.

Sincerely,

STEVEN C. WHITE, Ph. D.,
Director, Reimbursement Policy Division.

AMERICAN COUNCIL FOR THE BLIND,
Washington, D.C., September 27, 1982.
Re Telecommunications for the Disabled Act.

Hon. TIMOTHY WIRTH,
U.S. House of Representatives,
Washington, D.C.
Attention: Scott Rafferty

DEAR REPRESENTATIVE WIRTH: On behalf of the thousands of members of the American Council of the Blind, please let me take this opportunity to express our support for the Telecommunications for the Disabled Act. We believe that this legislation will be of benefit not only to hearing impaired people but also to other handicapped persons such as deaf-blind individuals who need costly, highly specialized telephone equipment.

We believe that the local telephone companies should be permitted to subsidize the cost of special equipment and installation from the general rate base.

We appreciate your efforts in connection with this legislation and hope that this bill will be passed by the House without delay.

Very truly yours,

J. SCOTT MARSHALL,
Director of Governmental Affairs.

Washington, D.C., September 27, 1982.
Hon. TIMOTHY E. WIRTH,
Chairman, Telecommunications and Finance Subcommittee, Washington, D.C.

DEAR CONGRESSMAN WIRTH: The undersigned organizations appreciate your efforts in developing and introducing the Telecommunications for the Disabled Act of 1982. We support the bill in its extension of the compatibility requirements of S. 2355 to emergency phones, hospital phones and similar phones. We are also very supportive of the provisions which enable state utility commissions to allow telephone companies to recover costs of special terminal equipment for the disabled such as those who are deaf, vision-impaired or immobile. Technology has developed at a rapid rate in telecommunications for the disabled. These advances can permit severely disabled people to live independent lives; lives that might otherwise be relegated to institutions. This kind of technological development, together with architectural and design developments and developments in medical technology permit the disabled to lead much more productive lives.

The membership of our organizations provides health care and related services to disabled people. The goal of our services—the rehabilitation of the physically disabled—is dependent on the access of disabled people to communications systems. Your bill is important to us for it makes telecommunications advances financially feasible to the disabled.

Sincerely,

American Congress of Rehabilitation Medicine; American Academy of Physical Medicine & Rehabilitation; and Association of Academic Psychiatrists.

By Their Counsel:

RICHARD E. VERVILLE, Esq.

NORTH AMERICAN
TELEPHONE ASSOCIATION,

Washington, D.C., November 30, 1982.

Hon. TIM WIRTH,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN WIRTH: Your staff has asked for the views of the North American Telephone Association on H.R. 7168, The Telecommunications for the Disabled Act of 1982. As you perhaps know, we were pleased to have been invited to participate in the development of this important legislation. Upon review of the final provisions of the Bill and its Report issued by Congressman Dingell for the House Committee on Energy and Commerce on September 28, 1982, we wish you to know that we strongly endorse enactment of the legislation in the form it is now submitted.

We have particularly appreciated the cooperation of your staff in working with us to accomplish this task!

Sincerely,

EDWIN B. SPIEVACK,
Executive Director.●

LAW OF THE SEA TREATY

HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1982

● Mr. FIELDS. Mr. Speaker, I commend this article from Reason magazine to the attention of my colleagues:

LIFE WITHOUT THE TREATY

What happens if the US government stands firm in its decision not to sign the United Nations law of the Sea treaty? Does it leave the United States in international isolation? Will it be impossible for US firms ever to mine the seabed?

It is true that on April 30 the United States was joined by only three other nations in voting against the Conference treaty. In the aftermath, the words "isolated" and "isolation" have shown up frequently in news reports and former diplomats' comments on the US vote and on President Reagan's July announcement that the United States would not be signing the agreement.

Yet 17 other nations—including the Soviet Union, Britain, and West Germany—failed, by abstaining, to vote for the treaty. Although greatly outnumbered by the 130 nations voting for the agreement, the abstaining and nay-voting countries are the source of 60 percent of world production and of contributions to the United Nations. In fact, the only major industrial nations voting for the treaty were France and Japan—and both pointed out that they were not saying whether they would ultimately ratify the treaty.

Sixty ratifications are needed for the treaty to go into effect, but analysts now speculate that they may be a long time in coming. Moreover, if 60 ratifications do come through, they may well be mainly from small nations. If so, the US government's desire for further negotiations on an alternative "minitreaty" could bear fruit. The now-defunct Reciprocating States Agreement (RSA)—negotiated by France, West Germany, Britain, and the United States within the context of UNCLOS—could be the starting point.

The aim of the RSA was to provide a framework for harmonizing national ocean-mining legislation among its signatories and for delineating mine sites. It was to be open to signing by any nation, signatory or non-signatory to the law of the Sea treaty, industrial or developing. It attempted, not to regulate seabed mining, but to provide an international legal environment in which development of oceanbed resources might proceed.

Critics of the US stance against the UN treaty worry that, without it, US firms will be unable to obtain financing for the huge capital investments needed to explore and mine the ocean floor. The mining industry itself, however, has enthusiastically supported the Reagan administration's refusal to sign the treaty. As pointed out in a Heritage Foundation report ("The Law of the Sea Treaty: Can the US Afford to Sign?"), it seems doubtful that financing would be forthcoming anyway under the restrictive conditions imposed by the treaty; and with or without the Law of the Sea treaty, credit would be extended to ocean-mining firms on the basis of their existing assets and not their ability to produce seabed minerals.

The advantage of a treaty, then, would not be in the area of financing but in pro-

viding the climate in which potential seabed developers might risk their capital on such ventures. And the industry seems willing to bet on there being a viable alternative to the Law of the Sea regime.●

HON. HENRY S. REUSS

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1982

● Mr. La FALCE. Mr. Speaker, for the past 8 years, I have had the privilege of serving with a truly gifted man, an individual who will leave his mark on this body when he retires at the end of the 97th Congress. Today, Mr. Speaker, I wish to take a few moments to pay tribute to the work and the genius of my dear friend and colleague, HENRY REUSS.

During his 28 years as the U.S. Representative from Wisconsin's fifth Congressional District, HENRY REUSS has employed his intellectual gifts to improve our banking system, to enhance international relations, to speed pollution control efforts and, in his last term, to focus special attention on the chronic needs of our economy. It has been a career marked by brilliant ideas, and this chamber will be at a loss to replace the man and his genius.

Even a cursory review of those 28 years reveals the extent of this brilliance. As a young Congressman from Milwaukee, HENRY developed the idea of the Peace Corps and saw it bloom into one of America's best-known and admired tools of foreign aid. Several years later, as America's attention focused on the problems of pollution, he unearthed the unused Refuse Act of 1899, which prohibited the dumping of pollutants into navigable waters. He used the act to file hundreds of lawsuits and turned over the money won to Wisconsin's Department of Natural Resources to help its antipollution programs.

His leadership as chairman of the House Banking Committee built the groundwork for major changes in Federal regulation of the financial institutions industry. Having worked closely with Chairman REUSS on such matters as the Depository Institutions Deregulation and Monetary Control Act of 1980, I know that his vision for a modernized banking system has been instrumental in the changes now underway in this industry.

I also know that his leadership skills were instrumental in creating and passing the financial package necessary to save New York City from bankruptcy in the mid-1970's. As a young member of the Economic Stabilization Subcommittee, I took a special interest in this legislation because of its potential effects on my home State of New York and other cities across

America. Thinking back to those times, it is difficult to recall a more complex and emotional battle at the subcommittee and committee level. It was a privilege to serve on a committee led by an individual who allowed all parties to be heard and who forced the committee to produce a strong and reasoned bill.

On the Joint Economic Committee, both as chairman during this Congress and as a member during previous sessions, HENRY's strong and forceful voice has been heard often. Over a decade ago, HENRY authored a controversial JEC subcommittee report urging the Nixon administration to close the gold window and move to a system of floating exchange rates. During this Congress, with our economic future uncertain, Chairman Reuss has conducted one of the most aggressive and broadminded hearing schedules in this history of the committee. During the Reuss era, the JEC has held over 170 days of hearings and issued approximately 15 percent of the total number of publications—studies, reports, hearing records—in the 36-year history of the committee. Those hearings have touched virtually every facet of the national and international economic scene. Included among those hearing topics have been agricultural policy, the Nation's economic outlook, deregulation of natural gas, defense spending, the economic status of women, President Reagan's New Federalism proposals, urban policy, international trade, income distribution, and the Federal budget. The committee has published reports on Poland, studies of the economic situation in Cuba, and researched the status of the semiconductor industry in Eastern Europe and its effect on our trade with Soviet bloc nations.

Chairman Reuss's strong and consistent efforts to focus on issues affecting the stability and growth of America's economy are symbolic of his personal commitment to this Chamber. Even as he began the work of packing 28 years of work, he developed and proposed a program of infrastructure investment and job creation that the House will consider during this special session.

Mr. Speaker, in *The Other America*, author Michael Harrington wrote that—

The millions who are poor in the United States tend to become increasingly invisible. . . . It takes an effort of the intellect and will even to see them.

For over a quarter of a century, HENRY REUSS has commanded his intellect to see the pressing needs of this Nation. The legacy he leaves behind is one of vigor and brilliance in pursuit of improved economic conditions for all people.●

HENRY S. REUSS

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1982

● Mr. CONYERS. Mr. Speaker, we have all benefitted enormously from the presence of HENRY REUSS. I hope that we will continue to have his perspectives and ideas on economic policy. Among his many achievements in this body I will always remember an overriding one. The Humphrey-Hawkins Full Employment Act was originally the Reuss-Hawkins-Humphrey bill. He stood as a major force for creative change in economic policy. He formulated the original concepts behind the act. His involvement was absolutely crucial in the passage of the full employment law. I wish him good fortune in his new pursuits, and encourage him to keep his sound and sensible economic views before the public.●

HUMAN RIGHTS POLICY

HON. DON BONKER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1982

● Mr. BONKER. Mr. Speaker, I would like to commend to the attention of my distinguished Colleagues Mary McGrory's column in yesterday's Washington Post. She provides an excellent overview of the Reagan administration's human rights policy and a good example of what happens when strategic interests and human rights conflict.

In May 1979, Warren Christopher, who was serving as the Deputy Secretary of State during the Carter administration, appeared before the Subcommittee on Human Rights and International Organizations. I asked him to cite a few examples where the administration had decided to reduce or cut aid to any country on the basis of its human rights violations. Among the several countries mentioned by Mr. Christopher was Pakistan, both for its human rights record and violations of our nonproliferation policies. Seven months later the Soviet Union invaded Afghanistan. Whatever restrictions had been imposed on Pakistan were immediately ignored as the Carter administration rushed in with a military assistance program. Human rights considerations were superseded by strategic interests. Subsequently, the Reagan administration has greatly increased that military assistance program, despite documented reports that human rights violations continue on a much larger scale than in previous years.

Surely it is in our strategic interest to nurture democratic institutions in

the Third World and to maintain a strong human rights policy which is responsive to the yearnings of human beings for dignity and freedom. How long will it be before administrations learn that our strategic interests will be badly damaged if the victims of repression associate our country with their oppressors.

The column follows:

[From the Washington Post, Dec. 7, 1982]

ZIA NEED NOT WORRY, HE'S THE KIND OF
GENERAL REAGAN LIKES

Gen. Mohammed Zia ul-Haq, the president of Pakistan, made a few gestures in advance of his official visit here.

He didn't really have to as far as President Reagan is concerned. Zia was doubtless playing to Congress when, after months of delay, he allowed the widow of Zulfikar Ali Bhutto—the predecessor he deposed and executed—to seek treatment for cancer in the West.

Nor did he, for Reagan's sake have to release five of the dozen opposition leaders whom he arrested last week for making critical statements about his U.S. trip.

Bhutto knew, from the red-carpet reception accorded President Marcos of the Philippines, who also jails and executes his opponents, that Reagan has an exceptionally high tolerance for human rights violators.

If there had been any doubt in Zia's mind, it should have been resolved by Reagan's weekend performance during which he embraced the murderous leader of Guatemala, Gen. Efraim Rios Montt.

Amnesty International, America Watch and other human rights organizations have attested and documented the slaughter of thousands of peasants and Indians since the general seized power last March.

But Reagan, having looked him in the eye and studied the charts the general brought with him, is convinced that the Great Extremist is getting "a bum rap." After their meeting, Reagan declared that his visitor is "totally dedicated to democracy in Guatemala" and deserves more U.S. military aid.

Rios Montt expressed his political philosophy in more robust terms: "We have no scorched-earth policy. We have a policy of scorched communists."

Nonetheless, Zia, who makes much of "mutual" U.S.-Pakistan "strategic interests," thought it politic, before setting out, to say that elections, which he has been promising and postponing since he took power 5½ years ago, might not be the worst thing that could happen to his country.

For some members of Congress, who remember that Zia looked on while his countrymen burned down our embassy three years ago, the fact that Pakistan is on the border of Afghanistan is not the beginning and the end of the question. Sen. Mark O. Hatfield (Ore.), for instance, would like Zia to explain his policy of jailing his critics, without charges, and subjecting them to military trials that employ summary judgment procedures for which there is no appeal.

According to Amnesty International, the human rights situation has deteriorated markedly, with political imprisonment and torture on the rise.

Congress would also like to question Zia about his surreptitious development of nuclear weaponry. They are not convinced that the \$3.2 billion in military aid Reagan proposes to bestow on him during the next

six years will necessarily be used in the interests of the United States.

India is dubious about the sale of 40 F16s equipped with electronic countermeasure equipment, although Zia recently stopped in for lunch and a little stroking session with Prime Minister Indira Gandhi.

Some senators want to ask him specifically about the case of Irshad Rao, editor of a pro-Bhutto newspaper, who has been in jail and maltreated for almost two years for "printing objectional literature, creating unrest among the masses and disaffection with the armed forces."

Zia's transgressions were overlooked even by the pro-human rights Carter administration when the Soviets marched into Afghanistan two years ago. The visit to the Reagan White House gives him full "allied status"—which to Hatfield shows that "we are prepared to abandon everything to our consuming and myopic anti-Sovietism."

Zia can play the communist card with Reagan. He attended Leonid Brezhnev's funeral and met with Yuri Andropov. Pakistan is a member of a U.N. commission on Afghanistan. Reagan could urge him to help find a solution through a face-saving Soviet exit.

But perhaps the best thing Reagan and Zia could do is to watch the new British film, "Gandhi," together. It is a work of dumbfounding excellence.

Reagan, who consorts with bullies and views military action as the only way to stop "international terrorism," his term for communism, would greatly benefit from watching the uses of non-violence. It would do him good, in the light of his Latin American policies, to hear Gandhi saying that people would rather have a bad government of their own than a good government imposed by an alien power.

As for Gen. Zia, who, like his soul brother, Gen. Rios Montt, believes that political activity is murder, he needs all the instruction he can get in the art of benevolent leadership.

Sir Richard Attenborough, the producer and director, could doubtless arrange a screening of "Gandhi" for the pair. It's the kind of "quiet diplomacy" that might make a difference.●

CAROL ST. CLAIR, HONORED BY THE AMERICAN RED CROSS

HON. NORMAN E. D'AMOURS

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1982

● Mr. D'AMOURS. Mr. Speaker, I would like to share with my colleagues the following article reprinted from one of the newspapers in my district, Foster's Daily Democrat, which describes the prompt action of Carol St. Clair, a lifeguard, in saving the life of a 2-year-old child. Ms. St. Clair will be receiving the American Red Cross Certificate of Merit for her heroic actions, which as you may know, is the highest award given out by the American Red Cross.

Not only would I like to add my congratulations to the others she has received but I hope that during this season of the year when we reflect upon our blessings, that we also re-

member that the techniques used to save this child are easy to learn and can save lives, as Ms. St. Clair's actions testify.

THANKS TO LIFEGUARD, KAREN RETURNS HOME

(By Nora Irvine, Democrat Staff Writer)

Rochester.—A little girl whose seemingly lifeless body was pulled from two and a half feet of water at Milton Town Beach on Tuesday is nearly her normal self today, thanks to the cool head and able ministrations of lifeguard Carol St. Clair.

Ms. St. Clair, 23, was the only guard on duty Tuesday afternoon at the public swimming area at Milton's Three Ponds. The beach and the roped-off swimming area she was supervising from the lifeguard chair were particularly crowded, because a local restaurant was having a picnic for its employees and their families.

Recalled Ms. St. Clair, "I was looking out to the raft, which was filled with people, when two little girls came running up to me and said, 'Lifeguard, lifeguard, there's a dead person in the water!'"

"My heart just sank. I looked over to where they were pointing and could just see a skimp of pink, so I dove out of the chair and swam out there."

The child, 2-year-old Karen Lemay of Somersworth, was floating totally submerged just beyond the rope of buoys that divides the shallow area for non-swimmers from the deeper section. Ms. St. Clair grabbed the child, who was clad in a pink bathing suit, out of the water and raced back to shore with her.

"When I took her out of the water, she was blue and she wasn't breathing," said Ms. St. Clair. "I immediately started giving her mouth-to-mouth resuscitation. It was about a minute and a half before she started breathing."

An ambulance called to the scene by an onlooker rushed the child to Frisbie Memorial Hospital, where she was given emergency care and kept overnight for observation. She was discharged from the hospital today. Her parents, Larry and Linda Lemay, said the doctor attending her expects her to recover completely.

Karen was in the care of a relative at the time of the incident Tuesday afternoon, Lemay said.

Today Ms. St. Clair marveled at her calm response to the near-tragedy, the first time she has been called on to apply lifesaving techniques.

"You know, you're trained for just this kind of emergency, but before it happens you don't know how you'll actually handle it," she said. "It was amazing to me that I didn't have to stop and think at all about what I needed to do; I just did everything automatically. I was so happy to be able to save her."

She was concerned, however, that the child was apparently unattended in the water at the time of the mishap.

"Usually with such a young child, the parents are right there in the water with them all the time, but occasionally a mother will come up to me and say, 'I'm leaving my children here for three hours, will you watch them?' Of course I have to say, 'No.' Parents have to understand that a lifeguard can't possibly pay special attention to a few children when there are so many to watch," she said.

Ms. St. Clair, who lives with her mother, Cynthia St. Clair, at 34 Twombly Road in Rochester, has been lifeguarding at Milton

Town Beach for about a month. In previous years she worked as a guard at the East Rochester pool.

A 1976 graduate of Spaulding High School, she got a bachelor's degree in education from Keene State College in May and hopes to find a teaching job for this fall.●

LEGISLATION REGARDING THE FEDERAL DESALINIZATION FACILITIES IN WRIGHTSVILLE BEACH, N.C., AND ROSWELL, N. MEX.

HON. CHARLES ROSE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1982

● Mr. ROSE. Mr. Speaker, today I have introduced legislation which would transfer two Federal desalinization plants to the respective towns in which they are now located. This transfer would only be authorized on the stipulation that the town's involved continued to use the facilities for desalinization and other related research for a period of at least 5 years.

This transfer would allow this research to be conducted without cost to the Government, while the upkeep, maintenance, and responsibility for the facilities would now be placed upon the local jurisdictions as opposed by the Federal Government.

I feel it is important that the Government should continue to encourage this type of research, in view of the implications such studies could have for this Nation's future. This bill would allow this research to continue, while relieving the Federal Government of the cost for the operation of these plants. These two towns have shown that local jurisdictions are willing to assume some of the burden of certain Federal programs, and I feel that is in the best interest of the Government to allow them to do so.

It is my hope and expectation that this legislation will help to focus the attention of the Congress on the importance of desalinization research. In view of the necessity for alternative water supplies that this country is now experiencing, I feel that it is vital that we continue to encourage desalinization and other related studies.●

THE SUFFERING OF 120,000 JAPANESE-AMERICANS

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1982

● Mr. DYMALLY. Mr. Speaker, today I plan to focus attention on an injustice that has lasted 40 years too long, and by introducing two bills designed to redress a grievance. The injustice about which I speak was the suffering

of 120,000 Japanese-Americans who were hastily relocated into internment camps following the signing of Executive Order No. 9066, on February 19, 1942.

The losses these Americans incurred were enormous, including jobs, careers, communities, property, freedom, and sometimes life. The passage of these two bills, next year, could begin to restore the actual financial losses, and help redress this grievance.

I am fully aware these bills have no chance of passage in this special session. But by introducing them today, I hope the staffs of the appropriate committees will study the legislation during the recess, and the sponsors will have an opportunity to organize support for passage during the regular session in 1983 when I plan to reintroduce them. In addition, I hope to create public discussion and an awareness of the injustices.

There are two bills: One provides outright cash payments to individuals; and the other provides a community restoration fund. Benefits to individuals would be paid to the actual evacuee, or if deceased, the surviving spouse, or the surviving children in the amount of \$25,000. Evacuees who suffered losses in excess of \$25,000 could appeal for more and provide documenting evidence of losses.

Compensation could be paid for actions, including: loss of property, and property interests; loss of earnings, earning capacity, and vocational opportunity; loss of education opportunity; loss of life; physical or mental disability; severe emotional distress; deprivation of rights secured by the Constitution of the United States and several States; and all other losses sounding in contract or in tort resulting from the implementation of Executive Order 9066.

The other bill, the Internment Community Redress Act, provides for a community restoration fund for those communities which sustained loss would be established with eight regional boards and one national board. Evacuee communities could apply, under the act's provisions, to one of the regional boards for benefits in the following categories: Education and training; business and agricultural development loans; health care for the elderly; mental health, alcoholism, and drug abuse care and treatment; low-income housing; health care; child day care; cultural maintenance, research and expression; and improvement of communications within the evacuee community.

The appropriation for establishing the community fund and the regional and national boards would be \$3 billion.

These bills represent the culmination of years of surveys and research and testimony by citizens of the Japanese-American community. Although

about 120,000 Japanese-Americans were relocated from the coastal States of California, Oregon, and Washington, and forced to live in relocation centers, the U.S. Government was never able to substantiate the action as a military necessity, and not one incident of Japanese-American aid to the enemy was ever documented. While scholars, elected officials, and boards of inquiry repeatedly implore the injustice, there has been no formal apology and little action.

It is time for Congress to redress this grievance. ●

BETTER WEAPONS IN LESS TIME FOR LESS MONEY

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1982

● Mr. McDONALD. Mr. Speaker, everyone professes to be concerned about cost overruns in new weapons. One of the major contributions to these extra costs is the multilayered and cumbersome method we have of acquiring weapons. The system, designed by former Secretary of Defense McNamara, insured that nothing took place quickly and that blame was so spread around that no one was responsible. This now results in 6 years to make a decision as to whether or not to produce a weapon and then 12 years to actually get a production line going. Prior to Secretary McNamara, the time periods were 1 year and 6 years respectively. This process is so lengthy that the Soviets now come out with two or three different models of a weapon to our one in such a period and also have adequate time to learn of, and steal the technology for our new weapons and apply it to their own. It is high time the Congress and the Department of Defense pruned this process and its attendant bureaucracy. An analysis of this problem and some suggested solutions appeared in the Washington Report of the American Security Council for November 1982. The author is Brig. Gen. Robert C. Richardson, U.S. Air Force (retired). I commend this item to the attention of my colleagues who are looking for ways to save defense dollars and still insure an adequate defense of this Nation.

[From Washington Report, November 1982]

BETTER WEAPONS IN LESS TIME FOR LESS MONEY

Everyone knows the old proverb: "For want of a nail the shoe was lost, for want of a shoe the horse was lost, for want of a horse the battle was lost." That proverb dealt with the dull and undramatic side of warfare—the getting of weapons, rather than the using of them. That proverb applies today as it did centuries ago. For want of bold, decisive, presidential and congressional policies regarding how we develop and buy

new weapons—the so-called defense systems acquisition process—we are in danger of losing the battle for our national survival and the survival of human liberty worldwide.

INSISTING ON IMPROVEMENT

How new weapons are bought and how long on average it takes to develop and build new weapons are still considered tedious and uninviting matters that should best be left to management experts and technocrats. The fact is, however, that the policies and procedures devised by our experts and technocrats during the last 20 years have raised the cost of new weapons several times and stretched the average length for acquiring new weapon systems to twelve years. In the 1950's new weapon systems were brought into the force in an average of six years. If the American people, particularly the movers and shakers, do not seek to learn something about the systems acquisition process and insist on improvements in it, we may be lucky in the future to have a supply of nails for shoes for horses.

A prime result of this doubling of the length of the acquisition cycle is to make it impossible for the President to achieve the "margin of safety" in our national defense structure he promised when elected. It even raises the question whether the United States can ever restore an acceptable military balance vis-a-vis the U.S.S.R. without finding a way back to somewhere near a six-year acquisition cycle, at least for major new systems.

THE TAIL WAGGING THE DOG

It is fair to say that the current systems acquisition process has become the tail that wags the dog in resolving such major national security problems as: how to cope with the growing Soviet threat at a cost the United States can afford; how to achieve party platform and presidential defense goals; how to keep the Soviets from exploiting U.S. technology to our disadvantage; and how to deal with the growing public pressure to change U.S. strategy in order to reduce the likelihood of nuclear war while still retaining a valid defense posture for America.

FROM A SIX-YEAR TO A TWELVE-YEAR CYCLE

A brief examination of the major consequences of today's twelve-year acquisition cycle and why it has doubled in the past two decades will offer some insight into what needs to be done to improve the process—and it will also explain the growing concern among those who are convinced that U.S. defense goals can only be achieved by changing U.S. strategies and by building the new and advanced systems necessary to implement the new strategies.

Within the Department of Defense there is recognition of the need to improve the acquisition process. Numerous studies have been made by defense management experts, and many recommendations have been proposed. Most have been ignored. But so far, none of the recommendations have sought to correct the basic problem of the time it now takes to decide upon, select, develop, procure, and build new, technologically sophisticated, weapon systems. In order to reduce substantively the present twelve-year acquisition time for vital new systems, major policy and management changes must be made. These changes can only come about if the President and Congress address this apparently minor, but in fact major, problem area.

LENGTHY ACQUISITIONS ARE COSTLY

It is difficult to overstate the impact of today's lengthy acquisition process, not only on the prospects for establishing the President's "margin of safety" in national security, but also on the size of the defense budgets. The waste of time and resources resulting from an acquisition cycle of ten years or more can be quantified. Of greater importance, however, are the debilitating and demotivating effects of such a lengthy cycle on the programs. The five most serious consequences of ever-lengthening lead time in the development and procurement of new weapon systems are:

THE DEBILITATING EFFECTS

First, it results in a tremendous increase in the cost of all new systems. Studies of costs versus years in development and production of new systems show that 30 percent can be added to the life cost of a major advanced weapon system for every year added to its acquisition cycle.

This means that a system that could be built for \$15 billion, in, say, five years from the authority to go ahead—as was the case with the first ICBM's and Polaris missiles—will cost at least \$50 billion if acquired under today's elongated procurement procedures.

Were it possible to return all major defense procurements to an average of six years, as was the case in the 1950's, yearly savings of \$6 billion or more could be realized.

Second, such a lengthy acquisition cycle limits any President's ability to meet new threats, changing world conditions, or election commitments.

Lead times that exceed two or more presidential tours obviously make it impossible for any Administration to make changes in U.S. strategy or the U.S. defense posture if new hardware is required to carry out those changes.

The ability of the current Administration to introduce a new strategy to replace the largely discredited Mutual Assured Destruction (MAD) strategy, which it inherited with a preferred strategy of Assured Survival would require new military capabilities in space which cannot be made available during Reagan's term because it will take 12 years or more to build the necessary new offensive and defensive space systems.

Regardless of who is President, there are only two ways to regain or maintain an acceptable military balance. One is to buy roughly equivalent quantities of comparable weapons; the other is to offset Soviet quantitative superiority with more advanced, higher performing, "cutting-edge" technology systems. This first approach requires throwing massive amounts of money at defense, which we can now ill afford the second requires that we quickly build and field advanced new weapons which today's long acquisition cycle makes impossible.

Third, ten or more years of lead time will preclude effectively competing with the Soviets for superior, higher performance weapons in the future.

The combination of lack of security in U.S. research and development activities coupled with excessive studies and prolonged debates on all decisions gives the Soviets ample time to discover what we are doing, to steal our technology, and to produce comparable or offsetting weapons before ours can be built.

For example, the Soviet Backfire bomber, first deployed by the Soviets in the 1970's, was built in response to our B-70 and subsequent B-1 programs. A similar countering

effort by the Soviets can be predicted in regard to our promising "Stealth" bomber, if we take ten or more years to build it.

Fourth, public and congressional support, let alone enthusiasm, cannot be sustained for any weapon system over a period of a decade or more.

What appears to be an attractive and essential new development to the majority of the people today—and is therefore approved by Congress—is not likely to be as attractive six to eight years later when the big money for production must be authorized. Classically, at that point, we have a great debate, as in the case of the B-1, with proposals, for cancellation; and we face a Hobson's choice between buying a system most people no longer consider the best or accepting a risky gap in military capability if we opt for a next-generation program with another ten-year acquisition time frame.

Lastly, a ten or more year acquisition cycle all but precludes efficient management, especially in the case of high-technology weapon systems.

The longer the life cycle of a weapons program, the more difficult it is to keep the same people on the job through the critical development and test portions of the program. Any high-technology, multimillion dollar program, especially where the state of the art is being pushed, requires continuity of management if it is to be efficiently pursued. This factor requires that the key managers stay with the program for its duration. The inevitable turnover of people in a ten-to twelve-year program is very costly, wasteful, and inefficient.

WHY IT TAKES SO LONG TODAY

If we are to correct a condition, we first need to understand what caused it.

Given all the disadvantages resulting from today's elongated acquisition cycle, it is fair to ask, why did the cycle go from a six-year average in the late 1950's to a twelve-year average in the 1970's—and what can be done about it? The U.S.-built pioneering, high-technology systems, such as our first ICBM (Atlas), or first nuclear-powered submarine (Polaris), or our first manned satellite (Apollo), in five to six years from a standing start. We flew the first prototype of a high-technology jet bomber, the B-47, 18 months after the start of the program. Why can't we do the same for new systems, such as the Stealth bomber or space-based ABM's, in the 1980's?

There are four basic reasons for the change from a six-year to a twelve-year acquisition cycle—or, to put it another way, there were four time-saving procedures used in the 1950's, that were abandoned during the past two decades, to which we must return.

TIME-SAVING PROCEDURES

First, we must make a total commitment to new programs from the onset and at all levels of government. Once a "go" decision is reached on a major weapons program, it should be named, given sustained priority, authorized multiyear funding, and provided special management to prevent bureaucratic delays and meddling. All required research must be focused toward achieving production on schedule.

Second, we must accept the financial risks that are involved in high-technology programs, rather than follow the procedures of limiting designs to off-the-shelf technology and proving all system characteristics in the prototype before agreeing to production.

These particular procedures were introduced in the 1960's by then Secretary of De-

fense, Robert McNamara, under the guise of managerial improvement. What they guarantee is obsolete end products.

When we wait until all technology is in hand before committing ourselves to a new system, we not only fail to push and focus R&D, but we preclude concurrency in the development and procurement effort. The result of the McNamara procedures has been to add costly years to the acquisition process and to ensure obsolescence at time of delivery, since no new technology can now be introduced into a new program during engineering, test, and production. The first opportunity for new technology to be added is during subsequent retrofitting.

A return to the admittedly high-risk approach of the Eisenhower years does entail possible overruns and even failures, but the cost of these is far less than the higher costs resulting from added years under the low-risk approach—along with the need for more weapons to offset technological obsolescence.

The Third procedural change is to reduce the time necessary to reach the initial decision to proceed with a new system once a need has been perceived. This time factor has been gone from 12 months or less in the 1950's, to over six years today. This can be attributed largely to overcentralization of the authority to make decisions coupled with the need for all proposals to be subjected to innumerable analyses, studies, and reviews. Untold government agencies, offices, and committees get involved in the process, with the result that all sorts of influences are brought to bear from vested interest groups, who are totally lacking military experience or technical knowledge. They are allowed to delay progress and to ensure that the final decision will be a form of Gallup Poll, in which all participants will have carefully protected themselves from criticism should anything go wrong at a later date.

The Fourth procedural change that must be made is to eliminate the cumulative effect of 20 years of Parkinson's Law.

There are now over 63,000 pages of defense procurement regulations, and the bureaucrats keep writing more.

There is too much for any senior official to read, let alone understand, in a lifetime. These regulations generate rigidity, preclude initiative and innovation, and substitute the completing of tons of forms for real work. It is no exaggeration to say that there would be plenty of aerospace engineers today if most of them were not writing to-me-length proposals or answering tedious and irrelevant queries from empire-building bureaucrats. Specifications give contractors are far too detailed. They preclude innovation and guarantee higher costs. The "source selection" procedure for choosing the prime contractor has become an "apples to apples" comparison, which simplifies the ultimate selection but does so at the expense of a staggering degradation in weapon system cost effectiveness.

Paul Thayer, Chairman of the Board of LTV Corporation summarized the effect of excessive regulations on cost in an interview with Time of February 1st. He said: "Forty cents out of every dollar we charge for every airplane delivered to the government is attributable to bureaucratic redtape, paperwork, and duplication."

The current Administration has conducted extensive studies into the problem of weapons procurement. Deputy Secretary of Defense, Frank Carlucci, in both April and November of 1981 ordered institutional re-

forms aimed at accelerating the acquisition process. These were commendable efforts; they helped many people to understand the problems; but they produced few results. The only significant step that has been made during the past two years is to arrange with Congress for some multiyear funding.

WHAT TO DO ABOUT THE PROBLEM

At the highest level, some flexibility must be returned to the President in the management of the Defense budget. At a lower level, appropriate management decision-making authority must be returned to the System Program Offices. To make these changes will require decisions and actions by authorities, Executive and Legislative, and well above the Defense Department's management technocrats.

In the more mundane areas the following steps are recommended, all of which have historical precedent:

- (1) Eliminate lower-level government agencies and offices with tangential interest from the initial decision to build or not to build a new weapon system.
- (2) Reduce regulations and attendant reports related to the full acquisition cycle.
- (3) Accept multiyear funding for major weapons system programs.
- (4) Permit concurrent R&D and component production, i.e., the high-risk management approach.
- (5) Assign a priority to all major weapons programs, to apply through the acquisition cycle.

A TIME OF CHANGE

The time is propitious for such changes. Several "cutting-edge" technologies can and should be applied to new weapons, such as lasers, directed-energy beams, space-based ABM's, and others. Most of these are defensive in nature, and therefore nonprovocative. If the nation could select one or two of these, commit to their production, admitting that all the technology is not in hand (although most of it is), give the systems the necessary priority and funding, and streamline the management procedures, then within a half dozen years, the United States could dramatically improve our chances for national survival—and save billions of dollars of taxpayers money in the process.

Unless these or equivalent measures are soon taken, it is clear that this Administration will not be able to reestablish a "margin of safety" within its tenure. Moreover, the military balance will further deteriorate in favor of the Soviets to the detriment of U.S. security, and a continuing plea for more and more dollars for defense will further divide the country.●

HENRY REUSS

HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1982

● Mr. PANETTA. Mr. Speaker, I want to join my colleagues in paying tribute to a man who has truly been one of the great leaders of the Congress. Over a career spanning nearly three decades, Chairman Reuss has contributed enormously to every major piece of banking and economic legislation considered by the Congress, either through his ideas or through his

direct work on the measures. His work as chairman of the Committee on Banking and then as chairman of the Joint Economic Committee has earned him great respect both within and outside of the Congress.

During difficult economic times, it is important for the Nation to have strong leaders to steer us in the direction of rational and compassionate solutions to national problems. Chairman Reuss has served admirably in that role, particularly over the past few years, and we will truly miss him here in the Congress.

Of course, the entire Nation, and particularly his constituents in Wisconsin, will miss HENRY REUSS. I know my colleagues join me in wishing him the very best of luck and good fortune in the years ahead. He should be proud of his long and fruitful career here in the House of Representatives.●

TRIBUTE TO THE MEMBERS OF THE PENNSYLVANIA CONGRESSIONAL DELEGATION WHO ARE CONCLUDING THEIR SERVICE IN THE HOUSE OF REPRESENTATIVES

HON. AUSTIN J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 1, 1982

● Mr. MURPHY. Mr. Speaker, I rise today to pay tribute to three of my colleagues in the Pennsylvania Congressional Delegation who will be retiring at the end of the 97th Congress. The citizens of Pennsylvania and I will sorely miss the leadership, the dedication, and the contributions of these men to the Federal legislative process. The colleagues to whom I am referring are DON BAILEY, JOE SMITH, and ALLEN ERTEL.

DON BAILEY, represents the 21st District of Pennsylvania, just to the east of my own district. When he was first elected in 1978, I had the pleasure of serving with Don on the Education and Labor Committee. His dedication and competence were recognized when he was awarded a seat on the prestigious Ways and Means Committee after only one term in Congress. Mr. Speaker, but for the unfortunate necessities of reapportionment, DON BAILEY would be continuing to serve the citizens of Westmoreland County with distinction. Don came to the Congress as the most decorated Vietnam veteran to serve in the House of Representatives, and as a member of the Veterans' Committee, I was always able to count on Don's support for legislation that would benefit all veterans.

Although my good friend, JOE SMITH, has only been here since July 1981, I will miss his friendship and his support on steel and coal issues. It was

my pleasure to serve in the Pennsylvania State Senate with JOE from 1971 to 1976. During his tenure in the Pennsylvania State Senate, he served with distinction as the chairman of the Appropriations Committee in the Pennsylvania Senate from 1977 until his election to the House of Representatives.

While in the Congress, he carried out his responsibilities on the Armed Services and Merchant Marine and Fisheries Committees with the same degree of dedication and evenhandedness that characterized his service in State government. I always admired JOE for his concern for people, and his dedication to furthering the interests of all the citizens of Pennsylvania. He is a man of good character whose integrity is beyond reproach. I will always value my friendship with him and wish him well in private life.

ALLEN ERTEL was the first Democrat elected from his congressional district in 35 years, and came very close to being the Governor of Pennsylvania. His decision to leave the House of Representatives in order to accept the challenge of running for Governor is typical of his tenure in the House of Representatives where he never ducked an issue or compromised his principles. Although he will best be remembered for his tenacious pursuit of funds to provide adequate funding for flood control on the Susquehanna River, and a reasonable Federal response to the problems associated with the Three Mile Island incident, his contributions to the Federal legislative process as a dedicated and enlightened member of the Public Works and Transportation and the Science and Technology Committees will be sorely missed by his colleagues. Much of the success of the Democratic congressional candidates in the 1982 general election in Pennsylvania reflects the excellence he brought to the top of the ticket in his race for Governor.

The sadness I feel today that three distinguished Congressmen from Pennsylvania will not return to the 98th Congress is tempered with the knowledge that the same dedication, integrity, and excellence with which they served in the House of Representatives will make it possible for them to make significant and positive contributions to the State of Pennsylvania in private life.

Although these men, DON BAILEY, JOE SMITH, and ALLEN ERTEL, will be missed, their contributions insure that they will not be forgotten.●

THE MAGNIFICENT SEVEN

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1982

● Mr. LAGOMARSINO. Mr. Speaker, I remember a movie several years back starring, I think, Yul Brenner, called "The Magnificent Seven." In it, a bunch of veteran gunslingsers got together to rid a town of a gang of cutthroats, and they did it in magnificent fashion. I do not remember everything about the movie, but I do remember it was a big hit, and it left you with kind of a sad, but warm feeling.

I cannot help but think of that movie today, as we gather to pay tribute to our own "Magnificent Seven," our seven retiring Members from California. CLAIR, DON, BOB, BARRY, WAYNE, PEPPER, JOHN—you are as unique and magnificent a group of individuals as any I have ever had the pleasure to know. Collectively—if JOHN will pardon the expression—you have done more for our Nation and for California than any dozen lawmakers. Individually, you have provided unique and valuable insights and made us all a little wiser, a little richer, and a lot happier for having known you.

There is a special bond that develops between people who serve in Congress—a little like war buddies. It is an experience you do not forget. And when you are a member of the minority, the parallel to a war are even more vivid. But I cannot think of seven other guys that I would rather have in a foxhole with me, so I hope you will not be leaving the scene entirely. Some of you have served as advisers to me, others as colleagues, but I regard you all as friends.

So the next time I hear that theme music from the White House, calling us to battle on the floor, I will think again of our own "Magnificent Seven"—the guys in the white hats. And I know it will make it a little easier. Thank you all. ●

H.R. 7044—THE MAIL FRAUD BILL
IS A FRAUD

HON. WILLIAM E. DANNEMEYER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. DANNEMEYER. Mr. Speaker, it takes little imagination to conclude that something entitled the "Mail Order Consumer Protection Amendments of 1982" is going to command a largely favorable impression. After all, it is both publicly and politically acceptable to protect the consumers' interest.

Conversely, it is a well-established rule of thumb that opposition to such

legislation invites vilification for being against the elderly and the poor, and for catering to unscrupulous trash-peddlers and con artists.

But it is not quite so simple. As is often the case with such legislation, the title sounds a great deal better than the bill actually is.

We are not arguing over intent. I believe we are all aware of the many schemes designed to bamboozle the unsuspecting public, especially our senior citizens with limited resources. The distinguished and respected gentleman from south Florida, Mr. PEPPER, the principal sponsor of H.R. 7044 and its predecessor H.R. 3973, is known to harbor no small affinity for causes benefiting the elderly.

I submit, however, that what the gentleman intended is not what we have ended up with. What we will be voting on here is not a consumer protection bill but rather a postal inspection bill. We are not combating fraud, we are invading privacy.

H.R. 7044 vests with the Postal Service the authority to infringe upon the constitutional rights of all citizens, principally first and fourth amendment guarantees of freedom.

In a letter dated September 16, and signed by John Shattuck, director of the American Civil Liberties Union it states:

The revised bill does not provide a judicial officer to determine in advance if there is a sufficient evidentiary basis to justify a search and inspection, nor does it limit inspections to circumstances where there is "probable cause" to believe that the materials contain evidence of a violation. Instead, it places a burden of proof upon the person whose documentary materials are to be inspected to seek to have the investigative demand invalidated after it has been served. The result is an almost unbridled discretion for postal service officials, particularly those in the field, to initiate documentary inspections.

Not only is there failure to adhere to the doctrine of showing probable cause prior to initiating action, the fact that the defendant whose records are being expropriated must attempt to prove his innocence of wrongdoing in order to stop the investigative demand runs counter to our prevailing system of justice: That one is innocent until proven guilty. Under H.R. 7044, the reverse is essentially true: One is presumed guilty until proven innocent. This legislation sanctions unreasonable search and seizure.

During hearings on the predecessor bill, H.R. 3973, the ACLU, the National Health Federation and the Association of American Publishers numbered among the witnesses who testified against the bill, essentially on the grounds that the new investigatory authority poses a dual threat to individual liberties. Subsequent opposition—to H.R. 7044—has surfaced from Moral Majority, the Non-Profit Mailers Federation, the "700 Club," and Seventh Day Adventists.

On June 3, Mr. Ian Volner, counsel of the Association of American Publishers stated that "Postal Service records and information available to the AAP indicated that roughly 20 books have been banned from the mails." This revelation certainly contradicts the Postal Service position that they are not interested in pursuing a policy of censorship.

Particularly vulnerable to postal scrutiny are publications and products which can be considered unorthodox or nonestablishment. Many new health regimens, diets, and medical procedures fall into this category.

Now protecting the public from deception and dangerous drugs and methods is one thing. But telling me I cannot send for material describing a new but unaccepted cure for the common cold is an infringement on my rights as a citizen. It may not work. It may not work for all people. But I have the right to send for it. Not under this legislation, however. I would not even have a guarantee against unreasonable search and seizure should I manage to obtain it.

Supporters of the bill are quick to point out that, sure, I have the right to buy it, but what about the poor unwitting consumer who is lured into squandering his life savings on some quack "live to age 150" pill?

There is no guarantee that H.R. 7044 will prevent such scams from occurring. Proponents argue that these new investigatory powers would enable the Postal Service to scrutinize would be mail order defrauders by serving notice on enterprises thought most likely to contain a high incidence of fraud.

This is like saying you are out to eliminate shoddy auto mechanics by shutting down the dealers. Even the fact that a particular dealer's service department may have a 30-percent complaint rate, does not warrant preventing that dealer from conducting any business altogether. It is precisely for this reason that we have entities such as Better Business Bureaus, consumer information services, and guides like the Good Housekeeping Seal of Approval and AAA. What is the saying—an educated consumer is good business?

The key element is, of course, that once a fraud has been perpetrated, you can sue, return the merchandise, complain to relevant authorities—most dealers do not relish their complaint-ridden service departments being rated D-minus by business and consumer groups—or raise a ruckus. And then there are contracts, money back guarantees, and other insurance devices.

But in H.R. 7044 we have a different story. When asked why a particular book was banned, the Postal Service replied:

It was noted in the course of routine monitoring of mail order advertisements by a Postal Inspector. As is typical of false representation cases involving medical regimens allegedly capable of achieving long term medical results, no customer complaints were received. Rather, our belief that the book was falsely advertised derived from expert evaluation that this advertising claim was false.

Expert evaluation. The expert who was called in to verify the legitimacy of this admittedly unorthodox and nonestablishment regimen was a representative of one of our unabashedly orthodox medical establishments.

And no customer complaints were received. The reason for this, according to the Postal Service, is that too many scam artists vanish before Postal authorities can reach them in the first place. Having to wait for complaints enables some of the worst offenders to move on unscathed. This is a very real problem and one which needs to be addressed. But, with this legislation, it would be a little like stopping a sky-jacker by shooting down the plane.

Moreover, I hasten to add, the fear among unorthodox practitioners is not limited to what some might refer to as off-the-wall crackpots. One of them is the Gerson Institute of San Diego, which has built a reputation around finding cures for incurable diseases according to a nutrition-based therapy. Dr. Max Gerson in fact—some 36 years ago—was called to appear before then Senator CLAUDE PEPPER's subcommittee at which he presented five incurable cancer patients who had been cured by the Gerson therapy. Nobel prizewinner Dr. Albert Schweitzer hailed Gerson as "one of the most eminent geniuses in medical history." Well, this is the same Gerson Institute which is opposed to H.R. 7044 because of the threat it poses to their medical practice.

If medical science and informed opinion cannot definitely distinguish among accepted, valid, unproven, or quack practices, how on earth can the Postal Service?

Furthermore, in a Postal Service response to one of my inquiries, it is declared that:

HR 7044 and USC Section 3005 (false representation) are not concerned with "fraud." The objective of the fraud statute (18 USC 1341) is to punish persons who intentionally use the mails to defraud. Section 3005 and HR 7044 are concerned with the avoidance of consumer losses resulting from use of the mails to obtain money through misrepresentation.

Mail fraud legislation is already on the books. If there are shortcomings—and there are, given the original reason for this legislation in the first place—then it is the fraud statute which ought to be strengthened. H.R. 7044, therefore, is not necessary from that standpoint.

But what, then, is the implication of "use of the mails to obtain money through misrepresentation?" If it is

not fraud they are after, and if there is no need to prove intent to defraud, the implications are indeed ominous. It need not be medically related. It could be religious. Or political. Can you imagine the consequences if, under this legislation, a campaign mails a fundraising letter which states the candidate's intention to balance the budget but is followed, upon election, by his voting to increase both spending and taxes?

Oh, of course, political expressions, free speech, and religion are all guaranteed by the Constitution. We cannot be denied them. But what about ideas? Are they not an integral part of those expressions? But if I happen to believe that a certain diet and lifestyle will prolong life by improving health, who is the Postal Service to tell me I am misinformed?

Intent to defraud must be a prelude to actions undertaken pursuant to any postal inspection bill. But the Postal Service has denied that fraud is the chief concern. H.R. 7044 never even mentions fraud. Instead, we find terms such as "misleading, not materially false, false representations"—all begging for accurate definitions—and all to be defined by the Postal Service. This is not protecting the consumer. It is a prelude to censorship.

H.R. 7044 would amend 39 USC 3005a to read:

(a) Whenever the Postmaster General or his designee has reason to believe that any person may be in possession, custody, or control of any documentary materials relevant to the investigation of an alleged violation of section 305 of this title, he may issue in writing, and cause to be served upon such person, a civil investigative demand requiring such person to produce such material for examination.

Any person. Not just the purveyor of whatever it is the Postal Service wants confiscated, but anybody who has possession of it. And that is unreasonable search and seizure.

As Mr. Shattuck noted in his subcommittee testimony:

The target of a federal administration search is generally entitled to full Fourth Amendment protection. Persons who engage in mail transactions do not relinquish their legitimate expectation of privacy as to the sanctity of their personal and business belongings.

In criminal investigations of fraud, a search warrant must be obtained—unless there is a certified emergency—before records are confiscated. Under this bill, the Postal Service, in a civil, not criminal, investigation without fraud, can confiscate records. This, I believe, is an unconstitutional abuse of authority.

It is not often we find such normally juxtaposed organizations such as the ACLU and Moral Majority espousing the same cause. But they are both alarmed at the implications if H.R. 7044 is passed. Obviously, this is not an ideological battle. And it certainly

is not one of indifference to the plight of elderly victims of mail fraud. But, as I stated at the outset, the intent of the bill, and its content are two different things.

Perhaps most ominously, the appended "hit list" of 149 publications contain those which are routinely monitored for false representations by Postal Inspectors at 17 divisional headquarters. The Postal Service is quick to point out that these publications are not themselves scrutinized for attack, but rather their advertisements. I would merely observe that once the advertisers are out of business, the publications are not far behind.

The list is certainly varied if not exclusive. I am confident that there are any number of items which some of us would not mind seeing put out of business. But that is for the public to decide, not the post office.

To qualify for the list, according to the Postal Service, there must be considerable mail-order ad lineage. Many of the publications do, in fact, contain large amounts of advertising, some largely mail-order oriented. But not all. I perused one of these magazines, Paraplegia News, which is published by the Paralyzed Veterans of America. Why on earth, I thought, are they of all people included on a hit list? Advertisements? In the October issue, there were 96 advertisements, only 18 of which solicited any money—18.75 percent. That is supposed to be grounds for monitoring? Now I am sure that the LA Times, the Washington Post, or the New York Times each has a thousand times greater volume of advertising. The December 5, LA Times, in fact, contains 68 full pages of advertisements. Yet they are not on the list. Nor should they be.

When contacted by my office, the question was asked if there was any reason why a magazine published by and for paralyzed veterans could conceivably be on anybody's hit list. There was not the slightest hesitation in responding. Sure there is a reason. The Paraplegic Veterans of America have two lawsuits pending against the Postal Service, charging the USPS with not proceeding on a timely enough basis to install wheelchair ramps at their facilities.

Whatever the merits of other organizations or their publications which are on the list, the inescapable fact is that, under this bill, the Postal Service will have power they ought not to have.

On May 10, 1967, the present chairman, the gentleman from Michigan, Mr. Ford, remarked on a similar bill:

I generally am of the view that any enactment of legislation that restricts the freedom to act on the part of individuals by a grant of power to the Government should only be granted when the end sought to be attained is most justifiable, and then the

power so granted should be carefully circumscribed by legislative controls to assure that abuses in the exercise of that power by Government officials will not occur.

The truth of that statement stands out as clearly and as indisputably now as it did 15 years ago.

In addition, if the Postal Service were truly concerned with preventing ripoff schemes and not with censorship of ideas, one would think they would excuse nonprofit, charitable, religious, and educational organizations which qualify for 501(c) tax-exempt status according to Internal Revenue Service regulations. I even offered such an amendment in committee. I feel that these organizations—the ones most threatened by a postal clampdown on mail delivery—already pass more stringent scrutiny of their operations by virtue of having to pass muster before the IRS. Alas, this did not come to pass.

The evidence is compelling. Despite the need for corrective action to combat mail fraud and despite all protestations to the contrary, H.R. 7044 is an open invitation to a constitutional nightmare. My colleague, Mr. PEPPER, had good intentions when he drafted the bill. The chairman of the Post Office and Civil Service Committee, Mr. FORD, shepherded the bill through committee fairly and honorably. And Postal officials have been more than willing to be helpful and informative. One person in particular, Mr. George C. Davis, Assistant General Counsel, Consumer Protection Division, has consistently and conscientiously responded to my many inquiries. We quite obviously have a difference of opinion on the bill's impact, but Mr. Davis has cooperated in providing information whenever I have requested any. I thank him.

Unfortunately, honorable intentions and sincere cooperation do not necessarily result in good legislation. This bill is bad. It attacks our liberties through blatant and real invasion of privacy and the sinister specter of censorship. I urge its demise. The Postal Service ought to deliver mail, not read it.

POSTAL INSPECTION SERVICE DIVISION
HEADQUARTERS OFFICES

Northeast Region

Boston Division, P.O. Box 2217, Boston, MA 02205, 617-233-2223; Connecticut; Maine; Massachusetts; New Hampshire; Rhode Island; and Vermont.

Newark Division, P.O. Box 509, Newark, NJ 07101, 201-596-5400; Northern New Jersey; Puerto Rico; and Virgin Islands.

New York Division, P.O. Box 555, New York, NY 10116, 212-971-7641; Eastern New York.

Eastern Region

Philadelphia Division, P.O. Box 7500, Philadelphia, PA 19101, 215-596-5417; Delaware; Southern New Jersey; and Eastern Pennsylvania.

Pittsburgh Division, 1700 Centre City Towers, Pittsburgh, PA 15222, 412-644-5482;

Western New York; Western Pennsylvania; and West Virginia.

Washington Division, P.O. Box 1820, Washington, D.C. 20066, 202-523-2551; District of Columbia; Maryland; and Virginia.

Southern Region

Atlanta Division, P.O. Box 16489, Atlanta, GA 30321, 404-763-7080; North Carolina; South Carolina; Florida; and Georgia.

Memphis Division, P.O. Box 3180, Memphis, TN 38103, 901-521-3486; Alabama; Arkansas; Louisiana; Mississippi; and Tennessee.

Fort Worth Division, P.O. Box 1230, Fort Worth, TX 76101, 817-334-2901; Oklahoma and Texas.

Central Region

Chicago Division, 433 W. Van Buren Street, Chicago, IL 60607, 312-886-2820; Northern Illinois and Northwestern Indiana.

Cincinnati Division, P.O. Box 2057, Cincinnati, OH 45201, 513-684-2404; Kentucky and Ohio.

Detroit Division, P.O. Box 119, Detroit, MI 48232, 313-226-6732; Indiana and Michigan.

St. Louis Division, 200 South Hanley Road, St. Louis, MO 63199, 314-425-3060; Kansas; Southern Illinois; and Missouri.

St. Paul Division, P.O. Box 43558, St. Paul, MN 55165, 612-725-7318; Iowa; Minnesota; Nebraska; North Dakota; South Dakota; and Wisconsin.

Western Region

Los Angeles Division, P.O. Box 30456, Los Angeles, CA 90030, 213-688-2180; Arizona; Southern California; Southern Nevada; and New Mexico.

San Francisco Division, P.O. Box 367, San Francisco, CA 94101, 415-556-2097; Northern California; Colorado; Hawaii; Eastern Idaho; Northern Nevada; Pacific Islands; Utah; and Wyoming.

Seattle Division, P.O. Box 400, Seattle, WA 98111, 206-442-7880; Alaska; Western Idaho; Montana; Oregon; and Washington.

HIT LIST

Northeast Region

Business Week, 1221 Ave. of the Americas, New York, NY 10020.

Club, Fiona Press, Inc., 919 Third Ave., New York, NY 10022.

Commodities, 219 Parkade, Cedar Falls, IA 50613.

Direct Marketing News, 156 E. 52nd Street, New York, NY 10022.

Discover, Time & Live Building, 1271 Ave. of the Americas, New York, NY 10020.

Forum, 909 Third Ave., New York, NY 10022.

Glamour 350 Madison Ave., New York, NY 10017.

Globe, P.O. Box 11, Rouses Point, NY 12979.

Harvey, 450 Seventh Ave., Suite 2305, New York, NY 10001.

High Society, P.O. Box 242, Norwood, NJ 07648.

Horoscope, 245 E. 47th St., New York, NY 10017.

House Beautiful, 717 Fifth Ave., New York, NY 10022.

Jack Becker, Ltd., Box 3856, New York, NY 10017.

Mechanix Illustrated, 1515 Broadway, New York, NY 10036.

Medical Bulletin, P.O. Box 51, Rouses Point, NY 12979.

Modern Health Report, P.O. Box 603, Ridgefield, CT 06877.

Modern Romances, Dell Publishing Co., Inc., 1 Dag Hammarskjold Plaza, New York, NY 10017.

Moneysworth, 251 West 57th St., New York, NY 10019.

National Examiner, P.O. Box 711, Rouses Point, NY 12979.

National Lampoon, 635 Madison Ave., New York, NY 10022.

Penthouse, 909 Third Ave., New York, NY 10022.

Pensions & Investments, 708 3rd Ave., New York, NY 10017.

Screw, Milky Way Productions, P.O. Box 432, Old Chelsea Station, New York, NY 10011.

Seventeen, 850 Third Ave., New York, NY 10022.

The Star, 155 Allen Blvd., Farmingdale, NY 11737.

VFW 406 W. 34th St., Kansas City, MO 64111.

Village Voice, 80 University Place, New York, NY 10003.

Viva, 155 Allen Blvd., Farmingdale, NY 11737.

Wall Street Journal, 22 Cortlandt St., New York, NY 10007.

Eastern Region

American Business, 1775 Broadway, New York, NY 10019.

Antiques, 551 5th Ave., New York, NY 10017.

Contract Magazine, 1515 Broadway, New York, NY 10036.

Eve's Press, RD 4, Box 533, Franklinville, NJ 08322.

Fortune, 541 N. Fairbanks Ct., Chicago, IL 60611.

Genesis Publications Inc., 770 Lexington Ave., New York, NY 10021.

Grit, 208 W. Third St., Williamsport, PA 17701.

Healthview Newsletter, P.O. Box 6670, Charlottesville, VA 22906.

House and Garden, 350 Madison Ave., New York, NY 10017.

Irish Echo, 1860 Broadway, New York, NY 10023.

Ladies Circle, 21 W. 26th St., New York, NY 10010.

Ladies Home Journal, 641 Lexington Ave., New York, NY 10022.

Modern Love, 355 Lexington Ave., New York, NY 10017.

Money Manager, One State St. Plaza, New York, NY 10004.

Official Detective, 235 Park Ave., South, New York, NY 10003.

Prevention, Emmaus, PA 18098.

Redbook, P.O. Box 5242, Des Moines, IA 50340.

Retirement Life, 1533 New Hampshire Ave., NW, Washington, D.C. 20036.

Saga, 333 Johnson Ave., Brooklyn, NY 11206.

Soap Opera Stars, 355 Lexington Ave., New York, NY 10017.

Swingers Life, P.O. Box 2287, York, PA 17405.

The Gay News, Masco Communications, 233 S. 13th St., Philadelphia, PA 19107.

TV Dawn to Dusk, Ideal Publishing Corp., 2 Park Ave., New York, NY 10016.

TV Guide, P.O. Box 600, Radnor, PA 19088.

TV & Movie Gossip, Sterling's Magazines, Inc., 355 Lexington Ave., New York, NY 10017.

TV & Movie Screen, Sterling's Magazines, Inc., 355 Lexington Ave., New York, NY 10017.

Vegetarian Assoc. of America, P.O. Box 547, South Orange, NJ 07079.
Vogue, Box 5266, Boulder, CO 80321.
Yachting, 50 W. 44th St., New York, NY 10036.

Central Region

American Health, P.O. Box 10034, Des Moines, IA 50347.

Better Homes and Gardens, Meredith Corporation, 1716 Locust Street, Meredith Building, Des Moines, IA 50336.

Capper's Weekly, Sixth & Jefferson, Topeka, KS 66607.

Cosmopolitan, P.O. Box 10070, Des Moines, IA 50374.

Ebony, Johnson Publishing Co., Inc., 820 S. Michigan Ave., Chicago, IL 60506.

Energy Age, 10488 W. 6th Place, Denver, CO 80215.

50 Plus, 850 Third Ave., New York, NY 10022.

Gun World, 34249 Camino Capistrano, P.O. Box HH, Capistrano Beach, CA 92624.

Herald of Health, P.O. Box 552, Mount Airy, IA 50854.

Hustler, 40 East Gay St., Columbus, OH 43215.

Medical Education and Research Foundation, Inc., 1000 Waterway Blvd., Indianapolis, IN 46202.

Modern People, 11058 W. Addison St., Franklin Park, IL 60131.

Money, Time & Life Building, Rockefeller Center, New York, NY 10019.

National Informer, 11058 W. Addison St., Franklin Park, IL 60131.

NRTA/AARP News Bulletins, 420 Lexington Ave., New York, NY 10017.

Outdoor Life, 380 Madison Ave., New York, NY 10017.

Oui, Playboy Publications, Inc., 919 North Michigan Ave., Chicago, IL 60611.

Paraplegia News, 5201 North 19th Ave., Suite 111, Phoenix, AZ 85015.

People, 11058 W. Addison St., Franklin Park, IL 60131.

Personal Romances, Ideal Publishing Corp., 2 Park Ave., New York, NY 10016.

Playboy, Playboy Building, 919 N. Michigan Ave., Chicago, IL 60611.

Psychology Today, One Park Avenue, New York, NY 10016.

Spare Time, 5810 W. Oklahoma Ave., Milwaukee, WI 53219.

Specialty Salesman and Business Opportunities, 307 N. Michigan Ave., Chicago, IL 60601.

Sports Afield, 250 West 55th St., New York, NY 10019.

Success, 401 N. Wabash, Chicago, IL 60611.

True Confessions, Macfadden Group, P.O. Box 5025, Des Moines, IA 50340.

True Love, Macfadden Women's Media, Inc., P.O. Box 10015, Des Moines, IA 50304.

True Story, The Mcfadden Group, P.O. Box 5013 TS, Des Moines, IA 50340.

US, P.O. Box 10192, Des Moines, IA 50349.

Southern Region

Alfred Hitchcock's Mystery Magazine, Davis Publications, Inc., 380 Lexington Ave., New York, NY 10017.

Argosy, Popular Publications, Inc., 420 Lexington Ave., New York, NY 10017.

Bronze Thrills, Good Publishing Co., 1220 Harding St., P.O. Box 2257, Fort Worth, TX 76101.

Cheri, 215 Lexington Ave., New York, NY 10016.

Christian Science Monitor, 220 E. 42nd St., New York, NY 10017.

Craft, Model & Hobby Industry, 225 W. 34th St., New York, NY 10001.

Family Circle, 488 Madison Ave., New York, NY 10022.

Field and Stream, 1515 Broadway, New York, NY 10036.

Flying, One Park Ave., New York, NY 10016.

Forbes, 50 5th Ave., New York, NY 10017.

Gallery, Montcalm Publishing Corp., 99 Park Avenue, New York, NY 10016.

Health, 149 Fifth Ave., New York, NY 10010.

High Times, Box 565, Farmingdale, NY 11735.

Il Progresso, 260 Audobon Ave., New York, NY 10033.

Intimate Story, Ideal Publishing Corp., 2 Park Ave., New York, NY 10016.

Mademoiselle, 350 Madison Ave., New York, NY 10017.

Movie Life, 575 Madison Ave., New York, NY 10022.

Movie Mirror, 355 Lexington Ave., New York, NY 10047.

National Enquirer, 600 S. East Coast Ave., Lantana, FL 33464.

Parade, 733 Third Ave., New York, NY 10011.

Photoplay, 205 East 42nd St., New York, NY 10017.

Popular Electronics, One Park Ave., New York, NY 10016.

Popular Mechanics, 224 W. 57th St., New York, NY 10019.

Popular Science, 380 Madison Ave., New York, NY 10017.

Screen Stories, 575 Madison Ave., New York, NY 10022.

Sepia Publishing Co., P.O. Box 2257, 1220 Harding St., Fort Worth, TX 76101.

Skin, Denmark Publishing Co., P.O. Box 486, New York, NY 10013.

The Mother Earth News, 105 Stoney Mountain Rd., Henderson, NC 28739.

Values by Mail, Samsondale Professional Bldg., Suite 208, W. Haverstraw, NY 10993.

Woman's Day, 1515 Broadway, New York, NY 10036.

World Weekly News, 600 S. East Coast Ave., Lantana, FL 33462.

Western Region

American Legion, 700 N. Pennsylvania St., P.O. Box 1055, Indianapolis, IN 46206.

At Home, P.O. Box 2739, Boulder, CO 80302.

Chic, 2029 Century Park East, Los Angeles, CA 90067.

Cycle News, Box 498, Long Beach, CA 90801.

Dynamic Years, 215 Long Beach Blvd., Long Beach, CA 90801.

Entrepreneur, 2311 Pontius Ave., Los Angeles, CA 90064.

Esquire, P.O. Box 2961, Boulder, CO 80322.

Essence, P.O. Box 2989, Boulder, CO 80321.

Fetish Times, P.O. Box 7109, Van Nuys, CA 91409.

Gentlemen's Quarterly, P.O. Box 2962, Boulder, CO 80321.

Gordon-Star, Box 6993, Burbank, CA 91505.

Impulse, 806 E. Fourth Place, Suite 101, #95, Los Angeles, CA 90013.

Income Opportunities, 380 Lexington Ave., New York, NY 10017.

Lapidary Journal, 3564 Kettner Blvd., San Diego, CA 92138.

McCalls, 230 Park Ave., New York, NY 10017.

Modern Maturity, 215 Long Beach Blvd., Long Beach, CA 90801.

Modern Screen, Dell Publishing Co., Inc., 1 Dag Hammarskjold Plaza, 245 E. 47th St., New York, NY 10017.

Money-making Opportunities, 11071 Ventura Blvd., Studio City, CA 91604.

Mothering, P.O. Box 1775, Montrose, CO 81401.

Movie Stars, Ideal Publishing Corp., 2 Park Ave., New York, NY 10016.

Players Magazine, 8060 Melrose Ave., Los Angeles, CA 90046.

Playgirl, P.O. Box 45189, San Diego, CA 92145.

Rolling Stone, 745 Fifth Ave., New York, NY 10151.

San Francisco Ball, Jaundice Press, Inc., P.O. Box 7109, Van Nuys, CA 91409.

Self, P.O. Box 5267, Boulder, CO 80321.

Shape, 21100 Erwin St., Woodland Hills, CA 91367.

Teen, 6725 Sunset Blvd., P.O. Box 3297, Los Angeles, CA 90028.

The Advocate, 1730 S. Amphlett, Suite 225, San Mateo, CA 94402.

The Sun, 806 East Fourth Place, Los Angeles, CA 90013.

Venture, 35 West 45th St., New York, NY 10036.

TRIBUTE TO JAMES M. HAWLEY III

HON. GREGORY W. CARMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. CARMAN. Mr. Speaker, I wish to give special commendation to Mr. James M. Hawley III, an exceptional member of the American Embassy in New Delhi, India. Mr. Hawley recently assisted me during a special factfinding mission on behalf of the U.S. House of Representatives Banking Committee to promote international trade.

I was very impressed by the organization of the American Embassy in India. Through Mr. Hawley's efforts my meetings with trade officials in the public and private sectors in New Delhi were successful.

Sharing with you a little of Mr. James M. Hawley's history is my pleasure. Mr. Hawley was born in 1937 in Wheeling, W. Va. He holds a degree from Pennsylvania State University and has served in the U.S. Army. Mr. Hawley has been an economic officer in Afghanistan and in Sri Lanka and presently holds the post of First Secretary in the Economic Section of the American Embassy in New Delhi.

Mr. Hawley's exceptional efforts bring credit to himself, the American Embassy in New Delhi, and to the United States. We are truly fortunate to have Mr. James M. Hawley as a member of the U.S. Foreign Service.●

MR. PEPPER LAUDS NCSC

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. PEPPER. Mr. Speaker, I wish to bring to the attention of my colleagues an article from a recent issue of *Fortune* and—more importantly—a letter to the editor of that magazine from the subject of the article, the National Council of Senior Citizens. I also wish to take this opportunity to commend the council for its vigorous and continuing support of efforts to assist America's elderly, including social security, the senior jobs program, and programs to assure adequate and healthful housing for the aged. All of these programs have considerable bipartisan support in the Congress, and the council merits the gratitude of all of us who are concerned with assuring older Americans a life of dignity and respect.

[From *Fortune*, Dec. 13, 1982]

KEEPING UP

(By Daniel Seligman)

THE SENIOR CITIZENS SCORE AGAIN, FRASER'S FOLLIES * * * SENIORITY, IT'S WONDERFUL

For quite a few years now, your correspondent has been just barely making it from one payday to the next, and yet he has hardly ever whimpered aloud and never once thought to ask for federal funding. He thereby offers a striking contrast to the National Council of Senior Citizens (NCSC), an organization of professional complainers that gets funded regularly by the U.S. Department of Labor and then uses its pumped-up influence to lobby for budget-busting social programs. Friends, life is not fair.

We must confess to not having known about this deal the NCSC has going with the government until apprised of it by certain reactionary friends over at the Conservative Caucus Inc. On stationery bearing a "Defund the Left" imprint, the reactionaries called our attention to an incredible-seeming fact—that even today, under the Reagan Administration, the federal government continues to provide financial support for some lib-lab advocacy organizations, which then turn around and support causes that are anathema to Ron. To be sure, the various laws authorizing this support have a lot of friends in Congress, so the Reaganites' views about ladling out the loot are not necessarily controlling. In September, the Administration tried to cut the program under which the NCSC is funded, but the cutback efforts were thwarted by a Congress acting scared, as usual, of the old folks. In this case, the relevant legislation is Title V of the Older Americans Act, under which Great Society masterpiece the council is getting about \$35 million to run a program providing jobs for the elderly. In principle, none of this money can be used for lobbying or other forms of advocacy, but experience tells us that few things are as fungible as green money.

On a rough estimate, we would say that the National Council of Senior Citizens is responsible for about 42 percent of what's wrong with this country. Pawing over the clips, we could see instantly that the council

has been out front on a sizable number of the entitlement programs that every respectable economist now yearns to cut. Here is a 1981 clip reporting on a mass meeting of oldsters in New York City that was addressed by the council's executive director, who was complaining about Ron's wish to cut some \$40 billion from 83 major programs. Jacob Clayman, president of the council, had a highly counterfactual letter in the *New York Times* recently arguing that enormous prospective deficits in the Social Security system are a myth and that there is accordingly no reason to contemplate legislation adjusting anybody's benefit levels. The council has supported subsidized housing for the elderly. Also subsidized heating. It has opposed any efforts to tinker with those ridiculously expensive federal regulations requiring all sorts of special reconstruction of public facilities to make them more accessible to the handicapped. We cannot prove this but nevertheless take it for granted that the legislators who recently gave us tax withholding on interest and dividend payments were being leaned on by the council when they put in the part about an exemption for the elderly. Why shouldn't the elderly suffer like everybody else on the withholding front? You could argue, in fact, that they should have extra withholding because (according to a 1979 report of the General Accounting Office) they are disproportionately represented among Americans who are delinquent in filing tax returns. Why, it's enough to make one whimper.

NATIONAL COUNCIL OF
SENIOR CITIZENS,

Washington, D.C., December 6, 1982.

FORTUNE,
Time & Life Building, Rockefeller Center,
New York, N.Y.

DEAR EDITOR: Re "The Senior Citizens Score Again..." (December 13) the National Council of Senior Citizens (NCSC) pleads guilty to the charges that we help "old folks" by supporting "subsidized housing" and "subsidized heating," by opposing efforts to tinker with reconstruction of public facilities "to make them more accessible to the handicapped," and by running a program "providing jobs for the elderly." Yes, we do all these things deliberately and will continue to do so at every opportunity.

Writer Daniel Seligman charges that these actions make the National Council of Senior Citizens "responsible for about 42 percent of what's wrong with this country." We strongly disagree with his premise that helping to improve the quality of life for America's elderly is "wrong." If that's a crime, we're guilty!

We can only regret that Mr. Seligman and his Research Associate Andrew Kupfer chose to consult "certain reactionary friends over at the Conservative Caucus Inc." in lieu of doing some real research, particularly with regard to the statements on Title V, the Senior Community Service Employment Program. If they had, they would have learned that NCSC is only one of several national sponsors of this program, which provides 54,200 low-income seniors with part-time jobs.

The article also fails to note that the senior jobs program is one of the most successful of all government programs and enjoys wide-spread bi-partisan support on Capitol Hill. In fact, it was support for the jobs program that brought about the veto override last fall by both the Democratic-controlled House and the Republican-controlled Senate.

We do, however, agree with the assertion that life isn't fair. It certainly isn't fair to the poor, the elderly, or the handicapped. But, the National Council of Senior Citizens is doing everything it can to change the situation.

Sincerely,

WILLIAM R. HUTTON,
Executive Director.●**THE 300TH ANNIVERSARY OF
THE ASHBROOK FAMILY****HON. JEAN S. ASHBROOK**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mrs. ASHBROOK. Mr. Speaker, today December 9, 1982, marks the 300th anniversary of the arrival of the Ashbrook family on the continent of North America.

On December 9, 1682, the family's first American, John Ashbrook, landed in Pennsylvania, having sailed from Belfast, Ireland, on the good ship *Antelope*.

Today the descendants of John Ashbrook are observing the tricentennial of his arrival with solemn thanks for the bounty of the land to which he came and a firm resolve to cherish and defend the freedom they have found here.●

MAYOR JACK EVANS—DALLAS**HON. JAMES M. COLLINS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. COLLINS of Texas. Mr. Speaker, my home city of Dallas has been fortunate over the years to be blessed with exceptionally fine civic leaders. We have relatively low unemployment, a high standard of living, and excellent cultural, sports, education, and business resources.

Mayor Jack Evans, Dallas' leader today, continues a fine tradition of great leadership that continues to make Dallas grow, prosper, and build for the future.

Jack W. Evans began his business career at the age of 14 as a stock clerk and later as a butcher in the meat department in a small grocery store operated by W. R. "Uncle Bob" Evans. He entered business in 1947 after serving 3½ years in the U.S. Air Force as an instrument-flying instructor. With a foundation in food retailing, it was natural for Jack to enter the grocery business. He opened 10 Evans Food Marts, and later merged with Wyatt Food Stores. The Kroger Co. acquired Wyatt in 1958. Jack resigned from Kroger in 1966 to join Cullum Cos., Inc. Evans was elected president and chief operating officer of Cullum Cos.,

Inc., in 1977, the position he currently holds.

Jack Evans is an achiever as mayor of Dallas. Under Evans' stewardship, Dallas voters approved a \$247 million bond-financed capitol improvement program last August for Dallas.

Mayor Evans initiated the Dallas 2000 project, a project in which citizens can offer solutions to problems facing the city in the areas of housing, transportation, neighborhood quality, and development.

Jack seeks to serve the needs of all the people from Dallas, including those with handicaps. Under his direction, the mayor's committee on employment of the handicapped was formed in May 1982 to fill the need for a citywide volunteer organization that will increase public awareness of the needs of persons with disabilities.

Toward the goal of increasing the city's stature as a place of learning and the performing arts, Mayor Evans led the fight for approval of \$25 million in bond funds in 1978, the procurement of a \$5 million Federal grant, and the donation of \$12 million in gifts so that the central library could be dedicated in April of this year.

After his successful work on last August's bond package, Mayor Evans announced the donation by Borden, Inc., of 25,000 square feet of land to be used on the site for Dallas Symphony Orchestra's long-awaited concert hall.

In conjunction with the State of Texas Sesquicentennial Commission, the mayor appointed Mr. William Seay to chair the Greater Dallas Sesquicentennial Committee in honor of this 186 celebration. Plans are underway for the celebration to be at the Dallas Fair Park.

Under Mayor Evans' direction, Billy Prince became the new Dallas police chief and was selected after an extensive nationwide search.

Reacting to the unusually high increase in residential burglary offenses, Mayor Evans took steps in November 1981, in cooperation with the police department, to appoint a burglary task force. Offenses in those selected areas declined 31.7 percent in 14 days after the deployment of the task force.

Jack Evans gives unselfishly of his time and energies to civic and community organizations. He is past president of the Richardson School Board, member and past president of the Salesmanship Club of Dallas, member of the Dallas Citizen's Council, president of United Way of Metropolitan Dallas, and is on the Board of Directors of the Greater Dallas Community Council and Goals for Dallas. He is chairman of the Dallas Better Business Bureau and vice chairman and treasurer of the Dallas Children's Medical Center. Jack is a member of the St. Paul Hospital Advisory Board, the Foundation Board for the SMU

School of Business Administration, and the Foundation Board for the Dallas County Community College District.

Jack Evans is a great mayor for Dallas. We can look forward to years of prosperity, development, and cultural advancement under his leadership. I nominate Jack Evans as the best mayor in America.●

AIRCRAFT SALES TO JORDAN

HON. BARBARA A. MIKULSKI

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Ms. MIKULSKI. Mr. Speaker, we are again hearing reports that the Reagan administration intends to sell sophisticated aircraft to Jordan. I am opposed to that sale. Jordan has refused time and again to join the Camp David peace process or to open a dialog with Israel. I will not support arms sales to any country that refuses to talk peace in the Middle East and refuses to recognize Israel's right to exist.

We have a responsibility to insure the existence of our democratic ally in the Middle East. That democracy cannot exist by simply establishing borders—there is no such thing as a defensible border—especially when it touches upon a hostile nation.

We have a responsibility to do all that we can to insure that the process of the Camp David accords goes forward. Jordan has rejected those accords. The sale of fighter planes to such a country makes hollow our commitment to the peace process.

Our role in the Middle East is one of negotiator. But that does not mean that we must abandon our long-standing and true friends, or that we must passively allow barriers to that peace to remain intact. We must continue to supply aid to Israel as evidence of our commitment to our democratic ally, the State of Israel. Years of military expenditures have drained the Israeli economy, expenditures made to protect borders that Jordan freely admits it will not honor.

This is the time to decide as a nation if we are peacemakers or arms merchants. It is time for us to decide if we are a nation of principle, and if we have the strength to live by our principles.

I urge my colleagues to reject immediately and emphatically any attempt to sell weapons to Jordan.●

GOING ON RECORD TO STOP COVERT ACTION AGAINST NICARAGUA

HON. MICHAEL D. BARNES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. BARNES. Mr. Speaker, there are many times when I have been proud to be a Member of this body and yesterday was one of them. When the House voted 411 to 0 to prohibit funding of efforts to overthrow the Government of Nicaragua or provoke a military exchange between Nicaragua and Honduras, all Americans had reason to be proud. The House of Representatives made clear that the United States should not be in the business of overthrowing governments or starting wars. I know that all Members recognize that this type of legislative action has been rare. It has been 6 years since the House has acted to specifically prohibit a covert action. In this instance, I am convinced that we needed to act. As chairman of the Subcommittee on Inter-American Affairs, I have watched the conflict along the Nicaraguan-Honduran border escalate. I have become convinced that the United States is acting in a fashion that damages our long-term national interest and expands the conflict, rather than helps to resolve it. In adopting this amendment, the House has spoken in a unified voice that cannot be misinterpreted or taken lightly. Whatever the United States has been doing to destabilize the Government of Nicaragua, it must stop.

I hope that my colleagues will also join me in expressing our appreciation to the gentleman from Massachusetts, Mr. BOLAND, and the gentleman from Iowa, Mr. HARKIN, for their leadership on this issue. We have taken the first step toward correcting the course of American foreign policy in Central America, and hopefully the Senate will join us. If there is any doubt about the danger and urgency of swift action, one has only to read the article on the situation which was published today by the New York Times. It quotes the top commander of the exile forces now attacking Nicaragua as saying that the aims and operations of his troops were not subject to control by the United States. So that my colleagues will not miss this interesting article, I request that it be included in the RECORD.

The article follows:

[From the New York Times, Dec. 9, 1982]

NICARAGUAN EXILE LIMITS ROLE OF UNITED STATES—ANTI-SANDINIST LEADER ASSERTS TROOPS ARE NOT SUBJECT TO WASHINGTON'S CONTROL

(By Philip Taubman)

MIAMI, December 8.—The top commander of exile forces seeking to overthrow the left-

ist Government in Nicaragua said today that the aims and operations of his troops were not subject to control by the United States.

Enrique Bermúdez, a former colonel in the Nicaraguan National Guard who now commands 3,000 to 6,000 irregular troops in Honduras and Nicaragua, said in an interview: "We would never accept the role of American mercenary. It is not acceptable to us to carry out missions to interdict Cuban and Russian supply lines to El Salvador. We are Nicaraguans and our objective is to overthrow the Communists and install a democratic government in our country."

American intelligence officials have said Mr. Bermúdez' forces, operating under the banner of the Nicaraguan Democratic Front, a coalition of anti-Sandinist exile groups, are the main American-supported paramilitary organization in the region.

A year ago, according to national security officials, President Reagan approved plans for covert operations by the Central Intelligence Agency in Central America that called for the financing of paramilitary groups that would interdict the flow of arms to guerrilla forces in El Salvador. Administration officials said at the time that the Soviet Union and Cuba, with help from Nicaragua, were shipping weapons and ammunition to El Salvador.

C.I.A. ACTIVITIES STEPPED UP

The covert activities have since become the most ambitious paramilitary and political action operation mounted by the C.I.A. in nearly a decade, according to intelligence officials.

Mr. Bermúdez said he could not discuss the sources of assistance to his forces. When asked whether or not the C.I.A. had provided help, he declined to comment.

"We will accept any help to establish democracy in Nicaragua," he said.

"If we can help our friends interfere with supply lines to El Salvador while we are fighting to overthrow the Sandinists, we will do it," he added. "But we will not accept assistance simply to do somebody else's business and will not permit outsiders to set our goals."

In recent days, leaders of the anti-Sandinist coalition have lifted some of the secrecy surrounding their activities in an effort to broaden their base of support. At a press conference on Tuesday, they said they did not support the policies of Gen. Anastasio Somoza Debayle, the Nicaraguan leader who was ousted in 1979.

SOME REFUSE TO JOIN

Some exile leaders, most prominently Edén Pastora Gómez, a former Sandinist leader who left Nicaragua last year, have refused to join the front because of its identification with the national guard.

Mr. Bermúdez contended today that he was not an ardent Somoza supporter. "I accept responsibility for serving in the national guard," he said. "The only regret I have is that there wasn't enough leadership among the senior officers to prevent the abuses and repression that occurred."

From 1976 to 1979, when the revolution was building in Nicaragua, Mr. Bermúdez served as Nicaragua's defense attaché in Washington. In 1975 he was a student at the Inter-America Defense College in Washington.

After the Sandinists seized power in 1979, Mr. Bermúdez moved to Guatemala where he began organizing paramilitary forces. "There were many young national guard officers who were trapped in the struggle

before Somoza fell," he said. "They didn't like Somoza but they hated the Sandinists. I thought they could play a role in the future of Nicaragua if they fought to bring democracy to the country."

Mr. Bermúdez said that if the anti-Sandinist forces were successful, he would not seek a leadership role in a new government. "The military will play a secondary role," he said. Other leaders of the coalition, while saying they take Mr. Bermúdez at his word, acknowledged there was a risk he might one day try to take power.

GUERRILLA TACTICS USED

Mr. Bermúdez, who is 49 years old, joined the national guard in 1952 after graduating from the Nicaraguan Military Academy. He became a colonel in 1977, he said.

He said that the paramilitary troops, which are now based primarily in Honduras and Nicaragua, were using "guerrilla tactics" in their campaign against the Sandinist. "When I studied counterinsurgency strategy in the United States, I also learned about insurgency," he said.

Mr. Bermúdez said that the paramilitary forces were being used in attacks against economic and industrial targets to try to galvanize opposition to the Government.

He described economic and social conditions inside Nicaragua as "ripe" for a popular uprising against the Government. "We cannot win in set battles with Government troops," he said, "so we are counting on a popular uprising."

Mr. Bermúdez, like other coalition leaders, said he was reluctant to talk while in the United States about military operations because American law, specifically the Neutrality Act, prohibits privately organized efforts to overthrow foreign governments.

Coalition leaders, who have used southern Florida as a base of operations, said their lawyers advised them not to discuss military matters.

DELTA EMPLOYEES: EXAMPLE FOR ALL

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. GINGRICH. Mr. Speaker, once again, Delta Air Lines employees have set an example for all of us. They wanted to thank their company for years of consistent good treatment and consideration. They chose a creative way to do it: Buying Delta a Boeing 767.

As Lewis Grizzard describes it in his Atlanta Constitution column, Delta employees have set up project 767. The program allows them to donate a certain percentage of their paycheck toward the purchase of a 767. The plane costs \$30 million. That averages out to an \$810 donation per employee.

Through smart management, excellent service, and hard work, Delta and its employees are surviving and prospering in these difficult times. Those characteristics alone are a formula for success. But project 767 teaches another important lesson to employers. As Lewis Grizzard puts it, "Treat your employees right and they will ask not

what their company can do for them, but what they can do for their company."

The example Delta employees have set is not going unnoticed. Workers at the Ford plant in Hapeville, Ga., have now set up a Delta Committee to see how they can say thanks and help their company at the same time.

In these tough economic times, employees/employer relations are often strained. It is reassuring to see the mutual respect and gratitude Delta and its employees have for each other. I applaud and admire their example, and that is why I am sharing Mr. Grizzard's column with my colleagues:

[From the Atlanta Constitution, Oct. 8, 1982]

ALLOW ME TO TELL YOU A STORY THAT'LL WARM REAGAN'S COCKLES

(By Lewis Grizzard)

The story has been around for a while. It even made the New York Times and the Wall Street Journal. It had reason to.

First, a Delta airlines pilot retires and pays nearly \$8,000 to take out an ad in the newspaper thanking the company for allowing him the opportunity to work for it.

A lot of people probably would like to take out an ad and give a message to their companies, but how many of the ads would read, "Take This Job and Shove It?"

Then, a group of Delta flight attendants announce it is their intention to raise \$30 million from their fellow employees to buy Delta one of those new fuel-saving 767s. The tab comes to \$810 per employee.

In these rotten times for the airline industry, Delta recently surprised its employees with a raise, and it has not furloughed any employees as other airlines have been forced to do.

"We wanted to say thanks," said one of the Delta fund-raisers, "so we decided to buy an airplane."

NOT EVERYBODY'S THRILLED

I don't want this to sound like a commercial for Delta. If I had a choice, I wouldn't fly anybody's airline. I'd take the train.

But I've spent the last couple of weeks flying around the country for one reason or the other and because I live in Atlanta and because Delta airlines employees tend to smile a lot, most of the flights were on Delta.

I talked to a number of their employees about how they feel about the Atlanta-based airline, how they feel about forking over 810 big ones to buy the company a plane.

Not everybody thinks it's such a terrific idea, of course.

"I'd rather use the money to pay off my VISA bill," a flight attendant told me one morning somewhere between Amarillo and Dallas.

"I think it's a big joke," said another attendant.

But then there was the man checking baggage in New Orleans.

"Every time I've asked Delta for something," he said, "they've come through. I don't mind giving them a little something back."

DOING THINGS THE OLD WAY

I sat next to a 25-year Delta mechanic on his way home to West Palm Beach. He was ready to do his part for the new plane, too.

"I still remember Mr. C. E. Woolman, who started this company," he said. "He'd walk out on the flight line in his \$200 suit and climb up on the dirty table and ask us how things were going. He called everybody 'son,' and he'd listen to what we had to say."

"That hasn't changed. If something is bothering me now, I just call up Dave Garret, the president, and ask to see him. He says, 'Come on by any time.' That makes you feel good."

Delta flies the same type of airplanes as the other major airlines. It flies over the same routes as many other major airlines. Yet it is healthy and growing when others are sick and, in many cases, dead or dying.

That's because it has discovered a long-forgotten secret: Treat your employees right and they will ask not what their company can do for them, but what they can do for their company.

The great minds of our nation search for ways to cure our economic ills, to lift our failing production, to "get this country working again," in the words of our president.

They need to search no further than Delta.●

TRIBUTE TO JOAN M. PLAISTED

HON. GREGORY W. CARMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. CARMAN. Mr. Speaker, I wish to give special commendation to Ms. Joan M. Plaisted, an exceptional member of the American Consulate in Hong Kong. Ms. Plaisted recently assisted me during a special factfinding mission on behalf of the U.S. House of Representatives Banking Committee to promote international trade.

I was very impressed by the organization of the American Consulate in Hong Kong. Through Ms. Plaisted's efforts my meetings with trade officials in the public and private sectors in Hong Kong were successful.

Sharing with you a little of Ms. Plaisted's history is my pleasure. Ms. Plaisted was born on August 29, 1945, in Minnesota. She holds a degree from the American University and has studied at the University of Grenoble in France. Ms. Plaisted has served as an international economist for the Organization for Economic Cooperation and Development and at the U.S. Department of Commerce and presently holds the post of Deputy Chief of the Economic Section of the American Consulate in Hong Kong.

Ms. Plaisted's exceptional efforts bring credit to herself, the American Consulate in Hong Kong, and to the United States. We are truly fortunate to have Ms. Joan M. Plaisted as a member of the U.S. Foreign Service.●

JAPANESE TRADE BARRIERS

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. DINGELL. Mr. Speaker, the House will shortly consider, H.R. 5133, the Fair Practices in Automotive Products Act. The purpose of that legislation is not protectionism, nor is it intended as a tool to open up other countries' barriers to U.S. products. Rather, its purpose is to encourage foreign automakers to manufacture their vehicles in the United States with American labor and to utilize more American-built parts. It is also aimed at discouraging outsourcing by U.S. domestic automakers. At the same time, I believe that this needed legislation will help to convince other nations that we mean business and that they must open their economy to U.S. goods, services, and investments.

The latter has already begun ever so slowly. I noted, for example, that a December 8, 1982, Washington Post news story (page D-10) indicates that Japan's new Prime Minister, Mr. Yasuhiro Nakasone, has reportedly ordered his Cabinet to work out a new set of steps to reduce Japan's trade barriers and open its markets to American goods before he comes here next month for talks with the President. That is a sign, an important one, but it is only a preliminary one. Moreover, it may be aimed more at trying to discourage passage in Congress of H.R. 5133 than any real effort to remove some formidable trade barrier.

On November 10, 1982, the Deputy U.S. Trade Representative, Mr. David R. MacDonald, submitted a report to the chairman of the Subcommittee on Trade of the Ways and Means Committee entitled, "Japanese Barriers to U.S. Trade and Recent Japanese Trade Initiatives."

The report states:

Although the Japanese market in 1982 is substantially more open to foreign goods, services, and investment than it was only a few years ago, barriers to imported goods, services, and foreign investment still remain. Needless to say, Japan is not unique in maintaining barriers to foreign goods, services, and investment in its economy. All countries, including the United States, maintain certain barriers to trade and investment. Nor are all the barriers maintained by Japan inconsistent with her international obligations. However, a widespread perception persists among Japan's trading partners, including the United States, the European Community, and others, and not incorrectly, that the Japanese market remains relatively less open to foreign suppliers when compared to access for Japanese goods and services in their markets. This perception has resulted in increasing friction between Japan and her trading partners in recent years as the volume of Japanese exports and their percentage of world trade has grown considerably.

The following are some illustrations from this 75-page report and other sources of instances of barriers, both direct and indirect, to U.S. exports to Japan, as well as Japan unfair practices regarding imports into the United States.

TARIFFS

The Japanese still maintain onerous tariffs on U.S. goods imported into Japan. These tariffs make U.S. goods overly expensive and restrict the market even where the U.S. product is much better than the Japanese equivalent.

Even with the administration's much publicized May 28 package of tariff reductions, Ambassador David MacDonald reported to a congressional committee on September 14, 1982, that significant tariff reductions were needed on: Wood and wood products; paper and paper products; unwrought magnesium; refined copper; beef; citrus; egg products; chocolate confectionery; feather and down bedding; harvesting equipment; tobacco product; leather and fur skins; computers and computer parts; cash registers; photographic enlargers; and photograph files.

While there might be some justification for some tariffs on some of these goods, it should not be as high. Also, it is hard to believe that the Japanese cannot fairly compete in photographic goods.

QUOTAS THAT VIOLATE THE GATT

The November 10, 1982, report by the U.S. Trade Representative indicated that Japan currently maintains quotas on 27 items which the United States believes violate the tariff provisions of the GATT. These include:

Leather.—

Beef.—In addition to a 25-percent Japanese tariff on imported beef, the use of a quota has the effect of raising the price of beef to over \$12 per pound.

Citrus.—Japan uses general and seasonal quotas to exclude U.S. imports of citrus. Most quota allocations are to about 95 Japanese trading firms. In addition, seasonally adjusted tariffs range from 20 to 40 percent, and the tariff on juices range from 22.5 to 30 percent.

Fruits and Vegetables.—Quotas limit imports of U.S. grape and apple juice; tomato juice, ketchup, and sauce; as well as other products available for U.S. export. These quotas are sometimes announced on an emergency basis, so U.S. exporters cannot predict or plan for them.

The May 28 reductions in quotas on four items (herring, prepared and preserved pork, high-test molasses and canned pineapples) are not of major interest to the United States.

RESTRICTIVE STANDARDS, TESTING, LABELING, AND CERTIFICATION REQUIREMENTS

Japan's restrictive standards and approval procedures exclude foreign products from the market because of the prohibitive cost of establishing at the border that the product meets the requirements or delaying their entry, often long enough to allow Japanese manufacturers to introduce a competitive product.

Foreign companies are excluded from the Japanese voluntary standards-writing process operated through the Japanese Industrial Standards Committee so they often learn about prospective new or revised standards well after their Japanese competitors.

Japanese standards are often written in terms of design criteria rather than performance specifications. As a result an American-made product may not be acceptable because of minor differences in design, even though these variations do not affect the product's compliance with the performance objective of the standards.

Japan refuses to accept test data developed outside Japan for many products, including pharmaceuticals and medical equipment. Testing is very expensive, as complete samples must be provided. Backlogs in Japan for starting testing on electrical and medical products, for example, are up to 5 to 6 months. The testing process itself can take another 3 to 4 months, and delays of 1 to 2 years have been cited in cases of medical equipment products. These difficulties would be resolved if inspectors from Japan visited and inspected the manufacturing site, or accepted U.S. product approval, but they will not do so.

According to the U.S. Trade Representative other standards barriers apply to: Cherries, sake, dried fruit, concentrated fruit juice, processed foods, frozen bull semen, pharmaceuticals, cosmetics, autos, sporting goods, plywood, and other chemical substances.

Examples of specific product standard issues from the November 10 report:

PLYWOOD

The Japanese agricultural standard (JAS) on structural plywood, written for domestic makers that use a hardwood to make plywood, specifies how the plywood should be put together—for example, how the plies should be assembled and bonded—rather than how the plywood should perform in use. The lowest grade plywood most commonly used for construction in the United States does not meet the standard, partly because it is made from softwood and partly because of U.S. production methods. For example, if the knothole in the wooden panels exceeds the limit in the Japanese standard, the panel is rejected despite the fact that U.S. technical data demonstrate that the U.S. product equals or

exceeds the performance characteristics of the Japanese-produced product.

The U.S. plywood products industry has pushed for 8 years for a new Japanese standard on structural plywood; 3 years ago Japan agreed with the United States to develop a mutually acceptable performance standard for structural plywood by 1980; 2 years after the deadline has passed, we continue to hear about complex negotiations on knothole size and the white speck problem, but U.S. exports still have not increased.

AUTOMOBILES

The Japanese Ministry of Transportation (MOT) has repeatedly turned down a U.S. request to recognize U.S. manufacturers' self-certification of automobiles to Japanese standards. The United States permits all auto manufacturers to self-certify compliance with U.S. regulations. The MOT still has not adopted administrative procedures to implement a May 1980 commitment to accept U.S. notaries' public affirmations of the dates of manufacture of U.S. automobiles. Dates of manufacture are necessary in Japan to determine which year's regulations tests must be performed on U.S. imported automobiles.

There has been more than a 2-year delay in resolving this standard issue, which is one of many in the automobile area.

TOBACCO PRODUCTS

The Japan Tobacco and Salt Public Corp. (JTS) is a Government monopoly. JTS is obligated to buy all domestically produced tobacco leaf—some 140,000 tons annually—at prices three times the world price. It also purchases some 70,000 tons of imported leaf. In addition, JTS strictly controls sales of imported cigarettes, cigars, and pipe tobacco, permitting them to be distributed at only 20,000 of 250,000 tobacco products shops and selling them at much higher prices than domestic cigarettes. It enforces a ceiling on advertising expenditures that makes it difficult for U.S. brands, new to the Japan market, to gain market share. In addition, Japan imposes 35-percent tariff on imported cigarettes. The effect is that imported cigarettes sell in Japan for 55 percent more than comparable Japanese brands, even though their pretariff price when entering Japan is about the same as the price of Japanese brands.

As a consequence of these tariff and nontariff barriers, the U.S. share of the Japanese cigarette market is still only slightly over 1 percent.

U.S. industry estimates of our potential share of the Japanese market in the absence of any barriers range upward from 25 to 50 percent. Since each percent of market share is roughly equal to \$50 million, the potential value of increased U.S. exports in this sector is between \$1.2 and \$2.5 billion.●

JIM STEFAN—AN EDUCATOR'S EDUCATOR

HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. PANETTA. Mr. Speaker, it is a special pleasure for me to pay tribute to the work of a fine educator and public servant who is retiring after 30 years of service in the Monterey County Office of Education. Jim Stefan, superintendent of schools in Monterey County since 1976, will be leaving at the end of 1982, and will no doubt be sorely missed by the students, teachers, and parents of Monterey County.

Jim Stefan is a native of San Francisco. In addition to his impressive academic qualifications, he served in the merchant marine for 9 years and has taught on the elementary, high school, and college levels. He held a variety of administrative positions in the Monterey County Office of Education, before accepting the position of superintendent. Mr. Stefan's credentials range from school administration to psychology and audiology, and he has served not only in a long list of education and special education groups, but also in such community organizations as the Easter Seal Society, the Salinas Optimists Club, the Monterey County Alcoholism Advisory Board, and the Salinas Chamber of Commerce.

One example may serve to illustrate the imagination and perseverance which Jim Stefan has brought to his job. The Monterey County International Studies Program began operation in September of this year. This program, under which students from five area high schools participate in advanced language and culture courses in three languages at four different sites, epitomizes the kind of innovative programming which is so desperately needed not only in the field of international studies, but in other areas of education as well. Jim Stefan's determination in the face of overwhelming financial and other obstacles serves as an inspiration to those of us in government who are committed to innovation and excellence in education and in all areas of public policy.

Mr. Speaker, it has been a privilege for me to work with Jim, particularly in this time of special challenge to local educators. I commend his competence and dedication, and wish him well in all his future endeavors.●

HAPPY 70TH

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. MURTHA. Mr. Speaker, I submit an article which I cannot embellish with any added comments:

HAPPY 70TH, MR. SPEAKER, YOU'VE ALWAYS BEEN TRUE

(By David Nyhan)

Not the least reason to marvel at Tip O'Neill is the simple fact that he hasn't made much money, when he's had vast opportunity to do so.

In 46 scandal-free years of winning elections, 30 in Congress, 6 as Speaker of the House, he's proved almost totally inept at padding his own income and salting something away on the side.

Politicians with far less potential for pelf than he, have become millionaires on the sly, but O'Neill's net worth is embarrassingly meager. He's got about what a public school teacher would have, if his kids were grown and his wife worked. Not much, but something.

His wealth is in coin of a different realm. He is much loved by those who know him. When he threw a party for his campaign workers, what was astonishing about the crowd in the old Cambridge Hotel was that so many were of his generation. The man, whose highest accolade is "Old Pal," kept the friends he began with.

When Tip got up in front of the band, singled out his Millie, and knocked out a better than passable rendition of "Apple Blossom Time," you couldn't picture any New Wave Democrats doing likewise.

O'Neill is a living political monument for a lot of reasons, but some of them are: He's kept the same wife, the same friends, the same lifestyle, the same values and the same philosophy he began with in the Thirties.

His mother died of TB before he was a year old, and he was raised by a father who was a city councilor and superintendent of sewers in Cambridge. "He taught me loyalty," O'Neill said years ago, "to live a good, ethical, honest life, that I'm truly my brother's keeper; and to always remember from where I came."

In a lifetime of political horse trading, O'Neill could be accused of many things, but none can say he forgot his roots. The Irish yield to no one when it comes to bad-mouthing a social climber. Those who moved out of the three-deckers risked being labeled "two-toilet Irish," "lace curtain Irish," and most spiteful of all, "cut-glass Irish."

O'Neill never went high-hat, either in lifestyle or in his politics. The hardest thing he's said of Ronald Reagan was that the President had forgotten where he'd come from, the Depression-era poverty of working-class Illinois, where most people needed a government handout to get by.

When Reagan blew into Washington, scattering demoralized Democrats like fallen leaves, the middle class was beguiled by the sonorous siren song of tax cuts. O'Neill warned it would be open season on the poor.

"People seem to hate the poor, that's the kind of thing that got us into deep trouble in the 1930s."

The O'Neill losses of 1981 have become the O'Neill victories of 1982, and the incom-

ing Congress will line up much more behind the Speaker than the President, a fact that bodes well for the 12 million unemployed.

The right wing still hates Tip O'Neill and all he stands for. They see him as the symbol of the bloated government that forces some redistribution of wealth in this country, a process Reagan has managed to reverse.

There is not a man alive today who has done more good for more people, in trying to impose a semblance of fairness and sharing the wealth on Congress, than this man who turns 70 today.

A pillar of his party, a model to his profession, he's a testament to the best the Irish brought to this country's politics.

James Michael Curley taught him to give the crowd some words to remember. John F. Kennedy taught him that when it comes to raising dough, running for President was no different than running for alderman. And it is an old Irish legend that teaches us the central fact of democratic congressional rule today. "Where the O'Neill sits, that is the head of the table."

David Nyhan is a member of The Globe staff.●

CONGRESSMAN ROBERT MOLLOHAN

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 30, 1982

● Mr. UDALL. Mr. Speaker, I rise today to pay tribute to a fellow Member and friend, BOB MOLLOHAN, with whom I have had the privilege of serving in the Congress during the last two decades.

The job of a Congressman, a Member of the House of Representatives, is multifaceted, and an individual who devotes himself to this body, as BOB MOLLOHAN has done, carves his own special niche.

Some are called to be experts, others leaders, and still others tireless workers. Although BOB MOLLOHAN served in each of these capacities, it was on a few visits to Parkersburg, W. Va., that I came to know and appreciate his special niche—an unflagging interest, sense of duty and service, on a very personal level, to the people he represents. To farmers, coal miners, steel workers, business people, and others, he has demonstrated his personal concern and considerable accomplishment in solving their problems. And his efforts have earned him their respect and affection.

BOB MOLLOHAN's achievements in the Congress are notable. He devoted himself to building a sound and solid national defense, ably serving on the Armed Services Committee throughout his 18 years in the House.

BOB MOLLOHAN was the author of the Emergency Medical Services Systems Act, putting into place a lifesaving plan for improved emergency health care for our Nation's communities.

As a member of the Congressional Steel Caucus and the congressional coal group, BOB MOLLOHAN worked actively to promote American industry, especially the welfare of workers.

He executed skillfully—and often without adequate thanks—his job as chairman of the House Operations Subcommittee on Office Systems, making all our jobs and our lives a little easier and more effective.

When he leaves this body, BOB MOLLOHAN will return to his friends and his family in "wild, wonderful West Virginia." Down the road, we may find him overseeing one of his farms, streamlining his own business offices for a change, and most likely traveling as a private citizen or as a former Member of the House of Representatives. I know that whatever his pursuits, he will continue to serve the democratic process with the same dedication and skill that he has exhibited in his years of service in this body.

BOB can be proud, and we are fortunate, indeed, that his son, Alan Mollohan, won election this year in West Virginia's First Congressional District. I had the pleasure of getting to know the younger Mollohan, and I know that he will carry on his father's record of service and make his own distinguished mark as a Congressman.

BOB MOLLOHAN will be missed—by his constituents and by his colleagues here—whom he has served so well. Most of all, he will be missed as a friend. I hope we will not forget those with whom he has served. We certainly shall not forget him or his accomplished service to the House of Representatives.●

U.S. POLICY TOWARD CENTRAL AMERICA: A DEMOCRATIC ALTERNATIVE

HON. GERRY E. STUDDS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. STUDDS. Mr. Speaker, on behalf of a number of my colleagues who have been actively involved in congressional oversight of our Nation's foreign affairs, I would like to announce today a proposal for a Democratic alternative to U.S. Central American policy. It is our feeling that the Reagan administration's development of U.S. relations with the Central American nations has been seriously flawed, and that the consequences of this policy are dangerous not only to U.S. interests, but to the causes of peace and democracy for which our Nation stands. For these reasons we have formulated an alternative proposal, which is a comprehensive approach to U.S. relations with the region, and which we believe will prove far more effective. In addition to

myself, Senator CRANSTON, Congressmen BARNES, SOLARZ, McHUGH, OBEY, DIXON, HARKIN, WOLPE, BONKER, GEJDENSON, EDGAR, BONIOR, OBERSTAR, and LELAND, and Congresswoman OAKAR, have endorsed this statement. The statement follows:

CENTRAL AMERICAN POLICY: A DEMOCRATIC ALTERNATIVE

We believe that the course of U.S. foreign policy in Central America should be changed. The Reagan Administration's extreme approach is fostering not peace and democracy, but increased polarization and radicalization.

Since January 1981, brutal civil wars have intensified in El Salvador and Guatemala, the threat of war between Nicaragua and Honduras has increased partly because of U.S. actions, and moderate and democratic elements have lost influence in Nicaragua and throughout the region. Neither "quiet diplomacy" with respect to human rights nor massive doses of military aid have accomplished their intended purpose.

The ability to make a free and open choice of political allegiance is the essence of democracy, but it is becoming less and less possible to make such a choice in Central America. Those seeking to rule by coercion rather than consent reside on both extremes of the region's political spectrum. These extremes are not opponents, but rather allies; they gather strength from each other, and they must equally be opposed.

Unfortunately, the Reagan Administration has chosen a policy which lends confidence to the terrorist right; which motivates and strengthens the terrorist left; which contributes in doing so to further violence; and which has provided nothing but bitter discouragement for those genuinely committed to peace and democracy in the region.

After two years and hundreds of millions of dollars of aid, the United States is further than ever from achieving its goals in El Salvador. Although the elections last March confirmed the deep desire of the Salvadoran people for participatory democracy, the electoral initiative was too narrowly based to move El Salvador toward national reconciliation. Rather, it weakened those advocating a moderate course, and left competition for power in the hands of brutal and historically undemocratic military cliques. The Reagan Administration has failed dismally to demonstrate strength or seriousness of purpose in pushing for economic reforms and respect for human rights in El Salvador, and has explicitly opposed a dialogue without preconditions between the government and opposition groups.

The Administration's support for covert military action against Nicaragua has produced a propaganda bonanza for the radical left, an excuse for a military build-up by Managua, and a growing threat of regional war. It has also shifted the focus of world attention from Nicaragua's errors in policy to ours, and contributed to a political atmosphere inside that country within which moderate and democratic elements may not long survive.

The Administration has persisted in viewing Honduras as a convenient staging ground for regional military initiatives, rather than a fragile democracy needing insulation from the conflicts engulfing its neighbors. The result is an increasingly divided and fearful country, unable to derive internal confidence from its recent transition to civilian democratic rule.

Only the opposition of the American people, and in their behalf, the Congress, prevented the investment of U.S. arms, aid and prestige on the side of the previous Guatemalan government's war against the Indian population of that country. There are some reports of improved human rights conditions under President Rios Montt and, obviously, we hope that these reports are correct. Unfortunately, the Administration has responded to reports that serious human rights violations continue to be committed by the Guatemalan military, not by condemning the violations, but instead by attacking those issuing the reports.

Finally, the Administration, has refused to recognize the nature and source of the tensions which threaten to destroy all of Central America. It has sought to apply a simplistic economic and political world view to a region the majority of whose inhabitants view such a perspective as indifferent to their interests and irrelevant to the modern world. One of the most explosive forces on the globe today is the frustrated desire of impoverished and disenfranchised people to obtain a decent standard of living and to have a voice in determining their own destiny. No policy which fails to address these concerns will, in the long term, adequately, protect our interests or preserve our influence in Central America.

In short, because its highly ideological orientation fails to appreciate the realities of the region, the Administration is pursuing policies which increase the legitimacy and strength of armed opposition groups in El Salvador, Guatemala, and possibly in the future—Honduras. Additionally, they encourage the further evolution of Nicaraguan politics in a direction inimical to our interests, further identify the United States with forces tied closely to the discredited Somoza regime and diminish prospects for pluralism and democratic rule.

We believe that the influence and the available resources of the United States can be used to further our interests far more effectively in Central America in the future. Accordingly, we now propose an alternative U.S. foreign policy toward Central America. The goals of that policy are (a) to make a contribution to the peaceful resolution of political and military conflicts both between and within the states of the region; (b) to foster economic progress in the short term and to facilitate long-term improvement in the living conditions of the area's poor, and (c) to support and advance human rights and democratic institutions in the region.

Specifically:

1. We urge the Administration to join with Mexico and Venezuela in encouraging the prompt initiation of discussions between and among our own government and the governments of Honduras, Nicaragua and El Salvador for the purpose of ending all acts of subversion and aggression and achieving a just and lasting peace in the region.

2. We urge the Administration to lend its full support to negotiations without preconditions, aimed at resolving peacefully the internal political disputes presently existing between the populations and the governments of El Salvador and Guatemala. Additionally, we believe that an effort to reconcile Nicaraguan opposition groups, including democratic exile groups, with the government of that country through a negotiating process or other mutually acceptable means should be strongly encouraged. In each of these countries our purpose should be to facilitate the creation of an open democratic electoral process and genuine political pluralism;

3. The U.S. should cease assisting covert military activities directed at Nicaragua. Any accusations concerning Nicaragua's alleged support for subversive activities in El Salvador, Costa Rica, or Honduras, should—if private discussions fail to resolve the matter—be made public and brought promptly to the attention of the United Nations or the Organization of American States.

4. We reiterate our belief that respect for internationally recognized human rights, including the rights of indigenous peoples, should be a cornerstone of American foreign policy, both in Central America and around the globe. The foreign assistance laws of the United States are clear on this point. Security assistance may not be provided to governments—such as that currently in power in Guatemala—which are engaged in a consistent pattern of gross violations of internationally recognized human rights. Nor may military aid to El Salvador continue unless a series of legal conditions are met concerning human rights, economic reforms and investigations into the cases of murdered Americans.

5. We propose a new and expanded inter-American development program, aimed at encouraging multilateral efforts in behalf of economic and agricultural self-sufficiency, and at providing emergency aid to democratic governments such as those of Costa Rica, Honduras, and the Dominican Republic. This program will be designed to build on and improve upon the Caribbean Basin Initiative of 1982, and to strengthen the U.S. commitment to improving the quality of life of the poor majorities throughout the region. In developing this proposal, we will take into account the fact that in countries where serious political and military repression exists, no amount of economic assistance will, in itself, be sufficient to produce meaningful social development or reform.

We believe the time has come to stop the killing and start the talking in Central America. We reject the view that violence is inevitable or endemic to the region's culture. We have witnessed—and place great faith in—the courage, the persistence, and the wisdom of those in each of these countries who have been working for peace, democracy and social justice.

We believe that the present Secretary of State, George Shultz, is well equipped to understand the positive uses of diplomacy. We will be pleased to work with him to develop a policy toward Central America which accurately responds both to the views and the ideas of the American people, to the complexities of the region, and to the true interests of the United States. We pledge, also, our own continued interest and involvement in the debate over this issue, and we express our commitment to pursue these proposals vigorously, and to explore every available legislative and political option to see them prevail. ●

CALIFORNIA DELEGATION

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1982

● Mr. FUQUA. Mr. Speaker, seven Members of the delegation from California will be gone from our midst

when the 98th Congress convenes, and I would like to take the opportunity to express my appreciation to them collectively for the honored service they gave in this House.

Congressmen CLAIR W. BURGNER, DON H. CLAUSEN, ROBERT K. DORNAN, BARRY M. GOLDWATER, JR., WAYNE R. GRISHAM, PAUL N. MCCLOSKEY, and JOHN H. ROUSSELOT, have each given much of themselves to serve their constituents, their State, and their Nation.

Though these men all represented a different party than I do, their sincere interest in their work and the quality of their product made them a significant factor in this body which they served as members of the minority party.

We will miss their active participation in our deliberations and wish each of them success in their future endeavors. ●

THE IMPORTANCE OF LOCOMOTIVE ENGINEERS

HON. CARROLL HUBBARD, JR.

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. HUBBARD. Mr. Speaker, I received an excellent letter from my good friend and constituent, Terry W. Beadles, of Fulton, Ky. Terry is the secretary-treasurer of Division 508 of the Brotherhood of Locomotive Engineers. He has taken the time to personally share his concerns as a locomotive engineer with regard to the critical jobs that are provided to the railroads by the members of his profession. I am certain that my colleagues remember the difficulties that faced the country earlier this year with the railroad strike. I would like to share Terry's letter as I am certain that the Members of Congress will be interested in his comments. The letter follows:

TERRY W. BEADLES,

Fulton, Ky., September 27, 1982.

Congressman CARROLL HUBBARD,
Rayburn House Office Building,
Washington, D.C.

DEAR CONGRESSMAN HUBBARD: In these troubled economic times, the decision to call a nation-wide strike by the Brotherhood of Locomotive Engineers was apparently misunderstood by a great majority of the American people, including the members of Congress. The failure of the national news media to make clear and concise statements as to the reasons for striking also contributed to this misunderstanding.

As I am not aware, to date, as to how you voted on the issue of calling an end to the strike, I am going on the assumption that you were one of the 17 Congressman who felt that our Government should not interfere in the freedom of bargaining by labor unions. I hope this letter may clarify some of our reasons for striking over the difference in pay and the no-strike clause.

It's obvious that the decision to strike was a last measure on the part of the Brother-

hood of Locomotive Engineers. Our old contract expired as of April, 1981, yet we continued to work while the collective bargaining process took place. Until the strike was called, the great majority of us felt that the contract would be settled.

By tradition, the Engineer has always been the highest paid member of a train crew. But many people, including Congressmen, are simply not aware as to the reasons for this difference in pay, so I will attempt to explain what we do.

Engineers of the Illinois Central Gulf Railroad, of which I am one, are subjected to an intensive training program at Paducah, Ky. Included in this program are classes on proper train handling, air brakes, mechanical, electrical, and our book of operating rules. We are continually tested on all these phases and must pass required tests on each before our promotion to Locomotive Engineer. We are also placed under the auspices of promoted Engineers for a period of 6 to 18 months before our final promotion. On the other hand, a man hired as a trainman will make a few trips as a student brakeman to acquaint himself with a few basics and then is allowed to work as a full-fledged member of a train crew. Tradition aside, is there any wonder as to why we feel, as Engineers, we are entitled to be the highest paid member of a crew?

As Engineers, we are the men instructed to take extraordinary precautions during foggy or stormy weather to insure the safe movement of our train (Operating Rule 815). We are the men empowered to move many thousands of dollars worth of lading across this country, not the brakeman. It is in our hands that the human factor is involved as we move passengers across the country on Amtrak, and not the brakeman's.

Because of all the factors involved in the safe and efficient handling of a train, an Engineer cannot afford one lax moment when on duty. Decisions requiring our instant attention are constantly being made that depend upon our being well trained. As an Engineer, I have yet to see any prestige associated with my job. The word stress might better apply towards explaining my job! Each time I approach a public road crossing, the thought goes through my mind that this might be the time someone attempts to make it over the crossing before I arrive and does not succeed. I seriously doubt that a brakeman entertains such thoughts.

Congressman Hubbard, there are just a few of the reasons that we feel we should continue to be the highest paid crew member. There are many others that can be explained by people more well-versed than I. However, if in any way this letter can help any member of Congress to understand the complexities of our job, please don't hesitate to use it. There is much more involved in being an Engineer than merely blowing a whistle or ringing a bell.

Please remember that we don't want to strike, but if the issue of the difference in pay between Engineers and other crew members cannot be assuaged by 1984, it will again become a factor to be reckoned with. Next time, I hope the venerable members of Congress understand our point of view.

With every good wish for your continued success as our First District Representative, I am,

Most sincerely yours,

TERRY W. BEADLES. ●

HON. HENRY REUSS

HON. JACK BRINKLEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1982

● Mr. BRINKLEY. Mr. Speaker, I wish to thank the gentleman from Wisconsin, Mr. ZABLOCKI, for arranging this special order on our dear friend and trusted colleague, HENRY REUSS, who is retiring at the end of this term. For 4 years my office was next door to HENRY's and I got to know him well. I soon discovered that he was a graduate of "Upatoi University," as HENRY affectionately referred to the Fort Benning Officers' Candidate School.

In 1980 I asked HENRY REUSS to return to Columbia, Ga., as principal speaker of an appreciation dinner in my behalf and while there to renew his acquaintance with his Fort Benning alma mater. HENRY accepted and the Columbus Iron Works and Convention Center roared its approval when he spoke of labor, management, and government pulling together and working together as entities with common goals and common interests.

This remarkable man from Wisconsin captured this southern stronghold when he spoke in the same breath of the historical structures in Milwaukee and the excellence of the restored iron works in which we met.

Other Members of Congress joined us that evening: BILL NICHOLS, from Alabama; BO GINN, DOUG BARNARD, NEWT GINGRICH, and DAWSON MATHIS, of Georgia. HENRY singled each of them out in his remarks and made the evening very personal and very special.

The next morning we had breakfast together at Fort Benning and the circle was complete.

As chairman of the Banking Committee, HENRY accepted my recommendation to hire an outstanding minority youth from Columbus who had come to me for assistance. As a neighbor, HENRY was a friend and helper. I shall always count it special to have served in Congress, and to have served with men like him. ●

RECOMMENDATIONS ON THE AMERICAN DEFENSE EDUCATION ACT

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. KILDEE. Mr. Speaker, the House Education and Labor Subcommittee on Elementary, Secondary, and Vocational Education, of which I am a member, recently held 3 days of hearings to assess the condition of mathe-

matics and science programs in our schools. Testimony at these hearings added to our growing recognition of the fact that these programs are in serious need of attention and improvement. On November 29, the House Education and Labor Committee reported H.R. 7130, the National Engineering and Science Manpower Act, with amendments intended to address this need.

As Congress proceeds with consideration of this bill and other solutions to this problem, the advice and comments of individuals and organizations with expertise in the area of science and mathematics education must be sought. One such organization, the American Personnel and Guidance Association, has prepared an analysis of the role of guidance personnel in any legislative solution. Although directed specifically to H.R. 6674, the American Defense Education Act, it also applies to many measures now being considered in this area. I commend this analysis, which follows, to the attention of my colleagues:

AMERICAN PERSONNEL AND GUIDANCE ASSOCIATION RECOMMENDATIONS ON THE AMERICAN DEFENSE EDUCATION ACT (ADEA)

The American Personnel and Guidance Association (APGA) wishes to go on record in support of, and in recognition of, the importance of current Congressional deliberations on the American Defense Education Act. ADEA and those related bills which emphasize better mathematics and science instruction in the schools, better preparation of teachers for the instruction of mathematics and science and increased emphasis on career development of students by counselors are vital in this technological age for a strong America.

The Association is confident that the Congress will give careful attention to the need for more technicians, mathematicians, scientists and engineers during the waning days of the 97th Congress and on into the 98th Congress. Any legislation dealing with the technology question must address the central role which professional counselors play in advising students in their career development, assisting teachers and administrators in curriculum improvement and creating awareness in parents and youth about the employment needs of the business, industrial and defense establishment which utilize high technology. The counselor and strengthened guidance and counseling programs provide a structure for this to occur.

To this end, the American Personnel and Guidance Association offers the following recommendations in order to enhance the impact of ADEA legislation:

1. IN-SERVICE TRAINING OF EXISTING GUIDANCE PRACTITIONERS, SUPERVISORS AND TRAINERS

In-service training of counselors should emphasize the intermediary role counselors play in bringing together teachers, parents, students and the community. Counselors must be given a variety of opportunities to become familiar with the technological employment opportunities in business and industry and in the military as well as technology needs of these employers so as to better inform and advise students, teachers, administrators and parents. Hands on experiences, summer institutes, exchange programs and paid internships within industrial

and military settings are some possible ways of accomplishing this goal.

The emphasis throughout any in-service program should be the counselor's role in maximizing the mathematics, science, foreign language potential of all youth, especially through early intervention programs in elementary school and continuing on through high school and college. Attention should be paid to the reduction of any job bias in counselors based on personal attitudes. Also, the in-service training should further those counseling skills and techniques which are free of any stereotypes (e.g. race, sex, culture).

In-service and re-training programs for counselors and other guidance specialists should stress skill development in non-school setting work. Examples of in-service programs might include those which develop counselor skills in working with clients, in the community or industry, experiencing job obsolescence or who need re-direction of career development; those who are second careerists or returning to the work force; and those experiencing job dissatisfaction or needing advice on re-training for emerging new job clusters. This area is fertile ground for cooperative efforts between schools and industry and/or assistance from private industrial councils.

2. PRE-SERVICE TRAINING OF COUNSELORS

Encouragement and incentives must be provided to institutions of higher education, by ADEA legislation, which experiment with changes and curricular modification in the counselor education preparation programs. Internships and practicum situations which have component giving experience working in non-traditional settings (e.g., business, industry, military) must be piloted. Course work which emphasizes occupational and educational information, emerging technological and business trends should be integrated into the core curriculum preparing counselors. The creation of counselor sub-specialties for direct employment in industrial and technological settings should be encouraged legislatively. Counselors should be trained to understand emerging technology, equipment and talent/skills necessary so they may counsel, inform, and advise people for a high technology society. Experiences with computer assisted guidance, occupational information and retrieval systems and use of new methods of assessment and evaluation are essential to such training.

In addition, counselor training should have a strong component which focuses on skills, in networking; in coordination of diverse groups; in consultative techniques for working with teachers, parents, administrators; and on skills and techniques for utilization of community resources.

3. ADVISORY COUNCILS

Any federal, state, local advisory or industrial council formed by ADEA legislation should include a professionally trained counselor within its membership. Such participation by professionally trained counselors is critical to the success of a turn around in the technological training and employment shortages in this country. Counselors must be fully informed of industrial needs, employment shortages and policy shifts which address the problems of the workplace. This can occur only through participation with advisory and industrial councils.

4. RESEARCH AND EVALUATION

The American Defense Education Act should further and encourage (through grants, fellowships and special programs),

research on new techniques, practices and programs, which increase the counselor's knowledge and skills in unlocking the potential of all youth and adults. These citizens must attain maximum personal and career fulfillment if this nation is to achieve its employment policy goals and insure national security.

More research is needed on effective data gathering, assessment, goal setting and information dissemination techniques. Research is also needed on early intervention counseling strategies with children as these concern career planning and exploration. Pilot projects on innovations in counselor educator preparation and in-service education need to be initiated which emphasize non-traditional programs, internships, practice and placements.

Evaluation devices, both periodic and long range, need to be tested to determine the efficacy of any modifications in training, re-training and practice as such concern improved counselor performance in achieving national priorities brought about by the ADEA legislation.●

HON. WILLIAM BRODHEAD

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1982

● Mr. FUQUA. Mr. Speaker, few individuals can cite a climb as rapid as that of WILLIAM BRODHEAD within the U.S. House of Representatives where, in just 8 years, he has distinguished himself as a sound, thoughtful legislator and a leader.

In each of the tasks he has undertaken, WILLIAM BRODHEAD has excelled. And the tasks he undertook were never the easy ones.

As a member of the House Ways and Means Committee, the House Budget Committee, and chairman of the Democratic Study Group, WILLIAM BRODHEAD has served with distinction and credit not only to himself but to this House of Representatives and to the people who elected him from the 17th District of Michigan.

Though we will miss WILLIAM BRODHEAD's legislative initiative and his personal leadership, most of us can certainly understand that at 41 years of age, he must take account of the needs of his growing family and thus his decision to return to the more lucrative practice of law.

I wish him great success in his future endeavors.●

A CASE FOR FAIR TRADE AND
H.R. 5133

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. DINGELL. Mr. Speaker, the House is scheduled to consider American jobs producing legislation, H.R.

5133, the Fair Practices in Automotive Products Act. It is a bill designed to protect and increase jobs in U.S. automotive industries. It requires all manufacturers of automobiles to achieve gradually increasing levels in the use of American made automotive parts and use of American labor in the production of automobiles.

In connection with the importance of this legislation, there have been several articles on the subject of the unfair trade restrictions against American products destined for export to foreign countries. One country with severe import limitations is Japan. Good documentation on the seriousness of the problems facing U.S. industries is contained in the presentation by Mr. Richard D. Copaken, Esq., of the firm of Covington & Burling in Washington, D.C. regarding the Houdaille Industries, Inc., petition for relief as filed with the U.S. Trade Representative's office. A portion of that presentation is set forth at the end of my remarks.

The presentation to the International Business Council of the Electronic Industries Association, October 11, 1982, in Los Angeles, discusses the serious trade restrictions confronting U.S. industries which are trying to expand their markets to other countries and at the same time are concerned with the unfair and increasing penetration of the American market by foreign made products.

Both problems, notably in automobile production and the related automotive industries, are major causes of the deplorable loss of jobs in the United States.

The Houdaille petition is a good case in point illustrating the absolute need for U.S. action to correct trade imbalances. H.R. 5133 is a proper approach, carefully crafted, to help American jobs and markets.

I urge our colleagues' review of Mr. Copaken's presentation which follows in part:

HOUDAILLE'S INVESTIGATION OF JAPANESE GOVERNMENTAL POLICIES AND PRACTICES

We undertook this challenging task. With the assistance of Japanese counsel, we carried out a comprehensive investigation in Japan that included meetings with many officials of the Government of Japan and the translation and review of hundreds of pages of Japanese language documents, many of which had never before been translated into English.

We learned that the penetration of the United States market by Japanese machine-tool manufacturers results not from free and fair competition, but from unfair cartel practices sanctioned and encouraged by the Government of Japan.

The Japanese machine-tool cartel was formed in response to the first of a series of three special laws for the promotion of the machinery industry. In enacting these laws the Government of Japan launched an ambitious crusade to seize the higher value-added and most technologically advanced market segment of this fundamental indus-

try. Although these laws were officially characterized as temporary measures, they have remained in effect since 1956—one "temporary" measure following on the heels of another.

The Japanese Ministry of International Trade and Industry ("MITI") used the free hand given to it by these laws to weed out manufacturers with small market shares. Each firm whose production of a particular machine tool was less than 5 percent of the Japanese market in that tool and less than 20 percent of the company's total production was directed to stop manufacturing these tools. The market shares thereby relinquished were turned over to a limited number of more successful producers. Under MITI's guidance these companies then exploited the consequent economies of scale and specialization to penetrate export markets, secure in the knowledge that these advantages would be protected against competitive erosion in the Japanese market.

In taking these actions the Government of Japan catapulted the cartel into the high-technology end of the market. MITI successfully pressed the Japanese machine-tool manufacturers to act jointly to concentrate their efforts in developing and producing NC machine tools. Each company in the cartel was directed by MITI to increase to 50 percent the NC share of its total production of machine tools. In addition, the cartel was directed to expand its collaborative activities to include related industries and customers.

The Government of Japan also aided and abetted the Japanese machine-tool cartel by failing to enforce against it Japan's Law Concerning Prohibition of Private Monopoly and Maintenance of Fair Trade ("the Anti-Monopoly Law"). Japanese machine-tool manufacturers currently combine with each other and with the Government of Japan to fix prices on exports of NC machine tools to the United States. In addition, through the cartel each Japanese manufacturer regularly notifies all of its fellow members of its intention to produce new machine tools. Many of these notifications in recent years concern NC machining centers and other NC machine tools. All cartel members then have an opportunity to comment on and otherwise influence the production of new machine tools by their Japanese competitors. The price-fixing activity is formally immunized from Japan's Anti-Monopoly Law.

Of potentially even greater consequence, the Government of Japan has covertly accorded the machine-tool cartel informal immunity from Japan's Anti-Monopoly Law for its other equally important joint anti-competitive conduct undertake "voluntarily" in response to MITI guidance and for the purpose of penetrating export markets.

These acts and policies are the most significant, although by no means the only methods by which the Japanese Government has nurtured, supported, and promoted development of the Japanese machine-tool cartel. The Government of Japan has also backed this cartel with tax advantages, concessionary loans, research grants and other direct and indirect subsidies.

With the long-range goal of selectively penetrating and dominating important export markets as its guiding principle, the Government of Japan devised imaginative strategies for financing that objective. In the mid-50's MITI gave to certain officially favored export industries, including machinery, valuable licenses to import raw sugar. This highly profitable arrangement enabled

those industries to purchase sugar at prevailing world prices and sell it in the domestic Japanese market at prices that were artificially inflated (\$40-\$150 per ton higher) as a consequence of the Government's sugar import quota. As MITI officials explained it to me, by utilizing this price differential the Government could compensate the exporters for their deficits attributable to dumping in foreign countries.

When this mechanism was discovered and protests from abroad mounted, the Government of Japan shifted to other means of achieving the same objective. Hundreds of millions of dollars worth of yen generated by wagering on bicycle and motorcycle races in Japan were funneled into the Japanese machinery industry, including the machine-tool cartel.

MITI officials confirmed the Government's use of this mechanism to support Japan's machinery industry, including specifically the machine-tool segment, but we were assured that the level of subsidy involved was quite small—less than one-half million dollars a year for the entire machinery industry of Japan. In preparing the Houdaille Petition we relied upon these assurances given to us in two Tokyo meetings, separated by several months, in response to quite specific written questions we provided in advance of each meeting.

We remained skeptical, however, because MITI would not provide documentation for the figures it cited and these figures did not square with substantially larger figures in secondary sources which we supplied to MITI along with our written questions. We were also troubled by MITI's refusal to make available to us for questioning officials of Japan's Bicycle Rehabilitation Association.

After our Petition was filed, I returned to Japan, determined this time to approach the Japan Bicycle Rehabilitation Association officials directly, without the benefit of a MITI introduction. What I discovered in documents I obtained and in meetings I openly recorded on video tape shocked me. MITI had misled us. The bicycle- and motorcycle-race-wagering grants to the Japanese machinery industry were far in excess of the one-half million dollars a year admitted by MITI. These grants were well over 100 million dollars a year and are growing.

In 1980, the one year for which we were able to obtain documentary evidence of both bicycle- and motorcycle-race-wagering grants, such subsidies to the Japanese machinery industry totaled more than 104 million dollars. In addition, nearly one-half billion dollars is made available each year to Japanese municipalities that sponsor the bicycle races under a statutory scheme that directs the municipalities to spend these funds on the promotion of the Japanese machinery industry and the export of its products as well as for other public purposes.

Of the more than 104 million dollars lavished on the Japanese machinery industry by the two national racing associations in 1980, bicycle-race-wagering-funds accounted for 85.64 million dollars and motorcycle-race-wagering funds accounted for 18.64 million dollars. We know that the bicycle race wagering fund grants increased to 93.91 million dollars in 1981, but we have not yet been able to obtain documentation on motorcycle-race-wagering grants for this more recent period. Presumably it has also increased.

I also learned in a video-taped interview with officials of the Technical Research Institute of the Japan Society for the Promo-

tion of Machine Industry that this research facility receives annually 2.8 billion yen, or approximately 13 million dollars, in direct grants from the bicycle-race-wagering funds to conduct joint, anti-competitive research. I was told that no foreign machine tool companies could participate, except those owned by Japanese companies. Until recently, the official explained, approximately 40 percent of the total resources of this facility were dedicated to research on numerically-controlled machine-tool technology. Although this research has tapered off some, it still accounts for fully 25 percent of the current effort by this facility.

When we brought these documented facts to the attention of MITI and sought some explanation and more detailed information, our inquiries met with a stone wall of silence. Only after we submitted this Japanese documentary evidence in Comments filed with the United States Trade Representatives on July 31, 1982, did the Government of Japan belatedly and reluctantly concede the 104 million dollar figure for 1980 in a September 16, 1982 diplomatic note to the United States. The Government of Japan still has not been willing to provide any detailed breakdown of this annual, growing subsidy to enable us to get a clear picture of how much of these funds benefit directly or indirectly the machine-tool segment of the Japanese machinery industry.●

BUY AMERICAN

HON. CARLIS COLLINS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mrs. COLLINS of Illinois. Mr. Speaker, in February of this year, I introduced H.R. 5511, legislation amending the "Buy American" provision of the Defense Appropriations Act to include the packaging phase of the procurement of food for the Armed Forces. The reason for introducing this measure was to clarify the fact that Congress had intended, and does intend today, to include the packaging of combat rations within the scope of the protection afforded by the act. Such clarification is particularly important because the Department of Defense (DOD) is in the process of replacing the traditional canned food combat rations with a new form of combat food ration contained in a light weight, flexible retort pouch.

The complex process of manufacturing or producing thermostabilized food in retort pouches is only in its infancy in this country. Yet there are already seven or eight companies employing hundreds of people in this aspect of the procurement phase alone. Unfortunately, the DOD, supported by the General Accounting Office (GAO), has not recognized the wisdom of developing and protecting this important defense industry. Indeed, in September, DOD awarded production contracts to a foreign firm.

After submitting testimony urging support of my legislation before the Defense Appropriations Subcommittee

in May of this year, my office has been in constant touch with the subcommittee in order to address this whole issue. Chairman ADDABO has graciously consented to include language in the report of the fiscal year 1983 Defense appropriations legislation requiring DOD to review its procurement practices to insure that American businesses receive as much of the food procurement and packaging business as they can handle and report on the impact foreign companies who are subsidized by their government's competing on U.S. defense contracts for food products and equipment.

While I am clearly appreciative of Chairman ADDABO's efforts to address my concerns, let the record clearly show that if the "Buy American" provision was clarified to encompass food packaging, none of this would be necessary.●

CORPORATE PAC MAN

HON. BOB TRAXLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. TRAXLER. Mr. Speaker, much of our business news has been taken up this year with the news of Corporate Pac Man: how many other firms can he gobble up before being eaten himself.

Prof. Walter Adams of Michigan State University, one of my favorite former college professors has written a very lucid article entitled "Mergers Stress Wrong Kind of Risks" which emphasizes the sad fact that much of the imaginative drive of the leaders of our major corporations has been turned toward acquisition and away from methods of improving productivity, risking the future of our Nation's businesses in a doubtful fashion.

I commend this article which appeared in the October 5 edition of the Los Angeles Times to my colleagues who are interested in obtaining a better understanding of one of the major problems plaguing American business, and ask unanimous consent that it be inserted in the RECORD at this point.

The article follows:

[From the Los Angeles Times, Oct. 5, 1982]

MERGERS STRESS WRONG KIND OF RISKS

(By Walter Adams)

The spectacle of the Martin-Marietta/Bendix affair is the latest episode in the megamergers follies. It is the ultimate proof, if such be needed, that American entrepreneurship is afflicted with a case of contagious progressive atrophy, which is undermining our capacity to reindustrialize America and restore American industry to its erstwhile competitiveness in world markets.

To some, megamergers simply reflect management's desire to maximize profits by capturing "undervalued assets" or gaining

available tax advantages. To others, they constitute a form of "corporate"—the elimination of an independent business capable of standing on its own feet—designed merely to satisfy insatiable managerial egos.

Take the oil industry. For years, it argued that decontrol of oil and gas prices was imperative to provide the oil giants with the necessary incentives and resources to search for new oil and gas reserves. Yet these companies have continued to divert much of their massive cash flows into mergers and acquisitions. Mobil spent \$1.5 billion to buy Montgomery Ward; Exxon acquired Reliance Electric; ARCO acquired the (London) Observer and Anaconda Copper; Sohio acquired Kennecott Copper; Occidental bought Cities Service and Iowa Beef Processors; Getty flirted with Home Box Office television, and the Hunt brothers, Herbert and Nelson Bunker, used their oil fortune to speculate in silver.

Can anyone seriously claim that these multi-million-dollar combinations contributed a single new barrel of oil, or a single new cubic foot of natural gas, to the nation's energy reserves? Or that promoted the national goal of energy independence?

Steel is another pertinent case study. For more than 20 years, this industry has demanded government protection from foreign competition, which would permit the steel giants to accumulate sufficient investment capital to replace and modernize their antiquated facilities. Modernization, the companies claimed, was indispensable if they were to compete effectively against their more advanced Japanese and European rivals.

Yet U.S. Steel, a notorious laggard in a technologically lethargic industry, somehow found \$6.3 billion—not to buy new machinery or new plants, but to buy Marathon, the 17th-largest U.S. oil company. Instead of upgrading efficiency in its own operations and acquiring the capacity to defend the domestic steel market, U.S. Steel chose to bring its monumental inexperience to an industry in which it had neither managerial expertise nor technical competence.

At best, this kind of corporate empire building involves little more than the reshuffling of existing assets into a new controlling hierarchy. It does not create any new capital, new factories, new technologies or new jobs. It provides no new stimulus to an ailing economy, nor does it help regenerate an aging industrial infrastructure in crying need of productive investment.

Most serious, in the long run, is the effect of this merger spree on the quality of American entrepreneurship. Managerial talent and ingenuity are diverted from the basic task of increasing operating efficiency enhancing productivity and promoting technological advancement. Instead, creativity is squandered on a game of financial razzle, dazzle. Managers become wheeler-dealers instead of concentrating on their industrial responsibilities. It is significant, for example that in each of the last three years, U.S. corporations have spent more on mergers and acquisitions than they have on research and development.

It is a supreme irony that most of the megamergers of the past two decades have not produced significant efficiencies indeed, many have been demonstrably unprofitable and counterproductive. This is especially true where a corporation acquires a firm in an unrelated line of business. According to a survey conducted by McKinsey & Company (a leading management consulting firm), the companies that "stick to their own knit-

ting" tend to have particularly effective management, and companies that stray even a little out of their balliwick tend to have problems. One reason of course, is that the more gigantic a company grows the more layers of bureaucracy it creates. And bureaucracy creates inefficiency in the private as well as the public sector.

The time has come for American industry to recapture its historic preeminence. It must redirect its talent into entrepreneurship and risk-taking—the building of new factories, the development of new technologies and the creation of new jobs.

The time has come to stop playing megamergers games.

(Walter Adams is a distinguished university professor of economics at Michigan State University, of which he is also past president.)

HON. HENRY REUSS

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1982

● Mr. MARKEY. Mr. Speaker, I join today with my fellow Representatives to pay tribute to my distinguished colleague from the Fifth District of Wisconsin, Congressman HENRY S. REUSS. The regret I feel about his departure is surpassed only by the amount of respect that I have for him.

Of all the people I have met during my 6 years in Congress, HENRY REUSS is the one man with whom I have instinctively agreed on virtually every issue. His sound judgment on economic and public policy issues is something which I have often sought and which he has never failed to give. HENRY and I often sat together, many times at great length, to discuss in detail issues and problems faced by our Nation. His knowledge and understanding of economics helped me to form coherent public policy arguments. Surely, his leadership on and insightful discussions of the economic issues facing our Nation will be sorely missed.

I urge my colleagues to review the most recent newsletter sent out by our distinguished colleague. A detailed study of Congress—past, present, and future—should stimulate thought and discussion as to the role of government in our society. Long after he has departed from these buildings, HENRY REUSS and his vision of our country will continue to play an important role for all Americans.

There is but one job for which HENRY REUSS is qualified as he leaves Congress. That is the Presidency of the United States. His record would stand head and shoulders over that of the incumbent President. I wish him the very best as he leaves the U.S. House of Representatives.●

EXTENSIONS OF REMARKS

THE CIA WAR IN NICARAGUA

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. DELLUMS. Mr. Speaker, I would like to bring to the attention of my colleagues today's lead editorial of the New York Times.

We hear that the President's recent trip has been widely described as an "eye-opener" for Mr. Reagan, and yet his administration continues to pursue a myopic and dawn-patrol-bravado approach to foreign policy in Central and South America.

As the United States decries foreign interventionism, our Central Intelligence Agency continues to wage a secret war in Nicaragua which is in defiance of the Neutrality Act and, as this editorial explains, is very likely to produce results which are counter to America's best interests.

[From the New York Times, Dec. 8, 1982]

THE WORST-KEPT SECRET WAR

When asked the other day if he could confirm a report in The Times that the C.I.A. is mobilizing a secret war against Nicaragua, President Reagan replied: "No, and I don't think The New York Times can." But the growing evidence of American involvement can't be shrugged off so blandly. There's nothing secret any more about the training of exile armies in Florida and the recurrent border raids into Nicaragua by insurgents claiming C.I.A. help; all this has been widely reported for months.

Whatever American agents may be doing to help Honduras prevent the use of its territory for arms smuggling to El Salvador, it seems beyond doubt that they are also engaged in some direct actions in Nicaragua. The manifest purpose is to threaten a frontal assault on the leftist Sandinist regime. Undeniably, some of the leaders of the insurgent force are Nicaraguans associated with the discredited Somoza dictatorship.

These are, to begin with, illegal activities. The Neutrality Act expressly forbids the raising of secret armies to unseat a regime that the United States recognizes as lawful. Flouting that law is no way to rally the hemisphere against meddling by Cuba and Nicaragua in other nations' conflicts.

Even if these secret armies were never meant to be used in a big way, they are a dangerous instrument of diplomacy. Give people with a political grudge a gun and they maneuver to fire it. If they do, they are impossible to disown. Even if they don't, they are extremely difficult to disband.

If the idea here was to use the threat of insurgency to win bargaining concessions from Nicaragua, the idea is bound to misfire. Such threats tend to confirm the darkest fears of suspicious adversaries and make them more truculent, not accommodating.

It is perfectly true that an acceptable doctrine of non-intervention has to be respected by all parties. If it were proven that Nicaragua is indeed violating the territory of Honduras to funnel weapons to El Salvador, some reprisal in kind might be justifiable. But the evidence suggests that it is Nicaraguan territory, not Honduran, that is being systematically violated.

A final justification for covert warfare might be a clear showing that truly vital

December 9, 1982

American interests are at risk, and beyond the reach of diplomacy. No such showing has been made, either to the American people or to our Latin friends. To the contrary, President Betancur of Colombia, an independent-minded conservative, last week risked Mr. Reagan's displeasure by appealing for negotiations with both Nicaragua and Cuba.

That was a foretaste of how Latin America would react to unilateral United States interventions. Mr. Reagan, by way of polite reply, expressed his wish to see "the withdrawal of all—I repeat all—foreign military advisers in Central America."

Nicaragua contends that it is prepared to negotiate. A proper response would find Washington testing that claim, documenting its charges of Nicaragua's interference in other countries and persuading other Latin nations to join in condemning the import of Communist arms. The improper response is to deny the undeniable, in the false hope that the C.I.A. hand can somehow be hidden. That illusion should have died at the Bay of Pigs.●

CIVIC LEADER

HON. RONALD M. MOTT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. MOTT. Mr. Speaker, I would like to salute one of Greater Cleveland's most talented boosters.

William H. Bryant, president of the Greater Cleveland Growth Association, has been at the helm of that metropolitan chamber of commerce since 1980.

He took the job when the city of Cleveland had a very low bond rating because of a default on some loans. The image of the business community was sagging and Cleveland had become the urban scientists' favorite example of a declining central city.

Now Cleveland is back in the bond market, promptly paying its bills and balancing its books. The business community has been active in this ongoing recovery by lending technical and financial support. A number of people are responsible for this comeback and Bill Bryant is certainly one of them.

Bryant has emphasized the importance of business, labor, and government working together. Two recent major programs he was responsible for are the Cuyahoga County management study and the community capital investment strategy. The county study involved a volunteer task force that offered 89 recommendations that could lead to \$18 to \$20 million in annual savings. The capital investment strategy gives Cleveland a blueprint to present to Federal officials as soon as funds to improve the infrastructure of our Nation's cities are provided.

A native Ohioan, the 49-year-old Bryant came to the growth association after serving as director of the State of Ohio's research and development

department of industrial and economic development. Prior to that he was director of research and planning for the tricounty regional planning commission of Akron.

Bryant and his wife, Nancy, reside in Fairview Park. Those of us interested in Cleveland's continued recovery hope he stays in the best location in the Nation as it faces a new generation of hope, cooperation, and prosperity.●

PRESERVING THE HECTOR LAND USE AREA

HON. STAN LUNDINE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. LUNDINE. Mr. Speaker, during last week's consideration of the Interior appropriations bill (H.R. 7356), I brought to the attention of the House a problem that recently came to my attention involving a tract of Forest Service land in central New York State.

In a recent news briefing, the Department of Agriculture announced that it is in the process of completing a review of some 140 million acres of Forest Service land for possible identification as surplus property. This review is to be followed by an extensive study of specific tracts of land to determine their suitability for public sale.

Exempted from this process, however, are more than 60,000 acres of public-owned land in New York and California—13,000 acres of which constitute the Hector Land Use Area in the Finger Lakes Region of New York. According to the Forest Service, this land has already been determined to be excess to departmental needs and is subject to sale without specific authorization by Congress. This determination has been made without the thorough review procedures prescribed for all other Forest Service land.

During consideration of the Interior appropriations bill, which includes funding for the Forest Service, I joined with my colleague from New York, Mr. HORTON, in expressing the view that standard review and evaluation procedures should be applied uniformly to all public lands under consideration for disposal and no exception should be made for the 60,000 acres in question. The chairman of the Interior Appropriations Subcommittee (Mr. YATES) and the subcommittee's ranking minority member (Mr. McDADE) concurred in this view and agreed that no funding provided in the appropriations bill should be used to promote the sale of any Forest Service property that is not subject to the prescribed procedures for all federally owned land.

The Hector Land Use Area is extremely important as a recreation and

grazing area, as well as one of the leading agriculture and forest research areas in the Northeast. It would be a mistake to remove this property from public use and is certainly contrary to the public interest to do so without extensive review. It is my firm conviction that careful analysis will clearly show that the benefits of retaining the Hector tract under the Forest Service far exceed any short-term gains that could derive from its sale.

Since the Hector Land Use Area may be one of the first public tracts offered for the sale by the administration, I think it important that the membership understand the nature of the property and its current uses. I insert in the RECORD the following Forest Service report that outlines the history of public ownership of the Hector Land Use Area and its current status and management.

The report follows:

HECTOR LAND USE AREA AREA DESCRIPTION

The Hector Land Use Area is located in Seneca and Schuyler Counties in the Finger Lakes Region of New York State. The area is generally bounded by four New York Highways: 96, 414, 79, and 224. The area is accessible by one of these four highways; then via a grid of north-south and east-west gravel roads, which cross the unit at one mile intervals.

Land Ownership is somewhat broken with scattered parcels of private land occurring within the unit. Federally owned lands comprise 13,232 acres.

The nearest population center is the City of Ithaca, 15 miles to the southeast. The Administrative Office for the Unit is located in the Town of Montour Falls, 7 miles south of the unit.

Topography is gently rolling as the area occurs on a plateau between Seneca and Cayuga Lakes, the two largest of the Finger Lakes. Elevations range from 1,000 to 1,800 feet, a maximum relief of 800 feet.

The area has been intensely glaciated. Existing landscape is the result of the last glacial advance during the Wisconsin Period, about 10,000-25,000 years ago. Soils are generally acid, fine texture, and in many areas, have a basal till or hardpan layer. Because of the hardpan, water does not quickly penetrate into the soil, resulting in the wet depressions and basins. Droughty conditions exist in the summer in shallow soil along the steeper sideslopes.

A past history of farming is revealed in the vegetation covering the unit. Thirty-three individually fenced pastures encompass 4,990 acres or 37 percent of the area, 2,217 acres, 17.8 percent of the area, are in old fields which vary from grassy openings to thickets of shrubs and scattered small trees. The remaining area is forested. One thousand acres, 7.6 percent, are conifer plantations, the remaining 5,025 acres or 37.9 percent, are hardwood or mixed hardwood and conifer stands.

Climate in the Hector Area is strongly influenced by the prevailing wind from the west. During the summer the wind comes from the southwest, bringing with it warm, humid weather. The weather becomes more pleasant in the fall as the wind direction gradually changes to the northwest, bringing the cold dry air masses common in the winter. The weather is occasionally modi-

fied by oceanic storms, causing cool, cloudy, wet weather. During the winter, snow squalls occasionally result from air masses absorbing moisture as they pass over the Great Lakes.

Temperatures average a monthly maximum of 77°F in July and drop to an average monthly minimum of 13°F in January. A 130 day frost-free growing season extends from mid-May to the first of October.

Annual precipitation averages 34". Average annual snowfall is 75". Snow covers the ground from mid-December to mid-March. Due to mild winters, snow depths seldom remain more than 12-15", and during some winters, bare ground may be briefly seen.

Greatest storm hazard present is heavy snowfall, although local areas may be affected by high winds and lightning during summer thunderstorms.

Freezing rain during the winter may damage utility lines and crop trees as well as making highway travel hazardous.

HISTORY AND LAND STATUS

The Hector Land Use Area originated in the 1930's as a sub-marginal land adjustment project purchased primarily under authority of the National Industrial Recovery Act of 1933, the Emergency Relief Act of 1935, and Title III of the Bankhead-Jones Farm Tenant Act of 1937.

It is estimated that more than 100 farms were included in the 13,259 acre purchase. Lands at that time were seriously eroded due to poor farm practices.

From 1938 to 1954, the area was managed by the Soil Conservation Service as a project for public grazing and other land use developments, including reforestation. The Hector Grazing Association was formed in 1946 to facilitate grazing on the public lands. This association is still in existence today.

From 1954-1957, the land was placed under management of the U.S. Forest Service in Upper Darby, Pennsylvania. In 1957, management of the area was assigned to the Green Mountain National Forest, located in Vermont. Grazing and reforestation continued to dominate management activities on the land until 1961.

In 1961, a professional forester was assigned as the unit manager with a title of Forester in Charge. A multiple use program was initiated following an evaluation by the Forester Supervisor, staff, and the Forester in Charge.

In the following 21 years, a wildlife habitat improvement program has taken place in cooperation with the New York State Department of Environmental Conservation; the recreation program and use had steadily increased; timber management activity, although modest in scale, has intensified; and grazing use, through cooperation with the Hector Grazing Association, has been improved. In the past five years, the Hector Land Use Area has proven to be of significant value for environmental education. A large nearby population and the unit's intensive management and physical resources provide a sound base for outdoor education efforts. Current educational programs are designed for school children, college students, and the general public.

In 1978, the Forester in Charge was designated as a District Ranger. For administrative purposes, the Hector Land Use Area is considered similar to a National Forest Ranger District. However, the lands at Hector do not have the same status as National Forest System lands and the U.S.

Forest Service management authority is somewhat limited on these lands.

PRESENT MANAGEMENT SITUATION

Over the years the Hector Land Use Area lands have been restored to productivity as directed and now serve as a visible demonstration of good land management. They are the only federal lands in New York State that are administered for multiple wild land uses. As such they provide not only a unique land use and management demonstration but they provide opportunities for endeavors that help support the local economy plus extensive opportunities for outdoor public recreation. The available resources are already committed to general public use and local residents. Many user groups and individuals have helped in constructing and maintaining the various facilities they now use.

The Area contains nearly 7,000 acres of commercial forest land. These forests are valuable for fuelwood, lumber and other forest products and are also important for wildlife cover and various forms of outdoor recreation including hunting. Some 1,700 acres of wildlife opening are managed within the forested area. Also, 200,000 board feet of timber are harvested annually. The commercial fuelwood market is good. In addition, nearly 200 fuelwood permits were sold to local residents in fiscal year 1982.

Grazing is permitted on 4,648 acres under a Grazing Agreement between the Forest Service and the Hector Cooperative Grazing Association, Inc. Since 1961, the 100 member association has assumed the major responsibility for the maintenance and improvement of the land. Thirty-three pastures are maintained within 76 miles of fence with 30 corrals and 46 stockwater ponds.

The Area is very popular with recreationists. Use during 1981 was 23,200 visitor days, compared to 17,706 in 1978. These activities include camping and picnicking at existing developed sites; hunting, fishing, hiking, horseback riding and cross country skiing. Some hiking is on the Area's 25 mile trail system including the 12 mile Interloken Trail System, (now a National Recreation Trail) and 13 miles of additional trails. These trails are a part of the Finger Lakes Trail System which is popular in the area.

There is also no current mineral activity in the Area, but the entire federal ownership is covered by federal oil and gas leases.

The Area has become a focal point for environmental and conservation education activities and is used regularly by schools and other conservation and educational agencies and groups.

THE RESOURCES

Soil

The soil, more than any other factor, has influenced the development of the physical, economic, and social history of the unit. In the past, limiting soil factors caused the "Hill Farms" to be less and less competitive with farms on better soils. The overall landscape is very gentle, which combined with medium to fine textured soils and the widespread presence of a basal till hardpan layer (from which a fragipan may form), creates land conditions requiring careful management. Several soil characteristics in particular affect management activities. Soils are very wet once frost leaves from March to June. Internal permeability of most of the soils is very slow, primarily due to fine texture, but also because of the presence of basal till, which is essentially impermeable to water. The long, smooth, gentle slopes ac-

cumulate a large amount of run-off (especially when the soils are saturated about the basal till) creating an erosion hazard. Nearly all soils are silt-loam soils containing a large content of clay and silt.

Chemical characteristics of the soil also affect their management. Typically the soils are quite acid. Phosphorus is uniformly insufficient. Liming and application of phosphorus fertilizers are needed to produce good crop yields.

Water

The Unit lies astride a plateau known as the "Hector Backbone." About half of the land drains to the east toward Cayuga Lake and half to the west toward Seneca Lake. These are the two largest Finger Lakes (about 40 miles long and two to three miles wide). The 13,232 acres in the Unit are intermingled with an equivalent amount of private land which means that the Forest Service manages only about half of the watershed area. Average annual precipitation is 34 inches. Estimated water yield for the unit is 26,000 acre feet. Most streams are intermittent since the unit is at the top of the watershed and only extends an average of four miles from east to west. There are no natural bodies of water, but 46 livestock ponds have been constructed on the pastures and 27 wildlife ponds built throughout the remainder of the unit. These ponds average one-half to one acre in size. The wildlife ponds are visited by many recreationists for fishing, nature study, or for strolling and relaxation.

There are public water supplies at Blueberry Patch Campground and Potomac Group Campground in the form of drilled wells with hand pump. Each is about 100 feet deep. One spring located off Picnic Area Road is under special use permit to supply a residence.

Vegetation

The Hector Unit consists of 13,232 acres; 5,025 acres are composed of hardwood timber stands, primarily of red oak, white oak, red maple, white ash, basswood and hickories. The remaining 8,207 acres were in farm lands prior to the 1930's when the land was purchased. Today there are some 4,990 acres in pastures with grass cover, about 1,000 acres of conifer plantations, particularly red pine, Japanese larch, white spruce and jack pine. The balance of 2,200 acres consists of old fields, some of which are primarily goldenrod and low shrubs, such as hawthorn and gray dogwood, with other areas rapidly filling aspen, white pine and other tree species.

There is a great diversity of hardwood and softwood tree species as mentioned above. In addition, among the species are the following: black walnut, hophornbeam, arrowhead, sugar maple, black cherry, black locust, chestnut oak, apple, multi-flora rose, elm, witchhazel, beech, Norway spruce, boneset, wild cranberry, blueberry, raspberry, map apple, lilac, teasel, partridge berry, service berry, pin cherry, healall, maple-leaved viburnum, blackberry elder, chicory, and burdock. Primary species within pastures are birdsfoot trefoil, white clover, red clover, timothy, orchard grass, bluegrass, redbud, and fescue.

Fire

Fire potential is highest in May when the snow has melted and before green-up occurs. Periods of high winds usually occur during this time and areas of dead grass and weeds are available as fuel. Most of the fires at Hector cause little damage due to the lack of heavy fuels. Because of light fuels

and rapid spreading nature of the fire, high temperature fires are a rarity and vegetation, especially trees, is not killed.

Prescribed burning was used on the Hector Area in 1982 for blueberry management and wildlife improvement.

Responsibility for fire suppression is assigned to adjacent towns based on a Cooperative Agreement between the Forest Service and the towns involved. This agreement was revised in the summer of 1978. In situations where a fire develops on the Hector Area, the Forest Service would secure help from the town in which the fire occurred and would pay suppression costs.

Minerals

There is no known past history of mineral exploration on the Hector Area including sand or gravel removal. However, each deed to the federal lands includes a statement that all gold and silver is reserved to the State of New York. There has never been any evidence of gold and silver found on the Unit.

In 1971, a representative of the oil and gas industry, obtained BLM oil and gas leases for the entire Hector Unit. However, no activity or exploration has taken place as yet. There are currently no other mineral activities on the area. There is a possibility that gravel deposits are available on the southern end of the area.

There has been some oil and gas drilling within 20 miles of the Hector Area, and it is very possible that similar exploration could take place on the area within the next 10 years.

Recreation

The basic reason people visit the Hector Area is to seek an atmosphere of solitude yet be able to find enough facilities and activities to satisfy their needs. For example, visitors to Blueberry Patch Campground often say that they enjoy both the smallness and simplified development of the site and the large amount of undeveloped land surrounding it. They say it is difficult to find situations similar to this in Central New York. Similarly, families with smaller children who like to catch panfish in the ponds at Hector can not find this pursuit readily available elsewhere since most public fishing is in the large lakes and streams. By the same token, those on horseback are hard pressed to find areas where there are trails, gravel roads, and fields in desirable combinations to satisfy their riding pleasures. State Parks to the west and east of the area are designed for high density use, as are private developments. The Hector program complements rather than competes with these areas, by providing something different.

The majority of visitors to the area come from within 40 miles. However, there are people vacationing in the summer and deer hunters in the fall who live more than 100 miles away.

Blueberry Patch is designed for family camping to accommodate both small camping vehicles and tents. This site is very popular as attested by over 3,300 visitor-days use in 1981. Potomac Group Campground is designed for walk-in tent camping and picnicking and use in 1981 was 3,700 visitor-days. Both sites have tables, vault toilets, fire rings, and drilled wells with hand pumps. The Backbone Trailhead is designed primarily for use by horsemen who camp overnight.

The 25 miles trail system is composed of the main Interloken Trail (12 miles), which joins the Finger Lakes Trail on the south-

ern end of the area. The Finger Lakes Trail crosses New York State and joins the Appalachian Trail in eastern New York. There are six side loop trails connecting with the Interloken Trail so visitors can make short trips of one to three miles.

Fishing is a popular recreational activity at the ponds as attested by the number of people seen fishing and the pathways around ponds having fish in them. Many of those fishing are families with small children.

Timber

Prior to the 1930's, the Hector Unit was comprised of a large number of farms. Many of the farmers had sold a large percentage of the merchantable sawlogs from their woodlots prior to government purchase. These woodlots were cut without regard to good silvicultural practices, leaving stands in poor condition. Even after government purchase, stands were cut with little concern for silviculture until 1961 when a forester was assigned to the Unit. Therefore, these hardwood stands have been under professional management for only about 19 years. Some 1000 acres of conifers were planted under the direction of SCS from 1938 to the early 1940's. From 1961 to 1974 timber harvest was confined to hardwood sawlogs at the rate of approximately 50 thousand board feet per year since no market for other products existed. In 1974, a market developed for red pine poles used in construction of cabins by local individuals. This resulted in the sale of 50 thousand board feet of red pine in 1981 which provided a means of commercial thinning of plantations. Over the last 17 years from 50 to 200 acres have been precommercially thinned in hardwood stands each year.

The major forest type of the Unit is Appalachian mixed hardwoods (see Silvicultural Systems for the major forest types of the United States, Forest Service, U.S.D.A., Ag Handbook 445). Species composition includes a large proportion of northern red oak and white oak, sugar maple and hickories. There is some representation of aspen, white pine, eastern hemlock, American beech and black cherry scattered throughout most stands. A limited amount of black walnut is also found in some stands. The regenerative potential of many of the hardwood species is very high. Most sprout vigorously when small. Species classified as very shade tolerant are American beech, eastern hemlock and sugar maple. Intermediate in shade tolerance are oaks, hickories and white ash. These intermediates will not reproduce and survive under a closed canopy. Intermediates, particularly the mast producing oaks and hickories, are very important to wildlife. Therefore, it is desirable to use silvicultural systems to provide future stands which contain a sizable component of these species.

Wildlife

The Hector Unit was covered with unbroken forest until the late 1700's when settlers cleared the land to raise crops and livestock. 1887 marked the peak of farming in central New York, and by 1925, much of the farmland was being abandoned. As former fields became forested, the resulting vegetation provided a variety of wildlife cover and food. Wildlife species steadily increased as the habitat became suitable for them.

When the Hector Unit was purchased by the government during the 1930's about 9,500 acres, or 75% of the unit, was in open fields. The management decision at that time of purchase was to develop pastures on

5,000 acres, plant 1,000 acres to conifers and allow natural succession to occur on 3,500 acres. Over the past 40 years, these 3,500 acres of open fields have gradually become covered with forbs, shrubs, and trees. Over much of the area, invasion of trees has caused the disappearance of shrubs and forbs, resulting in a decline in the quality and variety of wildlife food and cover. Around 2,200 acres of the original 3,500 acres still have shrubs or forbs on them; the remainder are now mixed hardwood and conifer stands.

Since 1963, debrushing, by hand and by machine, has been used to encourage sprouting of browse plants and to maintain openings on 50-90 acres per year.

Big game species include the white-tailed deer and turkey. The turkey is a relative newcomer to the area, having expanded into the unit 5-6 years ago, presumably from Connecticut Hill to the south. Many of the existing stands are approaching sawtimber size and several of the oak-hickory stands within the Unit are producing mast, which may partially explain why turkey find the area attractive. An estimated 2-5 turkeys are harvested each year within the unit.

Once farmland was abandoned, white-tail deer numbers began to increase as the habitat became suitable. One winter deer yard is known to exist within the southwestern portion of the unit, although most deer winter in areas to the west. These wintering areas are used during periods of deep snows, but generally, winter snow depths within the unit permit free movement by the animals during most winters.

Small game species include ruffed grouse, ring-necked pheasant, woodcock, cottontail rabbit, gray squirrel, woodchuck, Canada goose, and several species of ducks. Snowshoe hare were introduced a few years ago, but did not increase. A few individuals may still be found within the unit.

Waterfowl habitat is extremely limited in Schuyler County and Seneca County. Hector is no exception—a few areas have wood duck production and an occasional mallard may raise a brook within the unit, but otherwise the existing ponds are either too deep and small or too accessible for waterfowl production.

Furbearers include red and gray fox, raccoon, opossum, coyote, and mink. No beaver are known to occur within the Unit. Most of the fur harvest involves fox, muskrat, and raccoon. The area provides some of the better red fox habitat in Schuyler County.

The greatest diversity of vegetation within the Hector Unit has resulted in habitat suitable for a large number of nongame bird species. However, due to the relatively young forest stands, species requiring mature to overmature forests and large snags are not found in large numbers. Species present include: eastern chipmunk, voles, shrews, star-nose moles, bats, flying squirrels, jumping mice, raptors (hawks and owls), warblers, fireos, flycatchers, nuthatches, and sparrows.

The raptor population is high and is quite noticeable around the many open areas.

The New York State Department of Environmental Conservation has constructed 25 ponds through a cooperative wildlife agreement between the State and the U.S. Forest Service. This agreement was signed in 1959. The ponds average 0.5 acres in size and most are less than seven feet deep. Most of the ponds have been stocked with bullheads and sunfish. Three of the ponds are stocked with trout. Many ponds at Hector experience at least partial die-off of fish during most winters.

No wildlife species classified as endangered or threatened under Public Law 93-205, the Endangered Species Act of 1973, are known to occur within this planning unit.●

TRIBUTE TO HENRY REUSS

HON. DAVID W. EVANS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1982

● Mr. EVANS of Indiana. Mr. Speaker, I would like to take this moment to share in the tribute to my distinguished colleague from Wisconsin, HENRY REUSS, who will be leaving the House at the end of this term after 28 years of outstanding service.

Through our joint assignment on the Banking Committee, I have gained a tremendous amount of respect for HENRY REUSS, both as a person and as an effective legislator. His foresight and intelligence have been valuable assets to the House during his tenure. He has shown a remarkable ability to transmit his political idealism into public policy. His accomplishments have included such diverse projects as equitable tax reform, water pollution control, and the inception of the Peace Corps. As chairman of the Banking Committee, HENRY REUSS was instrumental in establishing loan guarantees to New York City and the Chrysler Corp. Innovative ideas such as these were characteristic of HENRY REUSS. His ability to mold broad concepts into workable projects became a REUSS trademark.

The absence of HENRY REUSS' wisdom and leadership abilities will be felt throughout the House. I would like to extend my very best wishes to Chairman REUSS in his future endeavors, and add my personal appreciation for his dedicated public service.●

HOUSING: HISPANIC AMERICA'S UNFULFILLED DREAM

HON. ROBERT GARCIA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. GARCIA. Mr. Speaker, the present administration's policies, the tremendous cuts in federally assisted housing and the recession have produced the worst housing crisis since the depression. Many Americans, especially low income and minority housing consumers, confront a living environment that is alienating and stifling.

Inadequate housing is a pressing concern to the Hispanic community. The rate of substandard housing for Hispanics is between two and three times higher than that for the rest of the U.S. population. Segregationist and discriminatory practices decrease

housing alternatives while they increase the cost of housing to Hispanic consumers.

There is a need for greater cooperation between major corporations and Hispanic community-based nonprofit organizations. We must take action to create productive economic activity in communities targeted for housing rehabilitation and new construction. It is our responsibility to respond to the needs of the Hispanic community and to insure that it receives equal economic and social opportunities.

For the benefit of my colleagues, I include an article, written by a former president of the National Hispanic Housing Coalition, outlining the inequities of Hispanic housing in America.

HOUSING: HISPANIC AMERICA'S UNFULFILLED DREAM

(By Jose S. Garza)

Housing is an integral part of the total environment that affects the way humans feel and behave. The characteristics of this environment are especially significant because they condition the development of young people and thereby of society. Precisely because it has such profound effects on personal and social life, decent housing is vital to everyone. Current housing policies and trends are not representative of what many people need and want; rather, they reflect the limited choices many people actually have. Many Americans, especially low income and minority housing consumers, do not enjoy a quality living environment. Instead they confront one that is alienating and stifling.

This is illustrated in the deplorable housing conditions that a majority of Hispanic families are forced to live in. Simply stated, next to the American Indian, Hispanics are the worst housed people in this country. It is important to note however, that Puerto Ricans are housed even worse than American Indians.

Contrary to common belief, Hispanics are an extremely urbanized population. Over 84 percent of all Hispanics reside in metropolitan areas, compared to 68 percent of the overall population. Consequently, Hispanic families pay a higher price for their shelter since housing is more expensive in urban areas. In the past, 25 percent of a family's income has been held as the maximum amount that should be spent toward adequate housing. Based on this rule, 80 percent of all Americans obtain adequate housing. However, less than 70 percent of all Hispanics are able to get adequate shelter for a quarter of their income, and only a shocking 48 percent of Puerto Ricans can obtain adequate housing with 25 percent of their income.

Hispanics are less likely to own the housing unit they occupy. Only 43 percent of the housing units occupied by Hispanics were owned by them, as compared to 65 percent for the total population. Because they lack the economic means to purchase housing, Hispanics as a group more frequently rent (58 percent do) than does the overall population (35 percent of whom rent housing). As renters, they are forced to rely upon landlords for improvements and, therefore are more vulnerable to policy and market fluctuations.

Inadequate housing is a pressing, priority concern to the Hispanic community. The

rate of substandard housing for Hispanics is between two and three times higher than for the rest of the United States population. More than 20 percent of the housing units occupied by Hispanics have physical inadequacies, including lack of heating, poor plumbing and sewage disposal, and faulty electrical systems. Overcrowding is much more severe for Hispanics than for other Americans. They are more than three times as likely to be overcrowded as is the overall population. Finally, Hispanics continue to suffer from discrimination and segregation which directly affects the cost and quality of housing. These practices decrease housing alternatives while they increase the cost of housing to Hispanic consumers.

The present Administration's policies, the tremendous cuts in federally assisted housing and the recession have produced the worst housing crisis since the Depression. The impact of this crisis on Hispanic housing consumers, community-based nonprofit organizations and businesses has been devastating. As Hispanic unemployment continues to rise, nonprofit public-oriented organizations have declined and Hispanic businesses are encountering serious financial problems—thereby exacerbating the Hispanic housing crisis.

HOUSING SOLUTIONS

There is a need for greater cooperation between major corporations and Hispanic community-based nonprofit organizations. What the business sector can provide in such areas as business skills and financial leverage, a nonprofit organization can offer in related areas such as promoting local community development opportunities, political leveraging and expertise in government contract procedures and contacts. A balanced combination of the two can produce affordable housing to Hispanics and profits to the private sector.

The federal government should take action to create productive economic activity in communities targeted for housing rehabilitation and new construction. It must ensure that Community Development Block Grant funds are used by local governments to develop economic and housing revitalization projects in Hispanic communities. The federal government must strengthen fair housing and equal opportunity laws by passing a Fair Housing bill containing strong enforcement mechanisms. In addition, it should stimulate the utilization of pension funds to develop low and moderate income housing in Hispanic communities. The production of "no-frills" housing to meet the basic needs of low income Hispanic families must be initiated by the government. Further, it should use federal credit programs to finance low and moderate income housing. Finally, a performing Minority Business Enterprise Program should be established to ensure Hispanic entrepreneurs are represented in the housing development field.

All the evidence suggests that a disproportionate and large number of Hispanics in the United States remains poorly housed. It is clear that the Hispanic community needs alternatives from which to select a living environment best suited to personal, social and cultural needs, functional capacities and financial resources. Thus, it is our responsibility to ensure that the private sector and government respond to these needs and that the Hispanic community receives its fair share.●

BILL BRODHEAD

HON. RICHARD A. GEPHARDT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. GEPHARDT. Mr. Speaker, it has been my pleasure to serve with BILL BRODHEAD on the Ways and Means Committee since I came to the Congress and on the Budget Committee during his 2-year tenure there. In our frequent contacts, I have always been impressed by his dedication to principle.

BILL has repeatedly championed the needs of the underprivileged in our country, even though it often meant swimming against the tide and sometimes battling a tidal wave against continued funding of social services. The needy in this country will be forever grateful to him for his willingness to stand his ground for principles he believes are right.

BILL's very decision to leave the Congress is testimony to this dedication to his own beliefs. He has said he would prefer spending his time with his family rather than battling special interests and the perpetual threat of corruption money in politics. Even as he leaves Washington, BILL is clearly demonstrating he is a man who will not compromise himself.

We in the Congress will surely miss BILL BRODHEAD and regret his departure, but he will always have the respect and admiration of his colleagues that he has so conscientiously earned.●

ILLEGAL IMMIGRATION

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. SCHEUER. Mr. Speaker, in view of the fact that the House will shortly take up consideration of the Simpson-Mazzoli immigration bill, I would like to bring to the attention of my colleagues two articles that recently appeared in the New York Times. The focus of these articles is central to my concern with this legislation as presently written.

The enactment of immigration reform that fails to address the extreme vulnerability of our borders is an exercise in futility. The article of October 20 details the extent of the problems caused by just one surge of illegal immigration from Bangladesh. The November 20 article illustrates the ease with which pregnant illegal aliens cross our southern borders so their new born infants will automatically become U.S. citizens. Apart from describing these specific instances, the

following articles are indicative of the porous nature of our borders.

Establishing firm control over our borders will be a matter of the utmost importance in our debate, and for that reason I commend these articles to my colleagues for their consideration.

(From the New York Times, Oct. 20, 1982)

NEW ASIAN ALIENS CONCERN OFFICIALS—
BANGLADESH REFUGEES ENTERING U.S. ILLEGALLY, IMMIGRATION AIDES IN FLORIDA ASSERT

MIAMI, Oct. 19.—Refugees from the impoverished South Asian country of Bangladesh have begun making their way illegally into the United States by way of the Bahamas, the immigration authorities here said today.

Officials of the Immigration and Naturalization Service estimate that as many as 400 Bangladesh citizens may have arrived illegally in Florida since June and then fanned out through the country, and they say thousands more may follow.

Dwayne Peterson, the chief of the anti-smuggling unit of the Border Patrol in Miami, said the Bangladeshis who had come here so far were from a community of some 15,000 Bangladeshis who had been living in West Germany. He said they had also entered West Germany illegally, but after years of legal appeals had been told they must leave.

The estimate of 400 illegal aliens from Bangladesh comes from interviews with 57 caught while attempting to enter this country. To immigrate to the United States legally can be a long and complicated process and relatively few who apply are accepted.

As an initial step toward ending the influx in the early stages, Mr. Peterson said, the Federal Government has asked the Bahamian Government to begin requiring visas of the Bangladeshis.

The Bahamas and Bangladesh, formerly known as East Pakistan, are former British colonies, and Bangladesh citizens can travel to the Bahamas without obtaining visas.

The Bahamian island of Bimini, about 50 miles southeast of Florida, has been a "notorious jumping-off point" for many illegal aliens heading for Florida, Mr. Peterson said. It is relatively easy, he said, to hire a small boat or airplane in Bimini that will deliver aliens to Florida.

Mr. Peterson said the Bangladesh refugees have been taking commercial flights from West Germany to the Bahamas, then taking commuter flights to Bimini, where they pay about \$950 for a clandestine journey to Florida. A regular one-way seaplane trip from Bimini to Miami costs \$45.

In late 1981, Mr. Peterson said, the State Department presented evidence to the Bahamian Government that Colombians were using the islands as a base for illegal immigration to the United States. In response, he said, the Bahamian Government acted within five days to require Colombian tourists to the islands to obtain visas.

That move significantly slowed the smuggling of Colombians, he said.

He said that unlike other refugee groups entering South Florida, the Bangladeshis were generally well educated and "capable of taking technical jobs away from U.S. citizens."

Beverly McFarland, a Miami spokesman for the immigration service, said one group of six Bangladesh men had made their way to Fort Lauderdale, then offered a taxi driver \$1,500 to take them to New York.

About half of the 57 Bangladeshis under arrest are in the custody of Federal mar-

shals as material witnesses since they were caught in the company of their smugglers. The rest are being held in the Krome Detention Center in Miami awaiting deportation hearings.

(From the New York Times, Nov. 21, 1982)

MEXICAN WOMEN CROSS BORDER SO BABIES CAN BE U.S. CITIZENS

(By Wayne King)

BROWNSVILLE, TEX., Nov. 17.—Ilda Leal, a small, shy, 27-year-old woman, is fairly typical of the Mexican women, now numbering in the thousands, who are coming across the border every year to have their babies in the United States.

They come, many of them, so the baby will be born an American citizen, with all the advantages that that brings. But the practice also raises thorny problems, ranging from a court case over deportation of parents through fears of unregulated care for the mothers to charges that some of the babies are being sold in a black market.

Mrs. Leal is hesitant at first, but she grows talkative as she looks on her fine boy, Abiel Leal Jr., dozing and gurgling on the bottom bunk of a double-decker bed in the cramped but spotless five-room house of Margarita Garcia. Mrs. Garcia, a stocky, strong woman of 47 whose broad face is usually split by an equally broad smile, is a lay midwife, or a "partera," as she is called in Spanish, the only tongue that she and most of her clients speak.

After Mrs. Leal became pregnant, she began seeing a doctor in Mexico, she said through an interpreter, "but then got the idea to have the baby in the United States, because they have better rights, protect the children more."

Her husband, she said, had reservations at first about having the baby at all, but she insisted, convincing him that if they ever wanted to "fix the papers," to get a visa and perhaps eventually apply for United States citizenship themselves, "it would be better if we have an American baby."

Many women make similar journeys to Mrs. Garcia and about 35 other parteras in Cameron County, just across the narrow Rio Grande River from Matamoros on the Mexican side. The midwives attract pregnant women because, among other reasons, they charge less than hospitals and offer natural childbirth. Last year, the midwives delivered 2,303 babies, almost a third of the 7,082 born in Cameron County. Half or more of those delivered by the parteras, according to county health officials and the midwives, were born to Mexican nationals like Mrs. Leal.

In adjoining Hidalgo County, lay midwives accounted for 1,095 deliveries, or 12.7 percent of the attended births in that county in 1981; in Webb County, which includes Laredo, for 790, or 20.9 percent; in El Paso 1,163, or 9 percent.

In each county, half the mothers whose deliveries were attended by lay midwives were from outside the county. "And most of those, almost all, were folks coming across the border," said Tony Grigsby, administrative assistant to Hector Uribe, a Texas State Senator who has been trying for three years to pass legislation providing for the training and regulation of midwives.

Except in instances in which the mother enters the United States illegally, the practice of crossing the border to have a baby is entirely legal.

"If she has a document for entry and there is no reason to deny that entry, she can come in," said Berl Williams, acting

agent in charge of the Immigration and Naturalization Service at Brownsville. "The local crossing card is good for 72 hours. We don't stop pregnant women at the border."

Although the children are citizens by virtue of being born on American soil, their parents are not.

Thus, while new Americans like seven-month-old Abiel Leal have the same rights and entitlements as any other citizen, including free public education, Social Security, Medicare, voting, qualification to hold public office and so forth, his parents have little if any advantage.

"It does not aid the parents in gaining citizenship," said Mr. Williams.

A BUS TRIP TO BROWNSVILLE

Nonetheless, Mrs. Leal thought that the opportunities were great enough on the day when she began to feel the contractions that signaled that the birth was near. She walked out of her house in Matamoros and caught a dusty local bus to the bridge leading to Brownsville and the United States. There she got out and walked across, showing the border guards her 72-hour visitor's pass.

At the end of the bridge, she walked the five blocks to the home of Mrs. Garcia, who had been recommended to her as "the best."

Mrs. Garcia's little house, crammed with knick-knacks, ceramic dolls and pictures of Jesus, is both home and birth clinic, with two tiny rooms with a cot in each for delivering babies.

On the front of the house, which is painted bright yellow and trimmed with blue, is a vivid blue sign decorated with a pair of storks bearing bundles and the words "Se Atendian Partos," meaning "Births attended here."

"I'M NOT THE ONLY ONE"

By the time Mrs. Leal reached the house at 7 A.M., the contractions had quickened, and four hours later, with Mrs. Garcia's help, she gave birth to Abiel.

"I'm not the only one to do this," she said during her postnatal visit to Mrs. Garcia today. "One of my best friends did it last month."

As Mrs. Leal spoke with Mrs. Garcia, another young woman, 18-year-old Alicia Torres, arrived at the door. She, too, had crossed the bridge from Matamoros, heavy with her first child, her dark eyes moist with concern, believing the birth was near.

Placing the young woman on one of the cots, Mrs. Garcia checked her pulse and blood pressure, talked easily with her in rapid Spanish, and held a stethoscope to her stomach, listening to the faint flutter of the heartbeat inside. Smiling, she said, "Eight days."

"HERE, THE CARE IS BETTER"

Reassured, the woman said she had come to the midwife to have her baby because, "over here, the care is better."

Asked if American citizenship for the child was also a factor, she shyly said yes.

No one is quite sure how many women cross the border to have their babies each year, but it is a phenomenon that occurs at major crossing points all along the 1,950-mile border between the United States and Mexico.

Until a change in immigration law in 1977, a child born in the United States could be a sponsoring agent to gain resident status and eventual citizenship for his parents regardless of his age.

Now that cannot be done until the child is 21 years old. As a result, alien parents of

American citizens who have no legal reason for remaining in this country are subject to deportation.

Because of a civil suit brought in Federal District Court in Chicago, a moratorium was declared on such deportations until the question could be resolved legally.

A suggestion by the Reagan Administration that the moratorium might be revoked generated an uproar among Latin Americans. Last Mother's Day, there was a protest march by some 2,000 Mexican-Americans in Dallas.

A class action suit seeking to stop any further deportations is now pending in Federal District Court in Dallas.

MEDICAL QUESTIONS RAISED

There are also serious medical questions as well as instances of selling birth certificates and allegations of a black market in babies born to alien parents.

"It's a humongous problem and it's gotten worse," said Dr. Jesus Caquias, director of the Brownsville Community Health Clinic, whose midwife program, staffed by six trained nurse-midwives and serving only county residents, almost exclusively Mexican-Americans, is booked through March.

Besides the staff midwife program, the clinic provides screening and prenatal and postnatal care to the clients referred by the lay midwives.

Dr. Caquias, who is of Puerto Rican descent and was brought up in the Bedford-Stuyvesant section of New York City, said: "When I first came here, I was appalled by some of the stories I heard about dead babies being carried across the bridge, all sorts of horror stories, the selling of babies. There was no medical support."

"A good portion came from the Mexican side and most presented themselves late in the trimester," he said, speaking of past practices. "Now we do screen them to make sure none with complications go to the lay midwives."

"In my opinion," he said, "the midwives are quite competent. Anyone can deliver a baby. I did it myself in New York as a cabdriver, on the sidewalk. The problem is when they are presented practically in labor, just to have their baby born here."

While Dr. Caquias concedes that his worst fears about the midwife program have not been realized, he remains concerned about the lack of training and regulation of the lay midwives.

For the past five years, through local legislation, Brownsville has had a program for training and certifying the lay midwives. Without the certification, they cannot practice in the city.

However, of 35 lay midwives who enrolled in the program five years ago, only eight remain. The rest simply moved out of the city into the country, where there are no regulations.

"HANG OUT A SHINGLE"

"All you have to do is hang out a shingle and start delivering babies," said John P. Schaaf, executive director of the Brownsville clinic.

Because of what many consider a poorly regulated system of registering births in Texas, there have been some sales of falsified birth certificates, a method of gaining instant citizenship.

In September, three women, including 29-year-old Estelas Guzman Gallegos, one of the city's licensed lay midwives, were sentenced to three years in prison for selling falsified birth certificates to 13 Mexican nationals to make it appear that they were

born in Brownsville and were thus American citizens.

The Mexican nationals paid from \$300 to \$2,400 for the false documentation.

Health officials and others here say that the legal authority of the lay midwives to fill out birth certificates has led to traffic in "black-market babies."

The practice came to light two years ago when it was discovered that a lay midwife had accepted a fee of \$250 to falsify the birth certificate of a baby girl born to a 19-year-old woman who was an illegal alien.

The midwife testified in court that she had told the mother that the child had died. Instead, the midwife made out a birth certificate listing another couple, American citizens, as the natural parents, and gave the baby to them. She received a fee of \$250, and another \$250 was given to the Mexican mother.

In another such case, a mother who had sold her child to an American couple and was receiving a monthly payment decided she wanted the child back and went to the authorities.

"WAY TO MAKE EXTRA INCOME"

No one has determined the extent of the black market in babies born to aliens, many unmarried, but Dr. Caquias at the Brownsville Community Health Clinic said a few unscrupulous midwives apparently saw it as "a good way to make some extra income—an agreement between the mother and the partera."

Despite medical problems and other abuses, Dr. Caquias and other medical people here say the lay midwife system is largely beneficial, if properly regulated, particularly because most midwives charge from \$150 to \$200, as against about \$800 for a hospital birth attended by a physician.

Too, many Hispanic women have far more confidence in the midwives than they do in doctors and hospitals.

Another factor is that many mothers prefer a natural birth. Parteras use no drugs—"no aspirin, no nothing," said Mrs. Garcia, a trained nurse who is regarded as one of the best of the Brownsville midwives.

A half-mile away from Mrs. Garcia's home another midwife, Josefina Salinas, a second-generation partera whose mother delivered babies until she was 79, more than 4,000 of them, had just delivered Mario Alberto Flores, the first child of 19-year-old Rosaura and Alfred Flores.

For Mrs. Flores, an American citizen, the attractions of the midwife were "... personal preference.

"I wanted to know how it felt," she said, looking at nine and a half pound Mario sleeping contentedly on a cot under the watchful eye of Mrs. Salinas.

"Everybody told me it was going to be hard," she said. "It wasn't. I am happy."●

A TRIBUTE TO JAY C. EHLE

HON. RONALD M. MOTTL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. MOTTL. Mr. Speaker, I take this opportunity to pay tribute to Mr. Jay C. Ehle, one of the most successful businessmen in the Greater Cleveland area. He is the current president and chairman of the Cleveland Builders Supply Co.

Jay was born in 1917 in Cleveland. He graduated from Kenyon College in 1938. He married Janet Greiner in 1939 and is the proud father of three children. He joined the Cleveland Builders Supply Co. in 1938 and became the vice president of operations in 1953. In 1958, he became the vice president and general manager of the company and then its president in 1963. He also assumed the chairmanship of the company in 1966.

The Cleveland Builders Supply Co. has annual sales of approximately \$45 to \$50 million. They are the distributors of many building products and have plants throughout northern and central Ohio as well as in the Detroit, Mich., area.

Jay has a long and impressive record of service to the community as well. He is a member of the Masons, Shriners, and Jesters. He has worked on various civic drives including fund raisers for Kenyon College, Case Western Reserve University, and the Boy Scouts of America. He has served on the board of trustees of Lakewood Hospital and the board of the Greater Cleveland Growth Association.

Currently, he is the vice president of the Boy Scouts of America, the director of BancOhio National Bank in Cleveland, the chairman of the Cleveland-Cuyahoga County Port Authority, and the director of the Great Lakes Historical Society. He was the commodore of the Cleveland Yachting Club in 1965 and has done continuing work on recreational boating facilities. He belongs to the following boat clubs: The Cleveland Yacht Club, the Catawba Island Club, and the Old Club. He is also a member of the Union Club and the Hermit Club.

Jay Ehle is truly an inspiration to all who meet and know him. I salute him for a brilliant career and wish him the best of luck in the future. Cleveland is indeed proud of this exceptional man who has lived in and served the area so well.●

DISASTER ASSISTANCE IN TEXAS

HON. CHARLES W. STENHOLM

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. STENHOLM. Mr. Speaker, In September of this year a 38-county area in west Texas was declared a disaster area for purposes of offering assistance to legitimate small business affected by poor crop performance. Severe hail and rain storms earlier this year preceded the declaration. Because otherwise normal free market conditions were affected due to this natural disaster, economic intervention was necessary. The assistance that was ordered in the area included

economic injury disaster loans also known as EIDL (pronounced "idle"). These EIDL loans are offered to small businesses affected by poor crop performance due to the disaster. Since the Small Business Act is intended for the purposes of aiding small business only, it is legitimate for the Small Business Administration to have a determining procedure. This is known as size standard determination.

In the case of small agriculture cooperatives, size standards are not limited to the size of the operation, but also to the size of each and every member of the cooperative. To those who understand the intention of the Capper-Volstead Act that established the farm cooperative, it is apparent there is no major economic interest in the cooperative that a member would have which should require the member to submit financial disclosure forms. This is not to mention that many of these cooperatives have several hundred members, some of whom are landlords and have no connection with the co-op directly. To require that each member provide SBA with financial statements to substantiate its size is unreasonable, due to the size of the membership and their financial relationship with the co-op.

The Small Business Administration, admittedly, has tried to find a solution to this dilemma. This is not the first year and west Texas is not the only area in which these rules have unjustly disqualified cooperatives from small business assistance. The SBA just last year was communicating with its regional offices in search of an answer to these policy issues. The fact is: The law is not clear on agriculture cooperatives, and the SBA has no intention of reviewing these regulations in light of the conditions that I have presented.

SBA regional offices have waived this paperwork requirement in the past, as one regional counsel stated, "because a pragmatic approach would be in the best interests of the cooperative and the Small Business Administration." It is obvious by the regional applications of these rules that an early review would be warranted. However, SBA insists that its current regulations will stand as is, unless corrective legislation is passed.

For this reason, I am today introducing legislation that finally offers the necessary language to satisfy the SBA regulators. They can proceed with legitimate exemptions of small farm cooperatives that are no larger and sometimes smaller than their competition, yet which would not be assisted in the same way with economic injury loans.

It should be understood that these loans would continue to be made under the premise that participation of small agricultural concerns in the free market process has been hampered by uncontrollable forces, namely

a natural disaster. This would not require SBA to waive size standards for the co-op in the event of a disaster. And it would continue to allow SBA to seek size standards of the co-op members when otherwise normal market conditions exist. ●

WHALE PROTECTION WILL BE ENHANCED THROUGH THE GOVERNING INTERNATIONAL FISHERY AGREEMENT WITH JAPAN

HON. DON BONKER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. BONKER. Mr. Speaker, as the House considers H.R. 3942, which contains the new governing international fishery agreement with Japan, I would like to enter into the RECORD two items to amplify and to clarify the legislative history of this GIFA. One is a letter of December 3, from Senator Packwood to the Acting Secretary of State which sets forth concerns that I share about Japan's continuing disrespect for the International Whaling Commission's decisions on commercial whaling. The other is the Acting Secretary of State's response of December 4.

At the 1982 IWC meeting, the United States led the conservationist countries to a major victory in the decade-long struggle for increased whale protection: the IWC voted overwhelmingly to place a moratorium on all commercial whaling in 3 years. However, Japan has filed an objection whose purpose is to exempt Japan from compliance with the commercial whaling moratorium. Japan's decision to file an objection demonstrates once again its intent to ignore important whale conservation measures. Last year, Japan filed objections to two key IWC provisions banning the use of the cold harpoon and sperm whaling. As the leader of the whaling nations and as the country that has most consistently sought to undermine the IWC's regulations, Japan's requests for fisheries allocations in the U.S. 200-mile zone deserve special scrutiny.

I support the GIFA with Japan as providing a sound basis for promoting and enhancing the interests of our domestic fisheries industry. However, I believe that in addition to the needs of our fisheries industry Japan's conduct on whaling should be taken into account when we consider the sharing of our fisheries resources. That is the point of the exchange of letters between Senator Packwood and the State Department. The State Department's letter says, in part: "We are also prepared to use available laws and regulations, beginning this spring, to prevent Japan from thwarting the

IWC cessation decision." My understanding of the State Department's letter is that future U.S. Government decisions on fisheries allocations under the GIFA will depend upon whether Japan decides to abide by the IWC's regulations and withdraw the objection it filed to the 3-year deferred cessation of commercial whaling.

Mr. Speaker, the administration's commitment to consider Japan's conduct on whaling when allocating our fisheries resources under the GIFA will strengthen our country's long-standing pledge to support whale protection efforts. The letter follows:

U.S. SENATE, COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,

Washington, D.C., December 3, 1982.

Hon. KENNETH DAM,
Acting Secretary of State, Department of State, Washington, D.C.

DEAR MR. SECRETARY: In our letter of August 31, 1982, to Secretary of Commerce Malcolm Baldrige, signed by 66 U.S. Senators, we called for the United States to strive vigorously to prevent whaling nations from filing objections against the IWC decision to impose a moratorium on commercial whaling beginning in 1986.

"If we succeed in preventing objections against the IWC cessation decision," the letter concludes, "we will avoid a period of tension and uncertainty with respect to fisheries. This will permit U.S. fishermen and processors to conclude fishing agreements which promote the interests of the majority of citizens, including fishermen from both whaling and non-whaling countries. . . ."

Unfortunately, objections have now been filed by several nations. The period of "tension and uncertainty (in) our relations with whaling nations with respect to fisheries," which we had hoped to avoid, is clearly upon us.

However, despite the fact that the largest whaling nations have already filed objections, we do not feel that acceptance by all nations of the cessation decision is necessarily unobtainable.

Paragraph five of our August 31 letter urges that "In addition to a clear statement on the Pelly and Packwood amendments . . . (the U.S.) . . . assure the whaling nations that other means available to us to reinforce the IWC will not be ignored. For example, the allocation process within FCMA provides ample discretion to adjust allocations (either up or down) in response to a wide spectrum of U.S. objectives and concerns. This means of lending substance to U.S. policy on whaling should certainly be considered. GIFA's under FCMA are, of course, another area subject to review by Congress."

In the case of Japan, we note that the decision to object was made during the final weeks of a "lame duck" government, after intense internal debates. The incoming government is committed to improving relations with the United States. The incoming regime may be induced to reconsider the prior government's objection to promote improvement in Japanese-United States relations. The intense nervousness among Japanese officials, the Japanese fishing industry, and the Japanese press over fisheries relations with the United States, makes it inevitable that the new Japanese GIFA, and allo-

cations to be made under the GIFA, will be very much on the minds of Japan's new leaders as they review the whaling policy adopted by the previous regime.

The U.S. Senate and House are currently in the process of reviewing the GIFA within the 60 days provided by PCMA. As you know, the current GIFA will expire before this 60-day period has elapsed which makes action during the "lame duck" session imperative. Given the intense public concern over whaling reflected in the August 31 letter, our conclusions with respect to the GIFA cannot be entirely divorced from the whaling question. It is necessary for us before reaching any final conclusion on the GIFA, to have a clear statement on whether the Administration is willing to use measures such as those mentioned in paragraph 5 of our August 31, letter to Secretary Baldrige (referenced earlier in this letter).

In making this statement we realize that any use of these measures must only be done after full consideration of the likely effect on the United States fishing industry. It is not our intent that this policy result in harm to this very critical sector of the American economy.

Lastly, we must stress the time constraints we face on this issue. Due to the pending expiration of the Japanese GIFA, it is crucial that this issue be resolved during the "lame duck" session. Therefore, we must ask that your response to this inquiry be received by December 8 at the very latest. Any delay past that point could well threaten our ability to ensure action on the GIFA during the "lame duck" session.

Cordially,

CHARLES H. PERCY.
BOB PACKWOOD.

DEPARTMENT OF STATE,
Washington, December 4, 1982.

Hon. BOB PACKWOOD,
Chairman, Committee on Commerce, Science and Transportation, U.S. Senate.

DEAR MR. CHAIRMAN: I am writing with regard to the United States-Japan Governing International Fisheries Agreement (GIFA) which is before the current special session of Congress for approval. As you know, we strongly advocate approval of the GIFA at the current session. The Agreement should be approved on its own merits. It will provide substantial and direct benefits to the United States fishing industry.

At the same time, we share your commitment to the full and effective implementation of the International Whaling Commission (IWC) decision providing for a cessation of commercial whaling. It is our intention to use the means at our disposal to secure this objective. In this regard, however, we believe that disapproval of or failure to act upon the new GIFA with Japan will serve neither this objective, nor the range of U.S. interests at stake in this area.

We are encouraged by the seriousness with which the Government of Japan has responded to our interest in timely and constructive consultations on this matter. Further discussions will, however, be necessary over the next several months. Obviously, we are very hopeful that these discussions will be successful. We will review their progress and, if they are not productive, we will undertake every diplomatic means open to us. We are also prepared to use available laws and regulations, beginning this spring, to prevent Japan from thwarting the IWC cessation decision.

Sincerely,

KENNETH W. DAM,
Acting Secretary. ●

HON. DON H. CLAUSEN

HON. JOHN T. MYERS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1982

● Mr. MYERS. Mr. Speaker, I want to join with my colleagues who have already participated in a special order honoring Representative DON H. CLAUSEN of California.

DON was first elected to Congress in 1963 from California's Second Congressional District. The Redwood Empire, as it is sometimes called, stretches from the Marin County line, a few miles north of the Golden Gate, to the Oregon border. His district includes the beautiful California coast as well as the famous Napa Valley known for some of the best wine in the world.

Prior to his election to the House of Representatives, DON served for 7 years at the level of government as a member of the Del Norte County Board of Supervisors. Before his entry into public service, DON was a Navy pilot and actively involved in banking, insurance, and commercial aviation.

During his 20 years in the House DON moved up the ladder to become the ranking Republican member of the Public Works and Transportation Committee and second ranking Republican member on the Interior and Insular Affairs Committee. He has shown great leadership on both of these committees.

In recent years, I have often gone to DON for help and advice about projects and programs from his committee. I have learned that his advice has always been most appropriate and honest. We will all miss his help, his advice, and his counsel.

DON CLAUSEN has been a hard worker, dedicated public servant, and a good friend. I will greatly miss having him as a colleague. My wife Carol and I wish DON and his beautiful wife, Ollie, success and happiness in the future. ●

SOUTH BRONX NEIGHBORS
HOLD DEVASTATION AT BAY

HON. ROBERT GARCIA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. GARCIA. Mr. Speaker, the South Bronx is in the early stages of undergoing a dramatic economic revitalization. I would like to address a recent New York Times article that speaks of the potential of resurging urban areas, such as the South Bronx.

The Longwood Community, designated as a historic district, has little in common with what many think of the South Bronx. It is a community born

in the 19th century and composed of homeowners who have lived in one house for 30 or 40 years. The neighborhood spirit that has nurtured in Longwood has also served to deter crime because residents protect each other in the fashion of a traditional, small-town, mutual support group.

If one looks at the South Bronx, neighborhood by neighborhood, one can see it beginning to come together, and can get an image of how the South Bronx can be restored. The Longwood area is one of the most visible symbols of that now.

I would like to introduce this article, a tribute to the optimistic spirit of the Longwood Community of the South Bronx, for the benefit of my colleagues.

[From the New York Times]

SOUTH BRONX NEIGHBORS HOLD DEVASTATION
AT BAY

(By David W. Dunlap)

There are many times when Beck Street is so quiet you can hear the wind in the maples.

"I was looking for a nice place with a country-like atmosphere," recalled Ann Wiggins, standing before the 82-year-old house on Beck Street that has been her home since 1946. "I found this—with trees along the street. I love this area. There was no reason to run."

Mrs. Wiggins lives in the South Bronx.

But her tiny neighborhood, known as Longwood, has little in common with the prevailing image of the South Bronx. Hers is a community born in the 19th century and composed of homeowners, of acquaintances who know every face on the block, of people who have lived in one house for 30 or 40 years.

DESIGNATED A HISTORIC DISTRICT

It is also a seven-block historic district, so designated by the city's Landmarks Preservation Commission in 1980 because it "contains some of the best of the turn-of-century architecture that transformed the Bronx into an urban extension of Manhattan."

Most all of the two- or three-family houses in Longwood come in pairs—bay-front twins joined by their roofs, many of which are capped by cone-shaped peaks. Different pairs have their own nuances, but the ensemble is unusually and pleasantly harmonious.

Longwood's distinction is much more than architectural. It was one of the South Bronx neighborhoods that survived—scarred at the edges but largely intact.

"When Harlem had its problems in the 1940's, my family came up here and fell in love with this house," said Thomas J. Bess, the co-chairman of the Longwood Historic District Community Association. He lives at 947 East 156th Street.

"We wound up bringing in the whole family from New York," Mr. Bess said. "When the problem period began, a lot of us felt it would never hit us; it would just skirt us. But by the late 60's, I said, 'My God, we'd better get out of here.'"

"I wanted to stay in the Bronx and began to look for other housing," he continued, "but there was nowhere nearly as good as what we had. My aunt and I decided we were going to stay."

Mr. Bess said the neighborhood group's nucleus was the band of homeowners who chose not to leave Longwood.

CHANGE BATTLED BY COMMUNITY

It was four years ago that the association pursued designation and two years ago that the Landmarks Commission bestowed it.

Kent L. Barwick, the commission chairman, said: "The architecture, in effect, became the 'organizing tool,' as social workers call it. It was something to build on."

"We're speaking an entirely new language," said Marilyn Smith, the other co-chairman of the neighborhood association—"polygonal roofs," "halfmansards," "fenestration," "lintels," "porticoes."

One of the most recent community battles was an esthetic one, involving a Dawson Street homeowner who had replaced the lacy iron gate to his driveway with a solid, roll-down one.

"When I see something going wrong, I talk with my neighbor," said Agnes E. McTurner Holloway, who lives a few doors down. But this conflict went all the way to the Landmarks Commission.

Mr. Barwick rather marveled at the circumstance, explaining: "The community came all the way down here and said, 'We're not against our friend, but we're trying to build our neighborhood.' The guy, without waiting for us, agreed to take it down. It's a little instance of neighborliness that wouldn't have gone that way three years ago."

Such a spirit means more than success in esthetic fights. It is also a help against crime. Mr. Bess credited many of the older people with keeping the traditional, small-town vigil.

"My car was burglarized twice," Mrs. Smith said, "but one of those burglaries was aborted because a neighbor called out. You have a community of people who look out for one another. That's a spirit that's been lost in urbanization."

Beyond neighborliness, what also helped keep Longwood together was Prospect Hospital, a 175-bed proprietary institution that grew while the South Bronx declined and now admits some 10,000 patients a year.

Its executive director, Dr. Jacob B. Freedman, was born in the neighborhood. After a number of years away, he returned to Longwood and in 1963 built a modern facility.

"I felt that the future for a new hospital in the community existed," he said.

Dr. Freedman likes the fact that his old neighborhood is a historic district. "It's bringing to our community recognition and growth," he said, "and it's attracting good people to move into our brownstones. The community is only undervalued because it's undiscovered."

One of those who has discovered Longwood is Anita Miller, director of the South Bronx program at the Local Initiatives Support Corporation in Manhattan, which supports community groups, directed by advisors from 10 corporations and four foundations.

COSTS CONSIDERED FOR ELDERLY

"When you look at the South Bronx as a whole, it's mind blowing," she said. "But if you look at it neighborhood by neighborhood, you can see it beginning to come together, you can get an image of how the South Bronx is going to be restored. And I think the Longwood area is the most visible symbol of that now."

The neighborhood association has done well getting money from the city's Facade Improvement Program, the New York State

Division of Housing and Community Renewal and the Inner City Ventures Fund operated by the National Trust for Historic Preservation.

But no one is so bold as to call it a happy ending yet, particularly in a community whose aging population is trying to get along, in many cases, on fixed incomes.

Ernestine L. Jackson, the association's project director, said that, of the 127 homes in the district, 97 were owner-occupied and a majority of these owners were old people.

"While the housing stock is beautiful and very attractive," Mrs. Miller said, "unless we get a handle on those houses, it's going to be very hard for the current homeowners to maintain them."

"Our fund-raising is an ongoing effort to help the senior citizens," Mr. Bess said, and Mrs. Smith finished the sentence, to bring down the costs of maintaining property so that the senior citizens won't be displaced."

The association is also negotiating to buy eight abandoned city-owned houses that it will rehabilitate. The problem is that that will probably cost \$1 million.

"There is not a market for \$80,000-to-\$90,000 homes in this area," Mr. Smith said.

"At this time," Mr. Bess added, with something of a smile.

"I hope never," Mrs. Smith concluded. "I hope to pass my home on to my children." ●

CLAIR W. BURGNER

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1982

● Mr. ZABLOCKI. Mr. Speaker, I welcome this opportunity to join my colleagues in honoring the congressional career of the distinguished gentleman from California (Mr. BURGNER).

As a member of the Committee on Appropriations and as the ranking minority member of the Subcommittee on Legislative Branch, CLAIR BURGNER has played an important role in the legislative process—and he has had an especially important impact on our own congressional operations.

In addition to this record, however, he has been very active in a wide range of important causes and local volunteer efforts in his own community. He has been chairman of the Heart Fund Campaign and United Fund Campaign of San Diego and a leader in the movement to combat mental retardation and to assist handicapped children—both at the local and national levels. This is the kind of personal involvement which has characterized his 10 years of service both to his constituents and to this body.

To CLAIR BURGNER and his family, I extend my warmest best wishes for a successful and rewarding future, and I commend the gentleman for his outstanding service to the Nation. ●

RESTRAINING THE NUCLEAR ARMS RACE

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. CONYERS. Mr. Speaker, when the energy and water development appropriation bill (H.R. 7145) comes to the floor, I shall be offering an amendment to delete \$2.233 billion from the national security programs that fund nuclear warhead development, testing, production, and stockpiling. The purpose is to remove only those funds that will be used for the development, testing, and production of new warheads. The amendment leaves ample funds to maintain and upgrade existing plants, reactors, and stockpiles. The deletion amounts only to 38 percent of the committee's recommendations.

I believe the United States and the U.S.S.R. have a precious opportunity to move significantly forward on nuclear arms control. The Soviet leadership has changed, and I detect a willingness of the new leadership to engage in serious arms control negotiations. The risks of perpetuating and extending the arms race far outweigh the risk of undertaking a nuclear warhead moratorium on our part. The administration has given the go-ahead for producing an additional 37,000 new nuclear warheads during the next decade or so. I daresay the Soviets will match our expansion, just as we have matched theirs. So instead of a superpowers' nuclear stockpile of 50,000 weapons currently, we will find a stockpile of 100,000 or more warheads in the next decade. That does not make any sense.

The news reports from Europe clearly indicate that our allies are disposed to enter upon arms control negotiations with the Soviets. Denmark has decided not to support U.S. plans to deploy Pershing missiles. There are indications that the Netherlands and Belgium will follow suit. European opinion appears to be intensely opposed to further escalation in the nuclear arms race.

In our country, the November election should have dispelled any doubts about American sentiment toward the arms race. The nuclear freeze referendum demonstrated strong sentiment for initiatives and negotiations to halt the arms race. There is also growing awareness of the debilitating economic effects of massive military spending in this country and in the world.

The dangers of nuclear confrontation are even greater than the horrendous numbers of current weapons suggest. Every new nuclear weapons system adds greatly increased accuracy and speed. Under these conditions,

nuclear weapons can easily be launched as the result of miscalculation or error. This year alone, over 100 false alarms of nuclear launches occurred. The Soviet Union recently warned that they will move toward "a launch-on-warning" strategy if we deploy MX missiles. The growing sophistication, accuracy, and speed of weapons are the very incentives for a preemptive first strike.

What is the value inherent in continuing the nuclear arms race under these conditions? Consider the competitive race during the past 30 years. The United States exploded the first atomic weapon in 1945; the Soviets obtained theirs in 1949. The United States built the first hydrogen bomb in 1954; the Soviets followed suit 1 year later. The U.S.S.R. was the first to successfully test an ICBM in 1957; we tested ours in 1958. The United States deployed the first submarine-launched ballistic missile in 1960; 8 years later, the Soviets deployed their own. In 1966 the United States deployed the first multiple warhead, and the Soviets matched that in 1968.

The Soviets deployed the first anti-ballistic missiles in 1968; we matched them in 1972. In 1970 the United States developed the first multiple independently targeted warhead (the MIRV); 5 years later, the Soviets followed suit. The United States built the first long-range cruise missile in the past few years; it is said the Soviets are several years behind. In the same way, the Soviets will match us in our enhanced-radiation tactical nuclear weapons, just as we, no doubt, will match them in developing antisatellite and other space weapons.

What possible value is there in continuing this incalculably wasteful and dangerous competition? I know of none.

The amendment I will be offering would send a reasonable signal to the Soviet Union and the world that we are absolutely serious about curbing the nuclear arms race. I believe it could create or advance the context for an agreement between the United States and the U.S.S.R. to curb this deadly competition by taking a first step in freezing nuclear warheads at existing levels.●

**AMNESTY INTERNATIONAL
GROUP 154 (MID-WESTCHESTER)
MONITORS TURKISH PRISONER
OF CONSCIENCE ALI SAHIN**

HON. RICHARD L. OTTINGER
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. OTTINGER. Mr. Speaker, I rise to bring to the attention of my colleagues the plight of Mr. Ali Sahin of

Turkey, who has been designated by Amnesty International as a "Prisoner of Conscience." Mr. Sahin's case is being closely monitored by Amnesty International's Group 154 of Mid-Westchester, N.Y.

Ali Sahin is 1 of 52 leading officials of the Turkish Confederation of Progressive Trade Unions (DISK) arrested under article 146 of the Turkish Penal Code which carries the death penalty. According to Amnesty International, Sahin and his colleagues have been accused of "intending to change the order of the State by force." However, the 817-page indictment, read in its entirety in full court, does not contain accusations or evidence of use of force by the defendants. They appear to be prosecuted solely for their trade union activities, in violation of article 11 of the European Convention on Human Rights to which Turkey is committed.

Mr. Sahin has been a distinguished labor leader. He served as a member of the DISK management board; as national board member of the 5th national congress of DISK, and as secretary general and president of the Glass Workers' Union.

In addition to appealing for the release of this 45-year-old man, Amnesty International Group 154 is particularly concerned about his health and is seeking information about his medical condition. The basis for this concern are reports that over 30 of the 52 defendants have claimed that they were tortured during interrogations.

I strongly urge the Reagan administration and the State Department Bureau of Human Rights and Humanitarian Affairs in particular, to speak out against this terrible violation of human rights, and to closely monitor the condition of Ali Sahin and his colleagues. I also commend the tireless efforts of the members of Amnesty International and Group 154 in Mid-Westchester. These people have been vigilant in the defense of human rights throughout the world, and deserve great praise for their work.●

POOR DRAINING CHARITIES

HON. BARBARA A. MIKULSKI

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Ms. MIKULSKI. Mr. Speaker, I am submitting for the RECORD, an article by Larry Carson that appeared in the November 17, 1982, Baltimore Sun newspaper. I would like my colleagues to have the opportunity to read a stark and graphic description of just how desperate our social work agencies and charities are getting. The number of poor in this country is increasing and the resources of the private sector charitable organizations are being stretched to the limit. This

cannot go on. We, as leaders of this country, have an obligation to insure that people in this great Nation do not starve to death and do not freeze to death.

POOR ARE DRAINING CHARITY COFFERS HERE

(By Larry Carson)

Increasing numbers of poor people, desperate for emergency food as well as money with which to pay overdue utility and rent bills, are straining the resources of private charities in Baltimore.

The sharp increase in the number of people requesting emergency aid this fall has forced many private agencies to cut back in different ways, either by limiting the help they give or the number of people they see.

Associated Catholic Charities, already forced to cut the amount of help it provides each applicant, expects to turn people away for the first time in December.

The Franciscan Center on Maryland Avenue now refuses to give any money to people with unpaid utility bills of more than \$800, believing the \$15 or \$20 it could give is better spent on those with smaller bills.

The Maryland Children's Society on West Hamburg Street isn't advertising its emergency food services in Steuart Hill and on West Baltimore Street anymore, said Bill Grimes-Wyatt, its director.

"We get five to 10 calls a day for help with gas and electric bills," Grimes-Wyatt said. "We can help maybe one per month."

"We've been cutting back on main dishes too," he added. "We're giving out more starches, soups and vegetables."

David Tabler, chief of the city's emergency services division, said the ranks of those now seeking assistance contain many newly desperate people, people who never needed or asked for such help before.

"It's no longer only the chronic poor, not even the working poor. We're seeing people who had good, steady jobs who just can't pay their bills anymore. The recently laid-off."

Social workers in the city social services department must work longer to help each client seeking emergency help now, according to Alice Brock, resource coordinator for the department.

Workers get less money from each agency so they must find more agencies to provide the same help. "It's time-consuming and frustrating. There's a lot more burnout" among the workers, she said. In addition, the poor people must travel to each of perhaps four or five agencies, for \$10 or \$15 donations from each to make enough to pay a utility bill that will be overdue again the following month.

Volunteers manning the private agencies are also put under a strain, she said. "How long can you give... It's debilitating."

At the Franciscan Center, Mary Cooney, one of three workers there, said "we were absolutely flabbergasted" at the number of requests for emergency aid in September.

She said the center had \$300 set aside for emergency aid for September. It actually gave out \$930.42, borrowing against the winter months ahead to come up with the money. In September 1981, emergency utility aid amounted to \$76.31, she said.

Now the Franciscans refuse to give toward utility bills in the \$800-and-up range. "They just hold the checks for months until they get enough. We can do more by helping the people who owe less than \$100."

So far, she added, the center is holding its own with the emergency food program, the bulk of the effort.

James Libertini, director of the St. Vincent De Paul Society, said, "Things look pretty bleak this year." He said his group works through individual church poor box collections and with a small central fund he administers.

Some parishes, he said, spend \$200,000 per year on aid to poor families in that parish. The central fund, tapped to supplement parish money when that runs low, now has only \$700 left from what was \$5,000, he said.

In addition, there is a fuel fund to help the poor buy heating oil during the winter and that now is appealing for contributions. In 1977 the fund served 343 people in need. Last winter it was up to 626 cases costing \$32,000. This year is expected to place even heavier demands on the archdiocesan fund.

The Salvation Army also reports much heavier demand this year for emergency services, but a spokesman there pledged to get whatever money is needed so as not to deny anyone in need.

In June, according to Richard O'Brian, the spokesman, 40 families were aided with emergency groceries. In September, 105 people received aid for groceries.

For utility aid, O'Brian said, \$1,750 was given out in September 1981, compared to \$2,450 in September 1982. He said the Salvation Army would never turn anyone away, and will find whatever money is needed elsewhere in the budget, or raise it if necessary.

He added, however, that the Salvation Army strongly encourages people to work out repayment plans with BG&E before a bill mounts to \$800 or more. Many people, he said, don't work out a plan until the amount becomes enormous and then seek emergency help when the utilities are about to be cut off.

Norma Graham, of Catholic Charities, said the maximum cash assistance for people seeking help with utility cutoffs is now \$15, down from \$25. She said 737 cases of people seeking emergency help occurred between July and October this year, compared to 687 between July and December 1981.

The program's outreach program, four workers at four downtown churches in poor neighborhoods, received another 305 appeals for emergency help from July through October this year, compared to 385 between July and December 1981, she said.

Catholic Charities spent \$3,555 on emergency help in September. Graham said the administrative budget has been used to shore up the badly strained emergency aid budget.

At St. Bernadine's Church in the 3800 block of Edmondson Ave., the Rev. Edward Miller said he receives 25 to 30 requests per week for money with which to help pay utility bills.

"Two families came in last week who said they had no electricity since April and owed \$800 to \$900 and haven't paid anything," he shrugged.

He said his church has about \$100 to \$150 per week to spend for emergency help. "The bigger parishes are being hit hard," he said.

"We limit ourselves to those living in Edmondson Village and we can help maybe five to seven families per week at most." He said the church Boy Scout troop built a model oil well on the front lawn and put a sign on it reading, "The well is dry but the people are cold."

That raised \$300 to \$400, he said, as did a penny-per-pin bowling tournament night.

The Rev. Marcus Blackwell said things are similar at St. Edwards Emergency Food in the 900 block of Poplar Grove St. His church is sponsoring its annual 10-mile march for the hungry Nov. 21.

"We can't handle our load," Blackwell said. "We try to get DSS [Department of Social Services] to refer people who live in this area. Otherwise we refer people to other agencies."

Blackwell said four people came in Monday needing food, and one needed help with a utility bill. Last year, he said, the church would get requests from perhaps two or three people per week.

Carol Fields, director of the Bethel AME church in the 4300 block of Druid Hill Ave., said she must limit people to once every other month for emergency food aid instead of the previous limit of once per month. Emergency financial help now is limited to twice a year. "We help as many as we can," and the rest are referred elsewhere, she said.

OLD GLORY

HON. ALBERT GORE, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. GORE. Mr. Speaker, it is with great pride and pleasure that I bring to the attention of my colleagues the unveiling of "Old Glory" today in the National Museum of American History.

Named in 1824 by sea captain William Driver, a long-time resident of Tennessee, "Old Glory" is considered to be one of the most important flags in our Nation's history. For 60 years, this 158-year-old flag has been hidden away in a Smithsonian Institution storeroom because funds were unavailable for its restoration.

But through the tireless efforts of concerned citizens in my district and throughout Tennessee, including members of the American Legion and the Daughters of the American Revolution, nearly \$11,000 were raised to undertake the difficult task of carefully preserving the badly deteriorated flag. With these funds and the promise of more, the Smithsonian was able to do the necessary work, so that the flag can now be admired by all Americans.

The restoration of this historic flag could not have come at a better time to remind us of America's uniqueness and the pride we have in our country. I commend those Tennesseans and Smithsonian officials who have worked to preserve the flag, showing the rest of the country what patriotism coupled with enthusiasm can accomplish.

A SALUTE FOR VIETNAM VETERANS

HON. BOB EDGAR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. EDGAR. Mr. Speaker, during the week of November 8 the city of Washington and the Nation paused to pay a long-overdue tribute to the men and women who served in our Armed Forces during the Vietnam war. A focal point of this tribute was the dedication of the impressive and moving Vietnam veterans memorial on the Mall. That dedication and the events which took place during that week were also the center-piece for the largest gathering of Vietnam veterans since the end of the war. Apart from the ceremonies and parade down Constitution Avenue, the National salute to Vietnam Veterans clearly showed a city and a nation extending an emotional welcome and thanks to many who had not seen but who sincerely deserve our respect.

Many individuals deserve our appreciation for organizing and contribution to this occasion. Foremost among that group are the leadership of the Vietnam Veterans Memorial Fund, Jan Scruggs, Robert Dubek, Jack Wheeler, and their staff. Their insight, patience, and determination in conceptualizing the memorial and the salute have made a memorable contribution to the landscape of this city and the lives of thousands of their fellow veterans.

There are many others who also deserve our thanks. As chairman of the House Veterans' Affairs Subcommittee on Education, Training, and Employment, I believe we can be thankful for the events which took place that one week in November. But we also have a responsibility to maintain a very tangible tribute to the Vietnam veteran and all veterans through programs and services provided by a grateful nation through the Veterans' Administration and other agencies, every week of the year. Part of this responsibility is to work through our committee and the Congress to insure adequate budgets, modern medical facilities, and enlightened readjustment and employment programs for those who have served. At the same time we should also pay tribute to the thousands of men and women who work each day through the Veterans' Administration to provide these services for the veteran.

It was therefore very fitting that employees of the Veterans' Administration played a very important role during the National Salute to Vietnam Veterans last month as well. In particular, I would like to single out the staff of the Vietnam veterans read-

justment counseling program (Operation Outreach).

Enacted in 1979 through Public Law 96-22 the readjustment counseling program provides unique personal counseling and psychological services for Vietnam veterans still experiencing difficulties in readjusting to civilian life. From the beginning of the program, thousands of troubled Vietnam veterans have sought and found assistance provided by a dedicated staff in informal storefront centers in communities across the United States. This highly successful program was extended by the Congress in 1981 for an additional 3 years. As a member of the House Veterans' Affairs Subcommittee on Hospitals and Health Care, I know the program will again be one of our top priorities as we seek to encourage and direct its mission further during the 98th Congress.

Readjustment Counseling personnel brought their very special expertise to Washington during the Salute to provide professional services, personal intervention, counseling, and support for hundreds of veterans and their families. At a time when emotions were high, they established mobile vet centers in hotels, at the Mall, and throughout the city 24 hours a day to help ease the lingering pain of the Vietnam war among the many who came to Washington to pay tribute and remember.

Mr. Speaker, I would like to individually recognize those VA and vet center personnel who contributed so much to assist and honor their fellow veterans during the salute through this very valuable program.

Vet center staff and VA medical center staff providing counseling in Washington, D.C. at the National Salute to Vietnam Veterans, November 10-14, 1982:

Joseph Gelsomino, Regional Coordinator, Southeast Region.

Gary May, Assistant Regional Coordinator, Great Lakes Region.

Shad Meshad, Regional Coordinator, Far West Region.

Jaroslav Melnyk, Assistant Regional Coordinator, Far West Region.

Sara Haley, VAOPC, Boston, Mass.

Husher Harris, Regional Coordinator, Mid-Atlantic Region.

Thomas Harris, Acting Team Leader, Indianapolis Vet Center.

Arto Woods, Counselor, Pittsburgh, Pa., Vet Center.

Jack McCloskey, Team Leader, San Francisco, Calif., Vet Center.

Harold Bryant, Counselor, Tucson, Ariz., Vet Center.

Thomas Scarano, Team Leader, Denver, Colo., Vet Center.

Stephen Frye, Team Leader, Charlotte, N.C., Vet Center.

Robert Cameau, Counselor, Portland, Maine, Vet Center.

Wayne Smith, Counselor, Providence, R.I., Vet Center.

Thomas McGreevy, Team Leader, Manchester, N.H., Vet Center.

James Lenz, Counselor, White River Junction, Vt., Vet Center.

Ronald Armstead, Counselor, White River Junction, Vt., Vet Center.

Tom Mirtaugh, Team Leader, Elkton, Md., Vet Center.

Thomas Rascon, Counselor, Huntington, W. Va., Vet Center.

Dwight Edwards, Counselor, Philadelphia, Pa., Vet Center.

John Stuart, Team Leader, Baltimore Vet Center.

Don Saunders, Counselor, Washington, D.C., Vet Center.

Forest Farley, Counselor, Tampa, Fla., Vet Center.

Fred McLaughlin, Counselor, Tampa Vet Center.

Craig Burnette, Team Leader, Knoxville, Tenn., Vet Center.

Ronald Coffin, Counselor, Knoxville, Tenn., Vet Center.

Reggie Lawrence, Counselor, Jacksonville, Fla., Vet Center, Jacksonville, Fla.

John Townsley, Team Leader, Jacksonville, Fla., Vet Center.

Robert White, Counselor, Ft. Lauderdale, Fla., Vet Center.

William Brewie, Counselor, Vet Center, Memphis, Tenn., Vet Center.

George Knight, Counselor, St Louis Mo., Vet Center.

Farry Waginer, Counselor, Indianapolis, Ind., Vet Center.

Chet McClead, Acting Team Leader, Oak Park, Ill., Vet Center.

Stephen Tice, Team Leader, Billings, Mont., Vet Center.

Manuel Casanova, Counselor, Laredo, Texas, Vet Center.

Larry Reid, Counselor, Colorado Springs Vet Center.

Donald Receveur, Counselor, Denver, Colo., Vet Center.

Joseph Kerwin, Team Leader, El Paso, Tex., Vet Center.

Bruce Pentland, Wadsworth VAMC, Brentwood Division.

Dr. Arthur Blank, Director, Readjustment Counseling Services.

Ray Scurfield, Assistant Director for Counseling Services.

Dr. John O. Lipkin, Associate Director for Psychiatry.

Robert Frank, Staff Assistant to the Director, Readjustment Counseling Services.

Larry Turner, Social Work Services. ●

THE NUCLEAR FREEZE

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. HAMILTON. Mr. Speaker, I would like to insert my Foreign Affairs Newsletter for November 1982 into the CONGRESSIONAL RECORD:

THE NUCLEAR FREEZE

Although Americans have consistently wanted a strong national defense, they have also shown their support for arms control. This support was manifested in the recent election when, despite the opposition of President Reagan, eight of nine states and dozens of communities voted in favor of a freeze in the nuclear arsenals of the United States and the Soviet Union. It is the job of the federal government to translate these two desires into a balanced policy of national defense.

The present administration came into office with the intention of ranking arms buildup first and arms control second. It declared SALT II to be fatally flawed because of the alleged concession of strategic advantage to the Soviet Union. It waited until November of 1981 before formulating American proposals for arms control in Europe, and another six months before formulating proposals to control strategic arms. It suspended negotiations toward a comprehensive test ban treaty. At the same time, it moved ahead with the largest peacetime defense buildup in our history—\$1.6 trillion over five years—as it talked openly about nuclear “demonstration shots”, “limited” nuclear war, and “prevailing” in a nuclear exchange with Soviet forces.

The ranking of arms buildup over arms control, together with the tough rhetoric used by some American officials, encouraged the growth of a nuclear freeze movement. The perception now exists among many Americans that the arms race is out of control, that the people and their elected representatives do not control decisions about arms research, procurement, and deployment. They are aware that arms control talks are not making progress and that, even if the Soviet Union were to agree to both American proposals, the United States would be free to continue production of every nuclear weapons system in the budget.

The proposal for a freeze debated in the House of Representatives called for a halt to the testing, production, and deployment of nuclear weapons as an immediate objective. The idea has proven so appealing that the Administration has begun to use the term “freeze” for its own purposes. The proposal President Reagan supported differed from the original in that no mention was made either of freezing testing or production or of preserving present limits and controls. The important difference was in emphasis: The original proposal stressed the urgency of stopping the arms race; the administration's alternative allowed room for a buildup before reductions.

The original proposal should be supported both for what it is and for what it is not. It is not a proposal to disarm unilaterally. The freeze will be mutual if it happens at all. It is not a proposal to trust Moscow to keep its side of the agreement. If the freeze is ever negotiated, it will be verifiable to our satisfaction. It is not a proposal setting forth a detailed negotiating position. It does not say when the freeze should take effect, or at what levels nuclear arsenals should be frozen. It gives flexibility to the negotiators to determine such things.

The positive merits of the proposal are that it would control the arms race and facilitate arms reductions. Reductions cannot happen until an agreed limit has been put in place. This is what a freeze is—an agreed limit.

Second, the proposal reflects the reality that the two superpowers are in a position of rough strategic parity. The Soviets are ahead in land-based missiles and in "throw-weight" (which sets the number of warheads that can be put on each missile). But the United States is ahead in the number of warheads on missiles and bombers together. With respect to submarines, it is ahead in the ability to escape detection, in the accuracy and reliability of missiles, and in anti-submarine warfare capability. The United States is also ahead in the number of bombers and in cruise missile technology. In terms of the tendency of the balance, however, there is cause for alarm. The Soviets' buildup has a relentless consistency, which they can enforce because they do not have to worry very much about public opinion. It is a good time for a negotiated halt.

The situation in Europe is a special case. The balance between American and Soviet forces is heavily against us. The balance between NATO and the Warsaw Pact is also against us, but not by a very big margin. The proposal debated in the House of Representatives contained a provision stating a common position with our NATO allies as an objective. This means that we will not agree to a force weaker than the regional balance requires.

Third, the proposal engages the public. It is a comprehensible statement in an extremely obscure field. It is certainly true that the issue of arms control is enormously complex, but this fact has tended to breed a calique of experts—a nuclear "priesthood", in effect—who have left the general public out of the discussion. This can be harmful. One of the reasons we build nuclear weapons systems in the first place is to oppose a political regime which would stifle the public. The nuclear freeze movement is composed of many different people with many different views, some of them dangerous. But it has seen the central truth that the arms race is out of control.

Finally, if the freeze is negotiated successfully, a huge amount of energy, money, time and natural resources will be released for more constructive purposes. At a time when our nation faces great domestic hardship, it is important that we use our wealth to strengthen the economy and generate jobs as well as to protect ourselves against foreign threats.

I am aware of problems with the proposal. It may be difficult, for example, to detect Soviet cheating in the production of nuclear materials, but without verification, the freeze on production would no longer be feasible step. On the other hand, a special strength of the freeze is its flexibility. It may be simpler to freeze the number of warheads deployed on both sides, requiring that any warheads added be matched by warheads withdrawn.●

JOHN J. BUSICK

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. LONG of Maryland. Mr. Speaker, on November 11, our Nation celebrated Veterans Day in recognition of the millions of men and women who have served in our Armed Forces to insure the freedom that we enjoy today.

However, I wish to take a moment today to recognize the contributions of one of my constituents, Mr. John J. Busick, a veteran of World War I.

At the age of 25, John J. Busick enlisted in the Army during World War I and fought with American forces in France and Germany. During a battle in Belgium, Private Busick was injured by poison gas. Despite his incapacity, Private Busick continued to fight. In April 1919, he received an honorable discharge and returned to private life in Baltimore.

Mr. Busick is now 90 years old and has participated in Veterans Day celebration ceremonies since his days as a private in World War I.

Mr. Busick represents the millions of men and women who have unselfishly served our Nation. I know that my colleagues in the House join me in praising this fine American.●

NORWAY TO DEFY WHALING BAN ON COLD HARPOON

HON. DON BONKER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. BONKER. Mr. Speaker, after several years of heated debate on the question of humane killing of whales, the International Whaling Commission (IWC) finally agreed by consensus to outlaw the use of the cold—nonexplosive—harpoon. However, Norway and four other whaling countries have used a loophole in the 1946 Whaling Convention to exempt themselves from compliance with the ban. In flagrant violation of the letter and spirit of the 1946 Convention, Norway has indicated it will use the cold harpoon to kill its quota of nearly 1,700 minke whales in the coming year.

I wish to submit for the record a letter from the Norwegian Ministry of Agriculture to the Ministry of Fisheries which concludes that: "...whaling with the nonexplosive harpoon can hardly be said to satisfy the requirements for humane killing..." It is my hope that the Norwegian Government will reconsider its decision, and comply with the IWC's ban on the use of the cold harpoon.

NORWEGIAN DEPARTMENT OF AGRICULTURE, DEPARTMENT OF FISHERIES, P.O. Box 8118,
Oslo, Dep., October 6, 1981.

KILLING OF WHALES—THE ANIMAL PROTECTION LEGISLATION

In the legislation of June 16, 1939, concerning whaling and in the guidelines for small whaling and whaling for the killer whale, the Department of Fisheries was formally given responsibility for whaling and the regulation of whaling.

The legislation of December 20, 1974, No. 73, concerning animal protection contains no specific regulations on whaling. But the legislation dealing with killing clearly requires that the chase and the whaling must

be performed in such a manner that the animal "is not subject to unnecessary suffering." Guidelines on whaling must be consistent with the requirements set forth in the Animal Protection Legislation. In this context, we wish to remind you of the cooperation which has been earlier established with the Department of Fisheries with regard to seals.

Doubts have been raised as to whether the use of the non-explosive harpoon in small whaling satisfies the requirements for humane killing. In considering this question, the Department of Agriculture must rely on the reports from controllers who have participated aboard whaling vessels. These reports seem to conclude that when the non-explosive harpoon hits vital organs such as the heart, lungs and main arteries (mortal wounds), death occurs quickly. However, such mortal wounds only rarely occur—perhaps, in only 20 percent of the cases. Most hits go through the whale without causing death. In such cases, the whale while being winched towards the vessel will undertake a death fight which can vary in time. Under difficult circumstances, it may last up to one hour. All our experience on the killing of animals indicates that this death battle is very painful. In view thereof, whaling with the non-explosive harpoon can hardly be said to satisfy the requirements for humane killing as prescribed in the Animal Protection Legislation.

It is the opinion of the Department of Agriculture that active efforts must be made to find alternative methods of killing to replace the non-explosive harpoon. Since the use of anesthesia has been mentioned in this context, we would like to draw your attention to the fact that the use of drugs as such would disqualify the meat for purposes of consumption. Based upon what we know today of the available methods of whaling, the explosive harpoon appears to be the method which ensures more humane killing.

Continued use of the non-explosive harpoon in whaling for small whales should, in the opinion of the Department of Agriculture, require a restructuring of the practice of granting concessions in certain areas.

REIDAR VOLLAN.

JORGEN ARNESSEN.●

GEORGE KISTIAKOWSKY

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. FRANK. Mr. Speaker, America suffered a grave loss this week with the death of George Kistiakowsky. He made enormous contributions to our lives. George Kistiakowsky is in the great tradition of immigrants who have enriched our country. From his important work on the development of the atomic bomb, undertaken because of his detestation of nazism; through his pioneering service as Science Adviser to President Eisenhower, through his eloquent and thoughtful work on behalf of arms control, George Kistiakowsky was a mode of informed and forceful leadership in a democracy.

Most recently, as Chairman of the Council for a Livable World, he spoke and worked against the dangerous and expensive arms buildup on which we are now engaged. Drawing on his own extraordinary experience with nuclear weapons, he tried as hard as any human being could to stop the excessive arms race in which we now find ourselves.

Personally, he was a man of good humor, who never let his importance get in the way of his humanity. All of us who knew him will feel his loss deeply; so will the whole country.

This editorial in the Boston Globe gives a sense of his impact and I ask that it be printed here.

GEORGE KISTIAKOWSKY

A man is best measured not in deeds done, words spoken and honors garnered at the pinnacle of his career, but later when the full sweep of his life can be seen.

George Kistiakowsky, who died Tuesday at the age of 82, can be so measured. He was born in Kiev, Russia in 1900, the son and grandson of professors, and he became one too. He taught chemistry to Harvard students for 41 years. In the epigrammatic elegance with which it bestows honorary degrees, Harvard honored him, saying: "Swift and explosive force, your imaginative talents have both widened our knowledge of chemical structures and enriched the life of this university."

Kistiakowsky, indeed, made things explode. He began as a teenager in his parents' apartment, trying to concoct nitroglycerine. He continued as a tankman in the White Russian Army where, he later recalled, he spent most of his time "running away from the Bolsheviks and changing generals." Later in the Harvard chemistry lab he punctuated a celebrated annual lecture by blowing things up "to show the students that's what they shouldn't do."

His greatest explosion caught him off guard. That was Trinity, the codename for the device exploded on a tower in the New Mexico desert in July 1945, the dawn of the nuclear age. As head of the Los Alamos laboratory of the Manhattan project, Kistiakowsky had built the Trinity bomb's trigger.

Expecting a smaller blast than 20,000 tons of TNT, Kistiakowsky was knocked into a trench. He said to a reporter: "I am sure that at the end of the world—in the last millisecond of the Earth's existence—the last human will see what we have seen."

Kistiakowsky's awards and peak of influence came later. He was appointed science adviser to President Dwight Eisenhower during the Cold War, when the US and Soviet nuclear arsenals surged to incredible destructive capacities. For his service during that period he was showered with awards.

Through it all, he was changing, growing. "At first I felt I was working in the national interest," he later said. "After working so long on weapons, I came to the conclusion that the time had come to control them."

Eisenhower, with Kistiakowsky behind him, vastly expanded US nuclear weaponry, but at the same time ignited the counter-current of arms control. Ike's famous farewell address warned not only of the menace of a "military-industrial complex" but of a related concern he had often discussed with his science adviser, "the danger that public policy could become the captive of a scientific and technological elite." The respect in

which Eisenhower is held today stems largely from that speech.

Kistiakowsky served as an adviser to the Pentagon until 1968. By then he was deeply disturbed at the trends he perceived. "I went into war work in 1940," he told an interviewer last year, "because I was violently against Nazism. After World War II I was foolish enough to swallow hook, line and sinker the intense Washington propaganda that the Soviet Union was ready to conquer the world."

Later, he said, "I began to realize that the policy was being formed in a way that was really questionable. It was being formed by people who didn't know the facts and didn't have time to learn them."

Kistiakowsky referred to the current buildup of Pentagon spending as "this militarization of the country." He believed it was a delayed reaction to the loss of the Vietnam war, and he cited an historical pattern he'd seen before: "It happened in France, Czarist Russia, Germany."

In the twilight of his life, Kistiakowsky headed the Council for a Livable World. Though wracked with cancer, he had a new perception of what was needed to curb the arms race, which he expressed in an editorial in the current issue of the Bulletin of Atomic Scientists:

"As one who has tried to change these trends, working both through official channels and for the last dozen years from the outside. I tell you as my parting words: Forget the channels. There simply is not enough time until the world explodes. Concentrate instead on organizing, with so many others who are of like mind, a mass movement for peace such as there has not been before. . . . Then lead the movement so that, instead of the few now in Washington, many will be elected to Congress who have a true and unbreakable commitment to search for peace."

Kisty, as friends called him, stood six-foot-three when he was younger. Against the back-drop of his life and times he's taller still. ●

DON H. CLAUSEN

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1982

● Mr. ZABLOCKI. Mr. Speaker, it is a privilege to join my colleagues in honoring the senior Republican member of the California delegation (Mr. CLAUSEN) on the eve of his retirement from this body.

DON CLAUSEN has long established himself as a "long-ball hitter" on the Republican softball team, and that is a good way to describe his legislative record. He has served as a senior minority member of two major committees, Transportation and Public Works and Interior and Insular Affairs, and in the process has found scope for his many interests and legislative activities. These include aviation and aerospace—he is currently president of the Congressional Flying Club—conservation and highway construction. In this last field, I was interested to note that the gentleman served as a congressional adviser to the Pan-American High-

way Congresses of 1967 and 1971, in Uruguay and Ecuador.

Above all, however, DON CLAUSEN will be remembered as a man of intelligence, integrity, practical good sense, and reasonableness, who is dedicated to the best interests, not only of the constituents he has served so long and so ably, but also of the Nation. We will miss these qualities, as well as a very congenial colleague, in the years ahead. I am pleased to be associated with his many colleagues and friends in wishing him and his family my warmest best wishes for a successful and rewarding retirement. ●

THE FAILURE OF THE GUERRILLAS IN EL SALVADOR

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. LAGOMARSINO. Mr. Speaker, one of the peculiarities of the civil war in El Salvador is the failure of guerrilla forces either to gain wide acceptance among the people or to gain appreciable military strength. This failure is peculiar since rarely has any country's history made it more ripe for revolution. While the Government has been making slow and sometimes painful progress in human rights and has been gradually gaining the respect of its people, the guerrilla forces have been stagnant. Some 2 or 3 years ago guerrillas were operating fairly openly in the uninhabited, northernmost provinces of El Salvador and they do the same today in just about the same strength; 2 or 3 years ago in other areas of the country guerrilla tactics included burning buses, exploding bombs in public places, and attempting to destroy the economic infrastructure of the country. These remain the guerrilla tactics at just about the same intensity today and are just as surprising now as they were then. How one wins over people by destroying their daily transport, intimidating them with bombings, and leaving them in the dark—literally—escapes most observers.

It goes without saying that the Government of El Salvador has attracted fierce criticism from a variety of quarters over the past 2 or 3 years. Even the most hostile critics, however, have rather warily avoided extolling the virtues of the guerrilla opposition and for good reason. It was during the Carter administration that a senior U.S. official in El Salvador said that if the Sandinista movement in Nicaragua were equated to the Vietcong, the guerrilla forces in El Salvador would be the equivalent of the Pol Pot regime in Cambodia.

A recent event reported in the December 7 edition of the Washington

Post illustrates vividly, I submit, the increasing desperation of the terrorists. Guerrillas interrupted a soccer game in a small town near San Salvador and kidnaped more than 200 men, women, and children at gunpoint in an effort to recruit some of them for the guerrilla ranks. When a force must kidnap potential enlistees, it is safe to say that it is failing rather substantially in its efforts to win the hearts and the minds of the people of its country.

I should like to have this article included with my remarks.

The article follows:

[From the Washington Post, Dec. 7, 1982]
SALVADORAN GUERRILLAS SAID TO SEIZE 200—
REBELS APPARENTLY SOUGHT RECRUITS

SAN SALVADOR, December 6.—Leftist guerrillas interrupted a soccer game in nearby San Sebastian yesterday and kidnaped more than 200 men, women and children at gunpoint in an apparent attempt to press them into the rebel ranks, residents of the town said today.

About 120 parents and relatives of the abducted people visited the El Salvador Human Rights Commission and the International Red Cross offices here, asking the two organizations to intercede with the guerrilla forces to get the people freed.

San Sebastian, a town of 4,000 people, is 30 miles east of San Salvador. Many of the residents are refugees who fled fighting in other parts of the country.

Mayor Jose Ramon Henriquez, who accompanied the relatives, said one guerrilla group attacked a local Army garrison yesterday afternoon. He said another 30 rebels hijacked a bus north of the town and rode to the soccer field, firing automatic weapons.

[United Press International quoted witnesses as saying the guerrillas forced their prisoners to march through the night to a guerrilla camp. Mimsael Ayala, who said he escaped from the guerrillas, said a rebel commander tried to calm the captives, saying, "You're only going to work not to fight."

[Wilfredo Losano, 20 said he escaped from the rebels in the midst of a rain storm that began to fall while the group was walking toward the guerrillas' mountain camp.]

Maria Hilda Barahona de Estupinian, a schoolteacher and one of the group, quoted the rebels as saying they needed the youths "to reinforce their ranks because they have had many casualties." She said her son was among those taken by the rebels.

"I don't think they want to torture or kill them. It's clearly a recruitment drive," she said.

One civil guardsman was killed in the attack on the garrison, Mayor Henriquez said. The garrison included an Army detachment, a 30-man National Guard force and another 30-man Civil Defense squad. The Civil Defense corps consists of retired officers and young men who have completed their military service, and was created by the Defense Ministry to help the Army fight the rebels.

The guerrillas at the soccer field forced players, spectators and even cigarette and candy vendors to line up on the soccer field and marched a total of 200 people at gunpoint in single file into the nearby San Pedro hills northeast of the town, where the guerrillas have a heavily fortified camp, the townspeople said.

About half a dozen kidnaped youths managed to slip away at nightfall as the guerril-

las were reaching Amatitan Arriba, a village five miles northeast of San Sebastian, where the guerrillas have a camp, Henriquez said.

Henriquez quoted the youths as saying the guerrillas had organized the captured into three age groups—under 15, between 15 and 22, and older than 22.

A Civil Defense commander in San Sebastian, who asked anonymity for security reasons, said about 140 youths were kidnaped.

This was the first mass kidnaping by the guerrillas reported in their three-year fight for power. Usually they abduct individuals, executing them for "antirevolutionary activities" or holding them for ransom.●

FILORELLA H. LA GUARDIA

HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1982

● Mr. SOLARZ. Mr. Speaker, I rise in honor of the 100th birthday of a great Italian-American, Fiorello H. LaGuardia. One of the great politicians of his, or any generation, and certainly one of the greater leaders of this Nation, Fiorello H. LaGuardia was a Member of this House and a three-term mayor of New York City. He was an outspoken opponent of prohibition and a leading supporter of old age pensions, unemployment insurance, and strict Federal control of water power and other natural resources.

LaGuardia's accomplishments were many, but all of us from New York clearly recognize the significance of his ability to balance the city budget. He was a crusader who eliminated considerable graft and corruption that had existed in the awarding of New York City contracts. He was a master builder who constructed new schools, libraries, and much needed bridges and public facilities like the airport in Queens which bears his name. Even today we cannot forget the role that LaGuardia played in city beautification efforts, and in making New York and attractive place to live and work.

Today we salute the memory of Fiorello and all that he has done for New York City, for New York State, and for the Nation.●

AMBASSADOR BOB STRAUSS ON
THE MERCANTILIST THREAT
TO WORLD TRADE

HON. JACK KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. KEMP. Mr. Speaker, as we are seeing in the debate over local content legislation, one of the most disturbing economic developments today is the growing trend toward protectionism. Protectionism always destroys more jobs than it saves. Nothing would be more certain to turn the worldwide re-

cession into a worldwide depression than a round of beggar-thy-neighbor trade barriers in the midst of our economic weakness. Congress must, at the very least, refrain from making the situation worse by initiating new trade barriers.

At the same time, we can work to improve the situation, by seeking further multilateral liberalization of trade. Moreover, as we saw in the 1920's and 1930's, international trade barriers almost always result from, or are accompanied by, a derangement of national currencies and the international monetary system, such as we have seen since the breakdown of the Bretton Woods system in 1971. What appears to be "dumping" or predatory competition is sometimes nothing but the result of fluctuating currency values, which create windfall gains and losses in world trade. So I welcome the initiative of Treasury Secretary Donald Regan in calling for an international monetary conference to seek greater stability in the international monetary system.

I am gratified to see that there are Members in both parties who still understand the crucial importance of a liberal international trading order to the American national interest. Bob Strauss and I have found ourselves on opposite sides of the political fence on issues, but I have long admired him for his leadership and his position on international trade, and the great contributions he made as our U.S. Special Trade Representative.

Bob Strauss recently outlined the vital importance of the trade issue in an article published in the Wall Street Journal. I urge my colleagues to read this excellent article.

The article follows:

[From the Wall Street Journal, Wednesday, Nov. 24, 1982]

THE MERCANTILIST THREAT TO WORLD
TRADE

(By Robert Strauss)

The meeting today of the General Agreement on Tariffs and Trade (GATT) has occasioned a torrent of articles and speeches on the problems plaguing our international trading system. We have heard from the president, as well as congressional and other leaders from both parties. Unhappily, all have tended to divorce our trade problems from our domestic economic and political problems. Trade is a political problem.

The spreading resort to protectionism is the direct result of the inability of Western governments and their leaders to deal in concert with deteriorating world-wide economies. Far too few understand that the luxury of correcting domestic economic ills in a vacuum from trading partners is no longer available. No matter what domestic efforts are adopted to stimulate our economy, if other nations continue austerity policies, we can only marginally improve economic performance and unemployment will remain unacceptably high. We cannot prosper with Europe in recession and a depression in the developing world.

We can no longer call world trade a rising tide lifting all boats, as President Kennedy described it 20 years ago. The postwar growth of trade has stopped in the face of a massive recession among industrialized countries and what might best be termed mini-depressions among the developing nations.

FOCUS OF DEBATE IS CHANGING

Since the 1950s a mutually beneficial relationship has prevailed between economic growth and trade. Increased economic growth stimulates even faster growth of trade, which stimulates more economic expansion in an upward spiral of prosperity. There is a grave risk that the world economy might be beginning not just a temporary downward trend, but a new and dangerous long-term downward spiral. It is in this climate that the debate between protectionism and free trade is reaching a climax.

While talk of the reality and promise of "free and open trade" is still heard at cocktail parties on the East Side of Manhattan and in Washington, D.C., or under the arches of academe, men wearing work shirts and drinking beer in a neighborhood bar in Gary, Ind., have a different view of that reality.

To them it's lost jobs, misery and suffering caused by imports. They say they can compete with foreign workers and companies successfully, but "we can't compete with their governments."

Reconciling these two perspectives is the central task of trade policy and political leadership.

To the growing ranks of disillusioned workers are now added pragmatic and responsible voices that have long advocated liberalized trading rules. They now believe that the fundamental premises of liberal trade policy no longer prevail. Maybe we should call them "neo-protectionists." They say that no one else is playing by the rules, so why should we?

Increasingly it is governments, not market forces, that are determining the direction and content of trade flows. American workers and farmers now compete with 20th century mercantile states—nations where governments have formed alliances with corporations, farmers and workers not to maximize profits, but to maximize exports.

The American farmer is not competing with the European farmer, but with \$7 billion of agricultural subsidies of the European Economic Community. The American aerospace worker is not competing with the European aerospace worker, but with France's policy of export credit financing. And American computer technicians are not competing with their Japanese counterparts, but with the predatory pricing policies of the Japanese computer industry working with the Japanese government in targeting high-tech advancement.

Obviously, real economic recovery in America and in other nations would go far to relieve protectionist pressures. And it would provide the resources to permit the long-term and painful structural adjustments that need to be made. But what do we do in the meantime?

This is not the place to unveil a comprehensive trade policy. However, in addition to the change in perspective on trade issues, we should consider among other things the following steps:

We clearly need temporary relief in certain sectors, such as steel and automobiles. However, we can't let poor planning, bad management and nostalgia for the past unduly penalize consumers. Thus, a line

needs to be drawn between protecting a limited number of critical sectors of our economy and not permitting stronger, more competitive sectors the indulgence of additional protection. However, such stronger sectors are entitled to more effective and more aggressive application of international trade rules already in place to deal swiftly with dumping and other unfair trade practices. We simply cannot let predatory practices destroy sectors of the U.S. economy where we are clearly competitive and efficient.

We must aggressively pursue negotiations on trade in services that are not now covered by the GATT.

The world trade system we have created relies on the ability of Europe, Japan and the U.S. in concert with the developing world, to work out their problems together. This can be done only in ways that will satisfy no one of them completely, but that make sense to all of them as a compromise. If the GATT ministerial meeting does not produce constructive results, such as a freeze on new trade barriers and a solid work program with a short time fuse, the president should call for a summit meeting, and insist that it be for work, not show. This summit proposal must grapple with Western economic growth and the related problem of trade.

Finally, President Reagan should immediately call together a bipartisan group of political, agricultural, business and labor leaders to set a trade agenda before it becomes too controversial a political issue for anyone to address responsibly. This would be an important first step in defusing pressure for unwise legislative action.

THE STAKES ARE BIG

There is more at stake here than economic stability and prosperity. The survival of freedom and the maintenance of peace are inextricably linked to the economic welfare of all nations. It is no longer possible or appropriate to separate the mechanisms we have created for economic cooperation from those that we have devised to provide for collective security. A NATO alliance among nations waging economic war instead of competing fairly will be virtually worthless.

The task of our political leadership is to understand the gravity of the situation and to begin to shape a trade policy that makes sense for the world of the 1980s and in which the American people can believe. These two goals are not irreconcilable if our leaders from both parties are pragmatic and courageous.●

LEE HANEY: HARD WORK AND SUCCESS

HON. CARROLL A. CAMPBELL, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. CAMPBELL. Mr. Speaker, I am pleased to pay tribute to Mr. Lee Haney, the 1982 Mr. World Bodybuilding Champion. A native of Spartanburg, S.C., Lee Haney has captured some of the most prestigious titles in the bodybuilding profession over the past year.

On October 2, Lee Haney won the heavyweight and overall titles to become the 1982 Mr. America Bodybuilding Champion. Several days later, on October 9, he competed in Brussels,

Belgium and captured the world bodybuilding title before a large crowd of spectators. Lee Haney won the world championship by defeating representatives from more than 50 nations, who had captured their countries' title to participate for the world championship.

Lee began winning bodybuilding titles in 1978 when he picked up the Mr. South and Mr. Palmetto amateur titles. Since then, he has won numerous awards, including the Mr. Atlantic USA title last February and the Mr. Junior America championship in June.

The drive and determination that Lee possesses is unmatched. He is a model for many young men who desire to follow in his footsteps. Moreover, Lee Haney is still seeking his ultimate goal of winning the Mr. Olympia title. This is the world's biggest professional bodybuilding event and the competition is intense. I am sure that Lee Haney will attain his goal because his desire, motivation, and grueling hard work are even more intense.

Lee has made his family, the citizens of Spartanburg, and all South Carolinians proud, and I am sure that he will continue to do so in the future.●

MARK IMMEL, EAGLE SCOUT

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. LONG of Maryland. Mr. Speaker, on Sunday, December 12, Mr. Mark Immel, a member of Boy Scout Troop 409, will be awarded the rank of Eagle Scout at a court of honor to be held at St. Peter's Evangelical Lutheran Church.

Mark, an 18-year-old senior at Patapsco Senior High School, has been a member of Scout Troop 409 for the past 6 years. His leadership and community service have earned Mark the Order of the Arrow, and he is widely known as a young man his friends and family can count on to get the job done.

Mark will enter the U.S. Air Force following his graduation from high school.

Mark's parents are Mr. and Mrs. Charles Immel of Dundalk.

I am sure that my colleagues join me in commending Mark on his fine achievements.●

ANTICONSUMER LEGISLATION COMES BEFORE THE HOUSE

HON. DAN COATS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1982

● Mr. COATS. Mr. Speaker, tomorrow the House is scheduled to consider the H.R. 5133, the Fair Practices in Automotive Products Act of 1982, one of the most blatantly anticonsumer bills to come before the Congress. I am submitting for the benefit of my colleagues letters from Donald Regan, Secretary of the Treasury, and John Block, Secretary of Agriculture, in opposition to this legislation.

If enacted, this bill will shield our automobile manufacturers from competitive forces, hurting rather than aiding, their recovery. Moreover, other industries will suffer. Agricultural exports will be subject to retaliatory action by our trading partners under the terms of the General Agreement on Tariffs and Trade. In the end, U.S. consumers will be the victims of this so-called jobs bill which is really anti-jobs.

I urge my colleagues to examine the long-term ramifications of this type of special interest protectionist legislation.

THE SECRETARY OF THE TREASURY,

Washington, D.C., December 8, 1982.

DEAR MEMBER: I am writing to stress the Administration's continued strong opposition to local content legislation.

Local content legislation is the most troublesome trade legislation to be introduced in the last quarter century. Its basic principles are unacceptable. A local content requirement creates a select group of suppliers and workers that are protected against import competition. A free people cannot and should not accept such government-imposed restraints on their freedom of choice. The individual consumer should ultimately determine the availability and price of goods.

Local content legislation would have profound negative implications for the U.S. economy. It imposes a hidden inflationary

tax transfer from those who purchase automobiles to those protected by the local content requirement. It poses a real threat to U.S. exporters, who are forced to accept a decline in export sales either through potential retaliation or reduced foreign income available to spend on U.S. products. U.S. auto manufacturers will be hurt as their efforts to become more competitive both at home and abroad are hampered by the requirement to use local inputs, no matter how uncompetitive or more expensive.

While I share the widespread concern about high unemployment in the automobile sector and in the economy generally, this legislation is not the way to respond to those problems. Local content legislation is a giant step backward from the goal of healthy U.S. industries, competitive worldwide, which are crucial to U.S. economic well-being. I strongly urge your support in opposing this legislation.

Sincerely,

DONALD T. REGAN.

DEPARTMENT OF AGRICULTURE

OFFICE OF THE SECRETARY,

Washington D.C., December 8, 1982.

In anticipation of consideration of H.R. 5133, as amended, by the House of Representatives, we would like to reaffirm the Department's opposition to this legislation. H.R. 5133, as amended, would establish local content requirements for motor vehicles sold in the United States. As was stated by Deputy Under Secretary Alan Tracy in testimony before the House Ways and Means Trade Subcommittee on September 21, passage of this legislation may have severe consequences for American agriculture. We export two out of every five acres of crops grown and nearly a fourth of farm cash receipts are from export sales. This legislation would endanger these sales.

The limitation of imports required by this legislation would be in direct violation of U.S. obligations under the General Agreement on Tariffs and Trade (GATT) and could result in swift retaliation against United States exports of comparable value. Retaliation could be expected particularly from the European Community and Japan, which together bought \$18 billion of United States agricultural exports in 1981, over 42 percent of our total export of agricultural products in that year.

The European Community has for nearly 20 years been seeking an opportunity to

overturn its commitments in GATT to import oilseeds, oilcake, and nongrain feed ingredients such as corn gluten meal, free of import duties and restrictions. In 1981, the European Community's imports of these products alone from the United States totalled approximately \$4.5 billion.

The United States exports over half of its soybeans and soybean products, and the European Community alone purchases nearly half of these exports.

The Congress recently recognized the danger of action by the European Community to limit U.S. exports of corn gluten meal by passing resolutions calling for U.S. retaliation against any such action by the European Community. Japan is the largest single country market for United States agricultural exports. Japanese purchases from us in 1981 totalled \$6.6 billion. Grains, oilseeds and products accounted for nearly two-thirds of the total. Japan buys one-sixth of U.S. exports of soybeans, and only as recently as 1979 agreed to bind its zero import duty on soybeans and soybean meal. The United States exports nearly two-thirds of its production of wheat, and Japan is the largest market after the USSR and China. That is, Japan is our most important reliable customer for wheat. Competition in the international wheat market is keen. Japan could obtain supplies as well from Canada, Australia, and other sources.

In the last few years the United States has put great pressure on Japan to open its import markets, especially for agricultural products, for which Japan maintains a number of import quotas which we believe are in violation of Japan's GATT obligations. Japan has agreed to some expansion of quotas for citrus fruit, and other products. These efforts would be effectively reversed by action against Japanese automobiles.

We believe this legislation will benefit neither the U.S. auto industry nor the national economy, but will be most detrimental to the trade sector. With farmers in their third year of severely depressed prices and income, we must not jeopardize our current agricultural export trade. We must not take actions that lessen the pressure on important trading partners to change trade policies affecting the entire international agricultural trading system. I urge your opposition to this legislation.

Sincerely,

JOHN R. BLOCK, Secretary.●