

## EXTENSIONS OF REMARKS

## HELSINKI ANNIVERSARY

## HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 1, 1983

● Mr. GREEN. Mr. Speaker, today, August 1, 1983, is the eighth anniversary of the signing of the Helsinki Agreement on Security and Cooperation. It is not an anniversary to be celebrated but rather one to be lamented. For while the Helsinki Agreement was hailed as a milestone for human rights, the actual state of human rights in the Soviet Union today is at a new low.

While the Helsinki Agreement said of freedom of religion that " \* \* \* the participating states will recognize and respect the freedom of the individual to profess and practice, alone or in community with others, religion or belief acting in accordance with the dictates of his own conscience," we know this is not the case in the Soviet Union today. Religious studies are not allowed, anti-Semitism in the guise of anti-Zionism is officially sanctioned, and Jews are victimized in jobs, schools, and social arena.

Furthermore, all signatories to the accord agreed to implement the "Universal Declaration of Human Rights," which states that "everyone has the right to leave any country including his own and to return to his country." I will not insult the intelligence of my colleagues by stating the obvious. It is enough to say that in the first 6 months of this year only 637 Soviet Jews were allowed to emigrate to Israel.

I have taken the opportunity of this eighth anniversary to write to Soviet President Yuriy Andropov on behalf of my adopted refusenik, Semyon Gluzman, and his family. Mr. Gluzman's "crime," for which he served 7 years of hard labor and 3 years in exile, was that as a respected Soviet psychiatrist, he would not cooperate with the KGB in branding Ukrainian dissidents as psychotics. Further, Dr. Gluzman continued to point out the fact that he is Jewish, evidently a crime in the Soviet Union. While released from internal exile in May 1982, Gluzman still lives in a catch-22 existence in Kiev, where he is not allowed to work as a psychiatrist and not allowed to emigrate.

I would like to encourage my colleagues to join me in pleading Dr. Gluzman's case by cosponsoring House Joint Resolution 291, which I have in-

troduced on his behalf, and to send their own letters to Soviet officials responsible for the continuation of such conditions in violation of international law.

As Avital Shcharansky, wife of imprisoned Soviet activist Anatoly Shcharansky, so eloquently pointed out in a Washington Post op-ed piece yesterday, the Soviet Union must be held accountable to the Helsinki Agreement and to followup meetings in Belgrade and Madrid. I am reprinting her column for the benefit of my colleagues who may have missed it:

[From the Washington Post, July 31, 1983]

## HUMAN RIGHTS: WHAT'S THE USE OF TALKING?

(By Avital Shcharansky)

In August of 1975, after the signing of the Helsinki Agreement on security and cooperation in Europe, I received an exuberant letter from my husband, Anatoly Shcharansky: "They have signed an international agreement," he wrote, "and it speaks exactly of us: of the reunification of families and of free emigration. Soon we will be together in Jerusalem." Not only Anatoly but all those around him were elated.

Anatoly and I had been kept apart for a year: at the time of President Nixon's visit, I had been granted an exist visa, and Anatoly's application had been denied. We were told that unless I made use of my visa I would never be granted another. And we were told that Anatoly would certainly receive his visa within six months. I left. A year of delay and disappointment followed. With the Helsinki Agreement we hoped that Anatoly and many others would be allowed to go to Israel.

The reality, however, was different. At the very time of the signing of the agreement, the KGB began a new attack against the Jewish emigration movement. They forbade demonstrations. Those who dared demonstrate to express their wish to go to Israel were arrested and sent to Siberia for five years. Those who applied to emigrate lost their jobs and were accused of being "parasites." Students who applied to emigrate were expelled from their universities and drafted into the army. Their applications were then dismissed on the pretext that they had learned military secrets. Those who refused to serve in the army were imprisoned.

In response to these and other violations against human rights, a group of very courageous people, including my husband, sought to bring Soviet violations of the accord to the attention of the world. The KGB fought against this group as well.

In 1977 Anatoly was arrested and sentenced to 13 years' imprisonment on the ridiculous charge that he was a spy for the CIA—a charge immediately denied by President Carter. The true reason for the arrest and the very harsh sentence was the desire to destroy the Jewish emigration movement.

In 1978, the 35 nations met again in Bel-

grade to review compliance with the Helsinki Agreement. Again the same contradiction occurred. While inside at the official sessions there were speeches about human rights, in the Soviet Union the KGB was arresting and imprisoning those trying to defend the rights ensured them by the agreement.

This September, the three-year-long Madrid Conference will conclude with a ceremony. Today the members of the unofficial Soviet group monitoring the Helsinki Agreement remain in prison. Emigration has almost completely ceased. The Soviet government has launched an intense campaign of anti-Semitic propaganda.

Will Madrid repeat the experience of Helsinki and Belgrade?

A process that improves the dialogue between East and West certainly serves the interests of peace. But signatures without actions are self-contradictory. The countries participating in the Madrid Conference have a grave responsibility to the dissidents and "refuseniks"—those refused emigration visas—who have put themselves in danger. These brave people have attempted to uphold the rights that every country present at Madrid has previously accepted and is now reaffirming—rights that have not yet come to be.

For those trapped in the Soviet Union, Madrid can be not only a disappointment but a source of danger. If the U.S.S.R. sees that the West is willing to reach agreements without requiring actual and concrete concessions, the Soviets will feel still more free to suppress human rights. The result will be not to protect human rights but to destroy them.

Moreover, can Russia's commitment to future agreements be trusted when it refuses to abide by its prior agreement at Helsinki? If the Soviet Union hopes to continue the Helsinki process and to move on to further accords, it should offer concrete action demonstrating its good intentions.

In spite of the Soviet law granting visits to prisoners every six months, Anatoly had been denied visits for a year and a half. After months of writing letters he learned that none of them had been sent. He began a hunger strike that lasted three and a half months. Finally, several weeks ago, on July 5, his mother was allowed to speak to him through a glass partition. He told her:

"Everything that has been done to me for the past six years has been illegal. Remember that at my trial it was announced that I had nothing to say to judges who in two hours' time would read a sentence that had been prepared well in advance. I will not say one word but every day that I am in prison is a continuation of the illegal situation that began with my trial. I am an innocent victim and this is well known to everyone, especially to those who framed me."

I add my own hopes that the United States, a nation founded on the principle of individual liberties, will be true to those who are fighting for these very principles.●

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

## A HOLOCAUST THE WEST FORGOT

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 1, 1983

● Mr. HYDE. Mr. Speaker, as the years roll by, it becomes a great loss to the cause of truth when great historical events fade, unacknowledged, into the forgotten past. One such event was the forced famine in the Ukraine in 1933 which resulted in the starvation of from 4.5 million to 7 million people. This event, which rivals the Jewish Holocaust and the massacre of Cambodians by the Khmer Rouge, is largely unknown, and not one serious book on this tragedy is available in English.

Mr. Adrian Karatnycky, research director of the A. Philip Randolph Institute, reminds us of this tragedy in an article in the Wall Street Journal of July 7, 1983, which I would like to share with my colleagues:

[From the Wall Street Journal, July 7, 1983]

### FORCED FAMINE IN THE UKRAINE: A HOLOCAUST THE WEST FORGOT (By Adrian Karatnycky)

Fifty years ago this past spring, the normally bountiful fields of the Ukraine were filled with the odor of death. Crows flew over the steppe, awaiting their feast of human carrion. Corpses littered the streets and roadways. In the June 6, 1933, issue of the London Morning Post, Malcolm Muggeridge depicted the following scene:

"If you go now to the Ukraine or the North Caucasus, exceedingly beautiful countries and formerly amongst the most fertile in the world, you will find them like a desert; fields choked with weeds and neglected; no livestock or horses; villages deserted; peasants famished, often their bodies swollen, unutterably wretched.

"You will discover if you question them that they have had no bread at all for three months past; only potatoes and some millet, and they are now counting potatoes one by one. . . . They will tell you that many have already died of famine and that many are dying every day; that thousands have been shot by the government and hundreds of thousands exiled."

The devastation Mr. Muggeridge described wasn't caused by any natural catastrophe. It was an entirely new phenomenon—history's first artificial famine: a consequence of Stalin's effort to collectivize agriculture and crush the nationally conscious Ukrainian peasantry.

With the exception of Mr. Muggeridge's reports, William Henry Chamberlin's in the Christian Science Monitor, and the publication of several stories and a number of shocking photographs of starving children in the Hearst newspapers, the Western press was largely silent about the genocide that was occurring in the Soviet Ukraine. Europe and the U.S. were in the throes of the Great Depression. Violence in the streets was common. Fascism was on the march. The forced famine of 1933 had regrettably come at an inopportune time.

Some reporters from the West concealed the truth because of an ideological commit-

ment to Soviet communism. Others, like New York Times correspondent Walter Duranty, were seduced by official favors and access to high government circles into deliberately and shamelessly attempting to suppress the story of the famine, while writing fawning articles on Stalin's rule. For this Mr. Duranty was rewarded with Pulitzer prizes and the Order of Lenin.

None of the day's newspaper reports was able to grasp the enormity of the cataclysm. Today, reliable academic estimates place the number of Ukrainian victims of starvation at 4.5 million to 7 million. This dark event, which rivals in its magnitude to Jewish Holocaust and the massacre of the Cambodians by the Khmer Rouge, is still largely unknown outside the private memories of some survivors.

The famine was in part the byproduct of Stalin's relentless drive to collectivize Soviet agriculture. That starvation was artificially induced is beyond dispute. The famine was a clear result of the fact that between 1931 and 1933, while harvests were precipitously declining, Stalin's commissars continued to requisition and confiscate ever-increasing quantities of grain, much of it exported to Western Europe. Peasants were shot and deported as rich, landowning "kulaks." Most livestock perished from the lack of feed, some as a result of peasant attempts to resist collectivization. Cannibalism was not uncommon. Although no medical quarantine was declared and non-Ukrainians were free to travel into and out of the area, starving villagers who sought to flee areas stricken with famine and its resulting outbreaks of pneumonia, typhus, and tuberculosis were turned back at checkpoints controlled by Soviet patrols that scrupulously enforced newly imposed internal passport regulations.

While the drive to collectivize agriculture was a wide-ranging phenomenon common to the entire U.S.S.R., only in the Ukraine did it assume a genocidal character. Indeed there can be no question that Stalin used the forced famine as part of a political strategy whose aim was to crush all vestiges of Ukrainian national sentiment. As he wrote, "The nationality problem is by its essence a peasant problem." The attack against the "kulaks," therefore, was viewed as an attack against the social basis of Ukrainian nationalism. Moreover, the famine was accompanied by an extensive purge in the cities of the Ukrainian cultural and political elite—whose leading activists had been the precursors of a national communism similar to that which later emerged in Tito's Yugoslavia and Gomulka's Poland.

Some might ask whether today it is worthwhile to dredge up the memory of yet another act of Stalinist barbarism. What can this event from a dim and receding past tell us that Solzhenitsyn's "Gulag Archipelago" has not? One might be tempted to say that nothing new can be learned from this secret horror. Yet the 1933 famine is important for both moral and political reasons.

There is of course our moral obligation to honor the memory of the nameless victims by depicting the truth. Moreover, it is important to understand the forced famine as a pivotal event in Soviet history, whose consequences remain to this day.

For the famine created a disastrous situation in Soviet agriculture from which the U.S.S.R. still hasn't fully recovered. Moreover, the famine eliminated a substantial segment of the U.S.S.R.'s non-Russian population, thus ensuring that the Soviet Union would remain for the next five decades a

state dominated by an absolute Russian majority. Finally, the famine caused an enormous rift within the Ukrainian nation, which had long been nationally assertive. To this day, independent and national sentiment among Eastern Ukrainians is much lower than among Western Ukrainians (who, in 1933, as part of Poland, were spared the trauma of the famine and the Great Terror).

Yet despite the pivotal importance of the forced famine, for 50 years its full story has remained untold. Not one serious book on this tragedy is available in English.

Today—at a time when some would recast, Soviet communism in a friendlier mold, the better to negotiate arms reductions with—may once again be an inopportune time to bring up the terrible loss of life and the painful trauma of the brutally scarred Ukrainian nation. Yet 50 years seems too long to remain silent about one of the greatest crimes in mankind's history. ●

## LET US NOT RUSH TO MAKE UP WITH POLAND

HON. TOM CORCORAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 1, 1983

● Mr. CORCORAN. Mr. Speaker, sadly, predictably, it appears that Poland's lifting of martial law has initiated a new era of repression for the Polish people. Poland's legislature has broadened its power to jail activists and to expand censorship; independent unions are totally banned and strikes are illegal. These severe limitations on the freedoms of the Polish people should cause the United States to respond cautiously, and only when substantial changes are made in the treatment of the Polish citizen should we alter our policies toward the Polish Government.

Senator ROBERT KASTEN, chairman of the Subcommittee on Foreign Operations of the Senate Appropriations Committee, has described in a convincing manner how past Western policies and movement toward normalizing relations with Poland plays right into the hands of the Soviets. I wish to commend Mr. KASTEN for his insightful article, published July 28, 1983, in the Wall Street Journal, and I insert it here for the consideration of my colleagues.

The article follows:

[From the Wall Street Journal, July 28, 1983]

### HOLD OFF RESCHEDULING THE POLISH LOANS (By ROBERT W. KASTEN, JR.)

What do the latest actions by the Polish government really mean for the people of Poland, and how should the U.S. react? We have conditioned normal relations with Poland upon the lifting of martial law, release of political prisoners and discussions with independent labor unions. Are conditions in Poland sufficiently changed for us to normalize relations?

In many cases the new "civil" laws are harsher than martial laws they replace. For



instance, it now will be impossible to strike legally, independent unions will be banned completely, press censorship and restrictions on movement will be tightened severely, and the regime will be able to declare an emergency whenever it decides there is a threat from "internal factors." As Gen. Jaruzelski told the Polish Parliament a week ago: "Any attempt at anti-state activity will be curbed no less unswervingly than during martial law." No wonder that Lech Walesa declared: "If I were to choose between the new (laws) and martial law, I would choose martial law." In addition, it seems that the "release of political prisoners" by Polish authorities may not include any real political prisoners.

#### ARGUMENTS OF THE "MODERATES"

Thus, despite the apparent changes, there hasn't been any change in substance. Yet the banking community has begun to clamor for a return to the state of affairs before martial law. Poland has requested that its foreign debt be rescheduled drastically, including an incredible eight-year moratorium on interest payments and a demand for \$3 billion more in export credits. American and European leaders seem ready to discuss this. Clearly, the West has yet to learn anything about economic relations between communist and capitalist nations.

Those who advocate a rescheduling make the same arguments as the "moderates" who opposed a declaration of Polish default one year ago. Then despite the fact that Poland had stopped making payments on its debts, they argued against facing the financial realities and declaring default.

The "moderates" asserted that if we refrained from declaring default, the West would gain in two ways: There would be an incentive for the Polish authorities to "liberalize" more quickly, to lift martial law and to treat the Polish people less harshly. And Poland would speed up its repayment of loans to the West.

But what actually happened? It has taken 1½ years to "lift" martial law, and this action itself is meaningless. The evidence doesn't support the claim that Western restraint leads to improved behavior on the part of communist governments. History indicates that in dealing with such regimes the welfare of the people depends far more on the dynamics of internal politics than on Western actions.

What about the financial situation? During hearings before my Foreign Operations Subcommittee last year, representatives of the administration claimed that if we didn't declare default, things would be better for Western creditors. Robert Hormats, former assistant secretary of state, is testimony on Feb. 9, 1982, opposed declaring Poland in default and asserted that "the best chance of putting maximum pressure to obtain a reflow of currency from Poland to the West is by continuing to press them to pay their debts. Now they don't pay as we would like, clearly, but there is a net outflow. There is a net outflow, and it is a high cost for an economy as weak as the Polish economy."

But the past year hasn't fulfilled the predictions of those who confidently assured us that the Polish government would make every effort to repay its debt. True, Poland paid half of the interest due in 1982, but only on the condition that the other half be "recycled" back to Poland by banks as short-term credits. The net effect was to increase the debt's magnitude by one half the interest due to Western creditors. These

short-term credits enabled Poland to "purchase" Western goods, leading to a further transfer of resources from West to East. And now comes the latest outrageous request from the Polish debtors. The "outflow" described by Mr. Hormats continues to be in the opposite direction.

This is perhaps the most important point to be made, for the Polish debt is but a small part of the greater issue of financing and extending credit to the Soviet Union and its satellites. Trade with the Soviet Union once was seen as an aspect of "detente." By trading with and lending to the communists, it was argued, we would bridge the gap between East and West, bringing prosperity and hope to oppressed people. And by making tyrannical states more dependent on Western goods and technology, we would convert them into more moderate and freer nations, eventually eliminating the danger of war. Western trade would "liberalize" the communist countries.

But things didn't work out that way. The oppressed people remain oppressed, the communist nations are no less tyrannical, and the danger of war hasn't been reduced. Why hasn't the theory of "liberalization by trade" worked, as we once believed it would? Part of the answer lies in the underlying philosophy of the Soviet bloc countries themselves.

According to Lenin's theory of imperialism, the capitalist West is driven by historical necessity to export its surplus first to the underdeveloped world, and then to communist countries. In other words, when capitalists extend credit to communist nations, they are behaving as Marxist-Leninist theory predicts they will. As Lenin wrote:

"... the capitalists of the whole world and their governments, in their rush to conquer the Soviet market, will close their eyes [to various Soviet diplomatic subterfuges] and will thereby be turned into blind deaf mutes. They will furnish credits which will serve us for the support of the Communist Party in their countries and, by supplying us material and technical equipment which we lack, will restore our military industry necessary for our future attacks against our suppliers. To put it in other words, they will work on the preparation of their own suicide."

The implication is that the accumulation of debt has been a conscious act of policy by the communist states and that they have no intention of paying it back. It is likely that communist borrowing is part of "the economic strategy of an empire." In a brilliant essay by this title in *Grand Strategy: Counter-currents*, Larry Arnn observed that:

"... until the Poles actually repay the loans, the food they have consumed and the capital they have imported is not expensive to them at all. It is incredibly cheap. The spanking new Polish steel mill may not be an efficient and wise investment by our standards, but it is a large and modern steel mill, and so far someone else has paid for it."

The problem's magnitude becomes apparent when we consider that Poland's government is \$25 billion richer and the West is \$25 billion poorer, and that even though Poland has paid only a minute part of what it owes, its line of credit is far from exhausted. Furthermore, as Mr. Arnn noted, the logic that has allowed Poland to "borrow" \$25 billion will enable the Soviet Union and the rest of its satellites to "borrow" billions and billions more, unless we recognize this policy for what it is: the economic exploitation of the West by the East, which can

occur only because of the shortsightedness of capitalist nations.

#### SHOULD DELAY AGREEMENTS

We must recognize these things and be guided in our relations with communist countries by reason and prudence—not by our hopes alone. These hopes have been dashed too many times. I believe we have reached a point where we must draw the line. A year ago I called for the U.S. to declare Poland in default. Now I believe that the U.S. should delay any agreements on rescheduling Poland's debt until such time as that country meets objective standards of human freedom. In addition, if by the end of the year Poland hasn't made substantive changes in its policy toward its people, we should state unequivocally that we will declare Poland in default on the \$1.7 billion it owes to the Commodity Credit Corporation. The U.S. thereby would accomplish three important goals. First, we would make clear to our allies and to Western business interests that trade between West and East is a risky undertaking that we will no longer subsidize. Second, we would begin to undermine the economic strategy of the Soviet empire. And finally, we would make it clear that our commitment to liberty and human rights is more than just words. ●

### JAMAICA CELEBRATES INDEPENDENCE

#### HON. SAM GIBBONS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 1, 1983

● Mr. GIBBONS. Mr. Speaker, sometimes the actions we take here, and in the other body, have repercussions which range far from Capitol Hill and Washington, and even from America. The decisions that we make in this legislature sometimes have a small impact on us directly, but can be vitally important to our friends and supporters around the world.

Last week we cleared from conference and sent to the President for signature H.R. 2973 which contained the title known as the Caribbean Basin Initiative. This legislation will present an opportunity for heightened export opportunities for 27 friendly Caribbean nations, and will allow them to strengthen their export markets and economies.

One of these nations is our good friend and neighbor, Jamaica. The passage of this legislation could not have come at a better time for the citizens of this great and good friend of America, because they are in the midst of the annual celebration of their independence.

In fact, today is the official celebration commemorating the fact that 21 years ago this island nation achieved its independence and the beginning of what has grown to become one of the strongest democracies and staunchest supporters of the United States in the free world.

It is therefore appropriate that news of the passage of this bill with all the possibilities it conveys for future development and prosperity should reach the people of Jamaica at this time when they are celebrating this independence.

When told of our actions, Prime Minister Edward Seaga was reported to say:

Great news. This couldn't have come at a better time than in the midst of our 21st birthday celebrations.

We went on to say:

I have been closely involved with this initiative from the very beginning and have followed it every step of the way. Although it has been a long wait, I have never lost faith that this most significant part of the Caribbean Basin package would eventually be enacted. I am happy that the Congress has so resoundingly endorsed the bill with most of the substantive features emerging intact. It is now only a matter of a few days before President Reagan signs this legislation, making it law.

I join Prime Minister Seaga in his pleasure on the passage of this bill, and wish the Jamaican people a hearty 21st birthday. ●

#### AN ACT OF COMMUNITY SPIRIT

### HON. ROBERT G. TORRICELLI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, August 1, 1983

● Mr. TORRICELLI. Mr. Speaker, I wish to insert in the CONGRESSIONAL RECORD an editorial which recently ran in the Bergen Record newspaper in my congressional district. This editorial commended the efforts of several individuals in my district who recently donated time, materials, and effort to aid in the refurbishing of a child care and development center in Hackensack, N.J. The center was badly in need of repair but it had no funds to perform the work. These individuals, however, selflessly volunteered their services to perform the needed work.

Examples like this should cause us to pause and question whether each of us in our own lives is doing all that we can to help others who suffer misfortune. We must never forget that one of the greatest contributions we can make as citizens is to help those who cannot help themselves.

I commend the reading of this editorial to my colleagues. I hope that through this example each of us will gain an increased sense of community spirit and will be inspired to take time from our busy lives to help others in need:

#### CHRISTMAS IN JULY

The Holley Child Care and Development Center in Hackensack needed an interior paint job. Money is tight at Holley, as it is at all non-profit community organizations, so the center's officials kept putting off the

job. Joseph Glaab, business representative for Local 1976 of the Drywall Tapers and Finishers Union, heard about the need and called his friends in the painting and decorating industry. The result is apparent to anyone who visits the center, on Union Street behind the Christ Episcopal Church.

It took a crew of 20 painters—among them the three Rusereto brothers of Dumont and Paterson, Frank Nardoza and Leo Baielo of New Milford, Bill and Randy Hagerman of Hackensack, Leo James and Enrique Rojo of Paterson, Steve Mazzone of Fort Lee, and Tony Gavalijs of Saddle Brook—just one day to paint and decorate all the children's rooms and hallways at the center. They did it free of charge; contractors donated the materials.

While the painters were busy inside, the children and staff were entertained outside by clowns from the Shriners' Clown Unit of Livingston's Salaam Temple. A Hawthorne silk-screening firm donated T-shirts for all the youngsters. Mr. Glaab's union also delivered a catered meal of Chinese food for the painters, the children, and the staff.

This "Brush-up Day" at the Holley Center is the type of cooperation that many voluntary organizations are having to turn to in a time of shrinking government assistance. The generous contribution by all those who recognized a need and filled it is the essence of voluntarism. We hope the spirit is catching. ●

#### AMENDMENTS TO EXPORT ADMINISTRATION ACT

### HON. TOBY ROTH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, August 1, 1983

● Mr. ROTH. Mr. Speaker, when we return from the August district work period, the House will take up H.R. 3231, amendments to the Export Administration Act. This act is vital to protect our national security. A KGB agent once said that Moscow considers our high technology and advanced science their national resource. Our high technology has enabled the Soviets to build more advanced weapons systems.

The Export Administration Act is one tool to thwart the theft of our technology. H.R. 3231 as reported by the Committee on Foreign Affairs contains a provision to eliminate thousands of export licenses. These licenses, as it relates to our highest technology, are critical for monitoring exports and tracking down illegal exports and exporters.

We have an obligation to make the export licensing system efficient and accurate. We also have the responsibility to protect our national security by keeping our advanced technology out of the military research laboratories in Moscow and Leningrad. I am looking forward to working with my colleagues to insure that the Export Administration Act meets these objectives.

Mr. Speaker, a recent article in the New York Times outlined how America's high technology is being pirated. The methods are complex. We may

just have begun to understand the enormity of the KGB program.

I urge my colleagues to read the article which follows. It is one of the detailed examinations of how the Soviets acquire advanced Western technology.

[From the New York Times, July 25, 1983]

#### A TRAIL OF WESTERN TECHNOLOGY IS FOLLOWED TO THE K.G.B.'S DOOR

(By John Vinocur)

PARIS.—Every year Western high technology with military applications, worth millions of dollars, disappears beyond the borders of the Soviet Union and its allies. Sometimes the Warsaw Pact's procurement effort is so effective that the embargoed equipment is even returned to the West for secret repairs.

American laws and North Atlantic Treaty Organization agreements ban the transfer of such sophisticated microelectronic and computer equipment. But the volume reaching the Eastern bloc is startling, according to Western intelligence experts.

Much of it it obtained, they say, through dummy corporations and covert suppliers who cooperate with the technology procurement campaign, which is regarded as the current primary task of the K.G.B., the Soviet intelligence and internal-security agency, and the G.R.U., its military counterpart.

#### THE CASE OF THE MAN AT ORLY

How it works is illustrated through a case involving Jean Didat, a freight forwarder at Orly Airport in Paris. He has taken some extraordinary troubleshooting trips. The most brazen was traveling to Amsterdam to handle a shipment of advanced American-made microelectronic equipment, strategic goods weighing more than a ton, that the Russians were secretly flying back to the West from Moscow for servicing.

The Czechoslovaks also complained about their covertly obtained million-dollar American computers, he said. The Warsaw Pact countries' grievances were dizzying because they concerned sensitive American technology acquired from Western European middlemen systematically diverting embargoed material to the East.

According to Western experts, most of the goods correspond to precise shopping lists administered by Soviet intelligence agencies. It was a Fairchild Sentry 7 quality control system for testing integrated circuits that Mr. Didat said was shipped westward from Moscow for repair. The Sentry 7 is on the United States list of technology proscribed for export to the Soviet Union and its allies.

Last year a United States Government document, trying to describe the scope of the illegal acquisitions, said that they had eroded the technical superiority of Western weapons and that stopping the procurement was one of the West's "most complex and urgent issues." The intensity of K.G.B. program is such that it is said that the Central Intelligence Agency has set up a special internal organization to deal with technology transfers.

Defining the Soviet operation, the Government report said the K.G.B., with extensive support of the intelligence agencies of Eastern Europe, had the main responsibility for collecting "Western classified, export-controlled and proprietary technology."

"These intelligence organizations," the report said, "have been so successful at acquiring Western technology that the manpower levels they allocate to this effort



have increased significantly since the 1970's to the point where there are now several thousand technology collection officers at work. These personnel, under various covers ranging from diplomats to journalists to trade officials, are assigned throughout the world."

According to an expert in Washington, there may be as many as 100 K.G.B. collection officers working at the Soviet Embassy in Tokyo, one of the most fertile areas for acquisitions. In general, the Japanese efforts to control the process are regarded as slower in starting than those in the United States, or in Western European countries when their own technology, as opposed to that of third countries, is involved.

#### MICROELECTRONIC EQUIPMENT

The report said the illegal acquisition of hundreds of pieces of Western microelectronic equipment worth hundreds of millions of dollars had allowed the Soviet Union to build the basic industry for the development of sophisticated weapon systems over the next decades.

According to the document, the level of the acquired hardware and technical skill is such that put together it could "meet 100 percent of the Soviets' high-quality microelectronic needs for military purposes, or 50 percent of all their microelectronic needs."

A table of "notable successes" by the Russians contained in the report listed dozens of items such as advanced inertial guidance components, missile guidance subsystems, computers, lasers and complete industrial processes.

The report asserted that the acquisitions most directly affecting Soviet military development came from the gathering by K.G.B. agents of firsthand intelligence information, and "illegal trade diversions," the purchase of sensitive equipment through dummy corporations in the West for eventual transfer to the Warsaw Pact.

#### ROLE OF THE MIDDLEMAN

It is here that the middlemen come in. Mr. Didat estimated that his little office at Orly, decorated with a calendar of Soviet movie stars from the Soviet film export organization, handled goods worth \$20 million to \$25 million a year for several years in traffic toward the Soviet Union and Czechoslovakia.

Almost all of it was American high technology material, obtained through an intricate series of post-box companies in Liechtenstein and Switzerland, forged, purchased and misappropriated documents and great amounts of cash.

In his interpretation of French law, Mr. Didat said he felt that the transport end of things, sending crates marked electrical equipment from here to there, was legal. The rest of the business he is familiar with, he said, was managed separately by Robert Almorì, also known as Mathurin Almorì, or Joseph Lousky, two Frenchmen named this year by a hearing commissioner of the United States International Trade Administration as involved in the reexport of American equipment to "proscribed destinations."

Denied export privileges himself by the United States Department of Commerce in April for having shipped unlicensed high technology from the United States, and questioned last month for two days by the French police, Mr. Didat has not been accused of any crime.

But in separate interviews he and an associate, both describing themselves as manipulated and insignificant, furnished partial details of some of the operations that, in the

view of some investigators in the United States and Europe, have the mark of the Warsaw Pact's technology procurement campaigns.

#### GROUPS IN FRANCE AND SWITZERLAND

The company that employed Mr. Didat, Cotricom, in which a Mr. Almorì, according to the Paris trade register, held a majority share, served as shipper for two parallel groups in France and Switzerland.

According to the trade register, Cotricom was created in 1977, nine months after the incorporation of Hedera Establishment, a Liechtenstein post-box company that served as an intermediary. After considerable success over a period of years, the operations floundered this year with the issuance of the Commerce Department's trade ban on its principals and subsequent police investigations in France and Switzerland.

Both the French and Swiss legs worked on the principle that American high technology can be bought legally and with relative ease on the open market in the United States and transported to seemingly reputable purchasers in Western Europe without much difficulty.

In some cases, computer subcomponents, electronic manufacturing and testing systems were sent to Cotricom from Technica Limited, a company in Scottsdale, Ariz., run by Michel d'Origny. He is a French-born naturalized citizen of the United States, who, after a career in the garment business, went into the microelectronics field in what was believed to be an association with Mr. Almorì.

#### SHIPMENT TO COTRICOM

In at least one instance, a Technica shipment, described as unlicensed by the Commerce Department, was made to Cotricom for the account of Hedera Establishment. The man who signed the Hedera order blank, listing himself as administrator, was Felix Constantine Popovitch.

Mr. Popovitch is a French citizen who said that he was born in Egypt of Rumanian parents and that he received an electrical engineering degree in 1960 from Stanford University. He was employed until his contract was terminated this month as a sales manager for microelectronics by Calma, a wholly owned French subsidiary of General Electric. He worked previously in Japan as Far East marketing manager for Fairchild Systems Technology.

Mr. Popovitch signed the order blank for Hedera because, he said, Mr. Almorì, "a buddy, a guy I know," who was involved in Hedera, had asked him for a favor. Although Mr. Popovitch denied it, Mr. Didat asserted that it was he who did the repair work in Amsterdam on the Fairchild equipment he had flown out of Moscow.

Mr. Popovitch has acknowledged involvement in two orders. But, in fact, the volume flowing through Cotricom was vast, and the size and complexity of the equipment great. Mr. Didat said he went to Czechoslovakia to handle what he described as the first delivery of a Fairchild Sentry 7, the type of unit, worth about \$400,000, that eventually brought the French leg of the operation into the open.

"About three years ago," said Bernard Goldfarb, a French textile importer and exporter, "Almorì came to see me through friends. The way he talked he seemed like a guy with political protection. He told me about his trips to Hungary and the U.S.S.R., and to talk like that I figured someone had to be watching out for him, because what he asked me was to get him an order blank

from a certain company so that he could import something under an American embargo."

The company, Mr. Goldfarb said in an interview, was C.G.E. Alsthalm, a major French electronics and technology producer nationalized by President François Mitterrand's Government. "I went to see a friend, and I got the order blank," Mr. Goldfarb said. But the association did not end there.

According to Mr. Goldfarb, Mr. Almorì returned to see him last year, talking about another order blank and saying he had to go to the United States Embassy in Paris to prove that the signature on an Alsthalm purchase order, that of a Mr. Lefevre, was legitimate.

"I stayed up all night practicing writing his name," Mr. Goldfarb said. "Almorì told me there was nothing to worry about, that the fix was in."

In fact, the order for two Fairchild units worth \$800,000 had raised suspicions when Mr. Didat sought to expedite it in Washington, and the request for an export permit from the United States was never approved. Mr. Goldfarb said he kept 20,000 francs for his efforts and distributed 30,000 more to two intermediaries. (At the current rate of exchange 20,000 francs is worth \$2,570, and 30,000 francs is \$3,855.) With his acknowledgment of his role to the French police and United States officials, he said, he has experienced "Shame I'll never live down."

#### ILLEGALLY OBTAINED PURCHASE FORM

Mr. Almorì has not responded to attempts to have him comment on the case. Mr. Didat said his impression was that Mr. Almorì had been delivering to the Soviet Union for more than two decades. Somehow, uncharacteristic sloppiness entered the handling of the illegally obtained Alsthalm purchase form.

Since the late 1970's, Mr. Didat said, Mr. Almorì "got orders from the Russians or Czechs, and most of time they used U.S. catalogues and showed him precisely what options they wanted." Mr. Didat added: "He never bought what wasn't ordered, and he was paid by the Russians or whoever through accounts in Switzerland and West Germany. But he's not a special case. There are a hundred deliverers like Almorì."

The Swiss operation, which involved Hedera, in part, and Mr. Lousky, for whom Mr. Didat said he also shipped material, had a different mode of procedure because much of the ordering was done from inside an established Swiss electronics company, Favag S.A. of Neuchâtel, a subsidiary of the Hasler holding group in Bern.

According to officials of Hasler, two Favag employees, Pierre André Raindin, the purchasing manager, and Marc Viloz, the administrator, both since dismissed, used the company to make orders for American high-technology equipment that was sold off to a dummy corporation apparently for transfer to the East.

#### DIAGRAMS OF ORDERS

Mr. Raindin is described by Hasler officials as the former employee of an American corporation who lives with a Czechoslovak-born woman previously employed by Favag.

He has drawn diagrams showing how a Czechoslovak organization made orders through Hedera that were eventually passed along directly, or via Favag, to Eler Engineering. This is a tiny company founded with about \$50,000 in capital in Rances, Switzerland, liquidated and then reestablished, also in Switzerland, by Mr. Lousky, whose residence is in Paris.

Other orders had been handled earlier by a second small company, apparently founded by Mr. Lousky, bearing the name Ditton & Drayton.

The equipment includes an order of more than \$1 million for three Digital PDP 11/70s computers, described by a United States official as having possible use in missile guidance and the collection of data from satellites, and one VAX 11/780 computer from Data General, sold for about \$800,000, in which Czechoslovak engineers were said to have inspected the material in a warehouse near Geneva.

The operation fell apart this spring as a result of the disappearance in 1982 of two American-made machines used in manufacturing microcircuitry. Shipped to Favag by a company in Massachusetts, and resold to Eler the equipment was suddenly gone.

#### LARGEST DIVERSION OF ITS KIND

A Swiss customs service investigation into the affair has described it as the "largest diversion of its kind in the country's history," and a Commerce Department suspension order cited Mr. Randin and Mr. Lousky as having conspired to re-export the two projection mask aligners, made by the Perkin-Elmer Corporation of Norwalk, Conn., to as "proscribed destination."

The machines, worth about \$500,000, were traced to France. Mr. Didat does not say he shipped them to Eastern Europe, but like most of the investigators he would not argue against the presumption that they wound up in the Soviet Union.

Mr. Lousky was described by his lawyer as "not in France at the moment." Mr. Didat said no one saw Mr. Almor around anymore.

Hedera Establishment was dissolved as a company last Jan. 31 with declared capital of 15,000 Swiss francs (\$7,125 at the current rate of exchange). Under corporate law in Liechtenstein, its papers suggest nothing more about who paid for its multimillion-dollar accounts other than listing the two Vaduz lawyers who served as the entire membership of its "administrative board."

#### A MORE EFFICIENT GOVERNMENT

##### HON. JIM BATES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 1, 1983

● Mr. BATES. Mr. Speaker, I rise before you today at the suggestion of my constituent, Mr. William J. Campinelli who brought to my attention an article which was published in the Senior World Newspaper in San Diego, Calif. The article suggested ways to make our Government operate more efficiently and effectively. I found Mr. Campinelli's comments both provocative and interesting, and I would like to share them with my colleagues.

First, he raised a question about our postal system. He stated that there is a better way to operate the American postal system, a way in which the taxpayer does not have to subsidize the system. Nonprofit political and labor organization use the American postal system to solicit money without paying any fees. The cost is a nickel

for each item mailed. More than 2 million items are mailed annually at the taxpayer's expense. Would it not be better to save the taxpayer billions of dollars by forcing those who make solicitations through the mail to pay for their expenses?

My constituent also endorsed a flat rate income tax. Over the years our system of taxation has evolved into a nuisance for those who pay, and a blessing for those who do not want to pay. What if we were to cut out all of the special advantages and gains for those people who take advantage of our tax system? Would it not be better for everyone to pay equally, without frills, loopholes, and massive deductions? The modified flat rate income tax system just might make our Government run more effectively.

Finally, my constituent emphasized the importance of becoming energy independent. As he correctly pointed out, the United States would be in a much better situation if it reduced its dependency on the the Organization of Petroleum Exporting Countries by developing the energy resources we have at home, such as photovoltaics and geothermal energy.

I thank my constituent for his comments and suggestions and hope my colleagues find his remarks as interesting as I do. ●

#### WALTER TROY HONORED WITH McDONALD AWARD

##### HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 1, 1983

● Mr. LIPINSKI. Mr. Speaker, on behalf of the residents of the Fifth Congressional District in Illinois, I would like to call attention to an outstanding member of our community. Walter Troy has served Chicago's southwest side with honor and distinction for over 40 years.

Wally's activities have been many and varied. His community involvement started early, when he was a Boy Scout, and continued through his adult life. He currently serves on the board of directors of the Garfield Ridge Chamber of Commerce, is vice president of the Midway Kiwanis Club, and is a member of the Midway Businessman's Organization.

Walter has won many awards for his service to the community, including the 1982 "Patriot of the Year" award and the Ray McDonald Community Achievement Award. All of us in the Fifth Congressional District appreciate Wally's efforts on our behalf, and look forward to working with him in the years to come. I insert into today's CONGRESSIONAL RECORD a newspaper article, printed when Walter Troy was awarded the Ray McDonald Award,

describing some of Walter's achievements:

#### WALTER TROY HONORED WITH McDONALD AWARD

Walter Troy, the "McDonald Award" recipient for the month of April, was born and raised in the Bridgeport neighborhood, where he lived for thirty-five years. After graduating from Mark Sheridan Grammar School in 1941, he attended Kelly High School for two years, followed by two years at Jones Commercial High School where he majored in business. During his high school years, Troy was employed by the "Chicago Herald American" newspaper as a copy boy. He entered the army shortly after graduation, serving three years being stationed at Fort Knox, Kentucky and Fort Benning, Georgia. After being discharged from the army, he returned home and attended Wright Junior College at night, while working at the newspaper. He later became a police reporter for for the "Chicago American," which was later purchased by the Tribune Company, and became known as the "Chicago Today" newspaper. After nine years at that position, Troy purchased a news agency in the Clear Ridge area, which he ran until 1973, at which time he and son Joseph joined forces and bought Clover Club Beverages. Troy and wife Jean have a younger son, Thomas, who has entered the business with his father and brother. Son, Joe and his wife Jane have two children, Tina, age seven, and a son Tim, age six.

Troy's participation in community activities began at an early age as a Boy Scout, and continued throughout his adult life, as an officer and member of St. Barbara's Church Holy Name Society, and as president of a high school Music Sponsors Organization. Currently Troy is serving on the Board of Directors of the Garfield Ridge Chamber of Commerce, is vice-president of the Midway Kiwanis Club, and is a member of the Midway Businessmen's Organization. He also sponsored Little League teams, Bowling Leagues, and various other charitable organizations. In recent years, Troy has been recognized by the business community on several occasions. He was named the winner in the Business category at the 23rd Ward Community Achievement Award Dinner in 1979, and was named "Patriot of the Year" in June 1982, by the Midway Sentinel.

The business at Clover Club Beverages has grown over the past ten years, and is now one of the largest and few remaining independent soda manufacturers in the city of Chicago. In addition to the sale of their own bottled and canned soda, beer, wine and liquor have been included to make Clover Club Beverages a most prosperous enterprise. All this has happened to a man who began his early years as a copy boy for a Chicago newspaper many years ago.

The staff of the Midway Sentinel expresses its thanks to Wally Troy for his many contributions to our community. His dedication and involvement truly exemplifies the standards set by our late editor, Ray McDonald. ●



**FEDERAL LAND AND WATER POLICIES: DOES THE RIGHT HAND KNOW WHAT THE LEFT IS DOING?**

**HON. RICHARD H. LEHMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 1, 1983

● Mr. LEHMAN of California. Mr. Speaker, I would like to enter into the RECORD, an excerpt from an article from the August 1, 1983, Los Angeles Times, entitled "River Victims Blame U.S. for Losses." This article addresses the unfortunate plight of citizens who lost property and life savings as a result of recent Colorado River floods. The point of this article, Mr. Speaker, is that at the same time the Bureau of Reclamation was issuing flood warning along the Colorado River in Arizona and California, another Interior agency, the Bureau of Land Management was busy issuing Federal land leases to resort owners and recreation facility operators apparently with little or no consideration of Bureau of Reclamation's proclamations about flood dangers. This summer's tragic floods illustrate a clear need for better coordination between bureaus of the Department of the Interior.

The article follows:

[From the Los Angeles Times, Aug. 1, 1983]

**AGENCY OK'D RESORTS: RIVER VICTIMS BLAME U.S. FOR LOSSES**  
(By Richard E. Meyer)

PARKER, ARIZ.—Not long after sunup, Tom Peet went down to the river, checked the pump on his water supply, then strolled the length of his resort in the cool, quiet desert dawn. During the night, he noticed with apprehension, the river had splashed over the top of his retaining wall. That was how it began.

It was early June. For three weeks, the river rose. Tom Peet fought it. With help from his guests, he cut down trees. He tore out shrubs, he flattened mesquite. He moved mobile homes. He spread sheets of green plastic. He filled 6,000 sandbags. He used 1,400 cinderblocks to add 48 inches to his retaining wall. But it wasn't enough.

When he had done everything he could, he walked to the edge of the rising flood. Tom Peet, 46, sat on a sandbag and cried.

**HEAVY PRICE TO PAY**

Since the flood began, the Colorado River has been exacting a heavy price from Peet and dozens of other businessmen, residents and property owners in the Parker Strip—1½ miles of shoreline in Arizona and California, a few minutes' drive northeast of this dusty, discouraged town. Flooding on both sides of the river has ruined buildings, swept away beaches and destroyed the summer tourist trade. Counting lost revenue, resort operators estimate the damage and what it will cost to rebuild away from the water at nearly \$10 million.

The cost won't stop there. The river is expected to flow at 38,000 cubic feet per second until September, and then at 30,000 cfs through the end of the year. "That'll wipe out our winter business too," Peet said. "It's just going to be hell."

Secretary of the Interior James G. Watt and officials in his Bureau of Reclamation contend that Peet and others along the river have only themselves to blame. The bureau opened Colorado River floodgates in early June, after heavy snow runoff and storage of too much water—based on faulty computer projections—had filled reservoirs to overflowing.

**"TRIED TO DISCOURAGE"**

"There are flood victims," Watt has declared, "because they built on the flood plain." Alden Briggs, the bureau's chief water scheduler at Hoover Dam, said, "These people . . . built in a flood way. The bureau . . . (and) state and counties tried to discourage it."

However, an investigation by The Times shows that the Department of the Interior, through another of its agencies, the Bureau of Land Management, in fact encouraged resort operators to build and upgrade recreation facilities on federal property along the river.

For nearly four years before the flood, the Bureau of Land Management approved detailed blueprints for hundreds of thousands of dollars' worth of development in the flood plain. . . .

The Bureau of Land Management approved large investments despite warnings that reservoirs along the Colorado were filling up and that the river might overflow. The Bureau of Reclamation issued the warnings. The first came in March, 1977, at a public meeting in Parker.

The meeting was held during a drought. Few resort operators attended. "It was one of the worst droughts in the history of the West," Julian Rhinehart, a Bureau of Reclamation spokesman, acknowledged. "So, at that time, you know, it was a little difficult to get their attention when we were talking about floods."

The Bureau of Reclamation issued a second warning in April, 1979, also at a public meeting in the area. Five months later, the Bureau of Land Management started issuing long-term leases to resort operators with facilities on BLM land.

Some late-comers—operators who received long-term leases after 1980—say they had no idea that any warning had been given. The leases reserved the government's right to flood BLM property, but none of the operators took that as a warning that it actually would occur. And, until recently, some were unaware that their contract contained such a provision.

**OPPOSED DEVELOPMENT**

Robert N. Broadbent, commissioner of the Bureau of Reclamation, said his agency opposed all Bureau of Land Management leases that approved development in the flood plain. "The BLM is the one that issued those leases, not us," Broadbent said. "We have protested most all of them."

He said the protests were lodged with the Bureau of Land Management. The protests went unheeded. "There (are) numerous instances," Broadbent said with dismay, "of (these kinds of) . . . encroachment onto the flood plain."

Darwin Snell, who heads the Yuma district of the Bureau of Land Management, which has jurisdiction over the Parker Strip, acknowledged that his agency allowed resort operators to build in the flood plain, on both the Arizona and California sides of the Colorado River. "A lot of times, we did not know exactly where the flood plain was," Snell said. "We found out as a result of these last few weeks."

**"HAD SOME WARNING"**

May agreed that the Bureau of Land Management not only encouraged development but required resort owners to upgrade their facilities. However, May and Snell denied that the agency failed to warn resort owners about flood danger. "I think they probably had some warning . . . before they signed the contract," Snell said. "I do not think that we would just sit by and not give them any warning."

To a person, resort operators with Bureau of Land Management leases in the Parker Strip say they received no such warning before they signed their contracts.

All other federal, state and local agencies authorized to issue development permits defer to the Bureau of Land Management on the question of warnings. "Flood plain management is not a Corps of Engineers mandate," public affairs officer Maurice Peerenboom said.

**POPULATIONS GREW**

In a 1964 land-use plan, a Department of the Interior advisory committee noted that the populations of Southern California, southern Nevada and Arizona were growing sharply. The land-use plan, which some started calling the Red Book because of its red binding, said the Parker Strip might someday attract 34 million visitor days of recreation use annually. That, the Red Book declared, could mean \$200-million worth of recreation business a year.

However, there were problems. But the Red Book also said, "Developments should include a wide range of public facilities to meet present and future recreation needs. . . . The flood plain between levees or natural escarpments and the river (should) be made available for appropriate recreation use and the establishment of appropriate public use of recreation facilities."

**ENCOURAGED TO EXPAND**

The Bureau of Land Management drew up a Parker Strip recreation management plan. The plan called for "upgrading facilities . . . (and) encouraging winter-visitor use."

Because the Bureau of Land Management had no funds to do this on its own, it decided to "utilize private capital to provide intensive recreation facilities through long-term concession leases." Resort owners—whom the government had tried to evict as squatters—were invited to become federal concessionaires. The Department of the Interior encouraged them to expand and improve their accommodations.

The management plan was specific: The Bureau of Land Management wanted "camping space, food services, general stores, marine supplies, laundry facilities, play-grounds and water-oriented facilities." The BLM wanted access roads and parks for recreational vehicles. It wanted architecture "consistent with Mexican and Indian influences prevalent in the Sonoran Desert." And it wanted the resorts to relocate mobile homes—away from the river front.

But it said nothing about flooding. The management plan did say that the BLM wanted "set back zones" along the river front "to ensure recreational access to the general public."

In return, the BLM issued the resort owners commercial permits of varying lengths—some of them for as long as five years—to achieve a common expiration date: Dec. 31, 1979. After that date, it offered leases whose stated aim was to "induce long-term investment . . . with reasonable expect-

tations of security in the investment and a fair return of profit."

The minimum length of each lease was determined by how long it would take each resort owner to amortize his investment. In practical terms, that meant that the more an owner invested, the longer his lease would be.

A few miles up the strip, Glenn Drake, 57, with sandy hair and mutton chop sideburns, pledged to invest \$1.5 million to get a 20-year lease on two resorts—River Lodge and River Lodge, Too—with more than a mile of river front.

Of that amount, Drake estimates that work in the flood plain, which the BLM approved on his blueprints, was worth about \$600,000. At least half of that was for an island and a marina he built in the river, complete with a lake, stream, bridge and boat slips. Drake signed his lease in 1980. It took him two years to get all of the permits he needed from federal, state and county agencies, and no one said anything about any danger of flooding, Drake said.

The river wiped out his marina. It has covered his island and part of his beach on the shore. His general store is surrounded. Sixteen sites for recreational vehicles are flooded, including utility hookups. His water supply is gone.

He estimates damage to land and improvements, including the cost of moving them away from the flood plain, at \$950,000 to \$1.4 million and said lost income is averaging about \$60,000 per month.

"If I don't get any money I can borrow," Drake said, "I might as well shut down."

For Ron Poe, it's a matter of deciding whether he wants to start all over.

#### "CLEANING RESTROOMS"

At 45, Poe had completed the work he pledged for 20-year lease on Riverland Resort.

"I'm really just a little mom and pop business that James Watt and President Reagan could care less about. I shouldn't say that, but I feel that way. Yet, I'm supplying recreation to thousands of people. Literally thousands of people. And Watt says the system worked well! Well, the system destroyed me, and the system destroyed Tom Peet, and it destroyed a lot of other people out here.

"I didn't see James Watt talking to me when he was here touring the flood. Maybe he knew he'd better not." ●

### NEED TO DISTINGUISH VIRGIN ISLAND RUM INDUSTRY FROM PUERTO RICO RUM INDUSTRY

#### HON. RON DE LUGO

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 1, 1983

● Mr. DE LUGO. Mr. Speaker, in the course of the Congress' consideration of the Caribbean Basin Initiative, substantial testimony was presented that indicated the importance of the rum industry to the U.S. Virgin Islands, both as a major source of revenue to the territory's government and as a significant provider of jobs in the manufacturing sector of the local economy. Thus, any injury to the Virgin Islands rum industry could have a profound and adverse effect on

the health of the Virgin Islands economy as a whole.

In order to insure that rum imports from CBI beneficiary countries do not injure or threaten injury to the Virgin Islands industry, the chairman of the Senate Finance Committee announced during the House-Senate conference on the CBI legislation that he would ask the Finance Committee to approve a resolution pursuant to section 332 of the Tariff Act of 1930 requiring the U.S. International Trade Commission to monitor future CBI rum imports and to study their effect on the Virgin Islands industry. At the same time, the conferees approved a provision by the administration which would define a Virgin Islands industry as a domestic industry for the purpose of seeking import relief under section 201 of the Trade Act of 1974 (the escape clause).

Since the Virgin Islands rum industry produces mainly unaged bulk rum, which is particularly price and import sensitive, and since the Puerto Rico rum industry produces mainly aged bottled and bulk rum, which is not especially price sensitive, the escape clause may not provide an effective remedy for the Virgin Islands unless the ITC were to define the Virgin Islands industry as a separate industry or, in the alternative, unless it defined the production of unaged bulk rum as a separate industry. I would like to state for the record that in my opinion the testimony and evidence presented to the congressional committees considering the CBI provide substantial support for making such a distinction. Further, it is my hope that the ITC, in carrying out its responsibilities pursuant to any mandate under section 332 of the Tariff Act, will monitor rum imports and organize its study in such a way as to allow it to distinguish the Virgin Islands industry from the Puerto Rico industry. ●

### CONFERENCE REPORT ON H.R. 3069—SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 1983

#### HON. WEBB FRANKLIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, August 1, 1983

● Mr. FRANKLIN. Mr. Speaker, because of official business in my district in Mississippi, I was not present for rollcall No. 293. I would like the record to show that had I been here I would have voted "yea" for Mr. WHITTEN's motion that the House recede from its disagreement to the amendment the Senate numbered 1 and concur therein with an amendment which would provide for funding payments to American cottongrowers under the President's payment-in-kind program. This provision would put America's cotton-

growers on equal footing with our Nation's wheat farmers, ricegrowers, and others who chose to participate in PIK and therefore I wish to express my support. ●

#### TIM WIRTH SAVES NPR

#### HON. NORMAN Y. MINETA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 1, 1983

● Mr. MINETA. Mr. Speaker, I would like to take a moment to congratulate my colleague, Representative TIM WIRTH of Colorado for the heroic role he played in assuring financial backing for National Public Radio. NPR offers an invaluable service to our Nation by providing outstanding coverage of national news, and TIM WIRTH deserves the thanks of all Americans for helping sustain that service.

I would like now to submit the following editorial which details the fine work which TIM contributed in order to rescue NPR.

[From the Rocky Mountain News, July 31, 1983]

#### NPR SNATCHED FROM BRINK OF BANKRUPTCY

National Public Radio's hero of the hour is Congressman Tim Wirth of Colorado's 2nd District. It was Wirth who made the survival of NPR a priority and brought about the agreement that will give NPR a loan of some \$8.5 million from the Corporation for Public Broadcasting, to be repaid by NPR stations around the country over a period of three years.

According to the NPR folks, Wirth, chairman of the House Subcommittee on Telecommunications, Consumer Protection and Finance, made it all happen. He cleared his calendar, cancelled dinner plans, and kept negotiations going until 2 a.m. The result: an arrangement that will allow millions of people to continue enjoying such programs as "All Things Considered" and "Morning Edition." Wirth simply wouldn't let go. "Fix it," he said. Now, with NPR's financial troubles at least temporarily resolved, it's likely that others will want a slice of the credit. It belongs to Tim Wirth.

The fixing wasn't easy. CPB was fearful that if it made the loan and NPR went bust at some future date, the satellite system on which CPB also depends would be lost as well. It wanted the system protected, and that was accomplished by turning it over to three trustees, not associated with either CPB or NPR. Thus, agreement reached NPR will continue the programming so many Americans consider the best in the land.

It's not, of course, a free ride. NPR stations around the country may be hard pressed to pay their share of the loan. And so far nobody knows how much that's going to be. Those same stations already go to their listeners for support. And some never make clear that the excellent programming they urge people to support isn't local.

So the fund-raising programs scheduled early next week by NPR will be carried by only about a third of NPR stations. KCFR in Denver won't be among them. Station



manager Max Wycisk instead plans a direct mail solicitation of members and will do a fund-raising program in October.

It's true that there is no immediate urgency to raise NPR-bailout dollars. But it is also true that the prospective demise of NPR might have brought contributions not otherwise available.

The burden of solvency, however, is one that will have to be shared—by NPR, by its member stations, and by those who think the quality of programming offered by the NPR network is worth preserving. If that can't be accomplished in the three-year life of the loan, it's unlikely we'll see another such rescue, Tim Wirth or no.●

#### TRIBUTE TO A SUPPORTER OF BIRMINGHAM YOUTH

#### HON. BEN ERDREICH

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 1, 1983

● Mr. ERDREICH. Mr. Speaker, several weeks ago, Birmingham lost a man who made helping children of Birmingham his priority for almost a decade.

David Rivers served as executive director of the Fourth Avenue Branch YMCA since 1974. He also served previously as an administrator with YMCA's in St. Louis, Mo., and Cleveland, Ohio.

I worked with David in 1982 to raise money to enable youths to enjoy summer "Y" activities as a part of the YMCA's back-a-boy program. I can personally attest to his outstanding contribution to the lives of the hundreds of youth who looked upon him as friend and counsel.

David was killed on Sunday, July 17, 1983, in Rayville, La., in an auto accident. He was traveling to Monroe, La., with a group of Birmingham area youngsters who were scheduled to participate in a YMCA basketball tournament.

It is ironic that David Rivers' life would end doing the thing he most loved to do, helping the young men who passed through the doors of the Fourth Avenue Birmingham YMCA.

An editorial in the July 20 Birmingham News summed it up best: "To have reached his life's end in such service, while tragic, was fitting in a sense that many would envy."

The text of the Birmingham News editorial, which pays tribute to the good deeds of David Rivers, follows:

[From the Birmingham News, Wed., July 20, 1983]

#### DAVID RIVERS

As tragic as was the death of Fourth Avenue YMCA Executive Director David Rivers earlier this week in a traffic accident, in a sense Mr. Rivers' end could not have been more appropriate. He was accompanying a "Y" basketball team to a tournament in Monroe, La.

In a life marked by service to his fellow man, and especially to youth, Mr. Rivers was a veteran of the Peace Corps and of "Y"

## EXTENSIONS OF REMARKS

work. He had directed the inner-city YMCA here for almost a decade. His contribution to the lives of the hundreds of youngsters who have passed through the facility during those years surely is the greatest monument a man could wish.

To have reached his life's end in such service, while tragic, was fitting in a sense that many would envy.●

#### TRIBUTE TO THE NORTHWEST FLORIDA BLOOD CENTER

#### HON. EARL HUTTO

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 1, 1983

● Mr. HUTTO. Mr. Speaker, this month will be the 35th anniversary of the Northwest Florida Blood Center, Inc., of Pensacola, a nonprofit organization. I would like to take this time to honor the Blood Center which is so vital to the people in the Florida Panhandle because it supplies blood to 15 hospitals in the area daily.

The center was conceived in 1948 and became a reality in 1949 as the Escambia Blood Bank. In 1979, the Bank changed its name to the Northwest Florida Blood Center, Inc. It is licensed by the Federal Drug Administration (FDA), and accredited by the Florida Association of Blood Banks (FABB). It is also a member of the National Clearinghouse of the American Association of Blood Banks (AABB), that allows the Blood Center to ship and receive blood throughout the United States as requirements dictate. The center serves five counties of northwest Florida: Escambia, Santa Rosa, Washington, Holmes, and Okaloosa.

The objectives of the Blood Center are to keep a sufficient amount of blood content on hand to serve the community's needs and to furnish blood and components as they are needed in various hospitals which this center serves. I might add that an outstanding job is being done by this organization.

To commemorate the anniversary, the center will host, along with the Honorary Chairman Vince Whibbs, mayor of Pensacola, a month-long blood drive. This commemorative drive is to help the bank compensate for severe summer shortage.

All citizens have to depend on blood banks everywhere and the Northwest Florida Blood Center has performed an exemplary service for the people of this area and stands ready at all times to save lives.●

August 2, 1983

#### CHARLEY HADLEY

#### HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 1, 1983

● Mr. LEHMAN of Florida. Mr. Speaker, in Dade County, when the important issues are being decided at the ballot box, there is always one person who can really make a difference—Charley Hadley and his get-out-the-vote effort.

Over the years, business and political leaders of the entire community have turned to Charley Hadley, and through "Operation Big Vote," he always delivered. The votes he turned out for the 1978 referendum on building Dade County's MetroRail system made the real difference in gaining voter approval. A few years earlier, his work was instrumental in the passage of a bond issue which provided financial support for this mass transportation project.

Charley has also been a definite factor in the election of public officials who have brought renewed leadership to our community. Congressman CLAUDE PEPPER could always depend on Charley, not only as an old friend from Tallahassee, but as a faithful political ally. State Senator Jack Gordon and our late Mayor Robert King High owed much to Charley Hadley, and I too am personally indebted to his tireless efforts. Charley acts from his own deep personal commitment, and he has often had to use his own modest funds to finance his voter registration and voter turnout projects.

Charley has changed south Florida, and he continues the fight to make these changes work for those who deserve a fair chance in a community that has already been made better because of Charley Hadley.

Mr. Speaker, a recent article in the Miami Herald describes a tribute paid to Charley Hadley by the people of Miami. The article follows:

LIBERTY CITY "MAYOR" TAKES WELL-EARNED  
CENTER STAGE

(By Liz Balmaseda)

When his turn came to stand on the stage and talk to the people gathered below in his honor Wednesday, Charley Hadley was full of words.

The unofficial mayor of Liberty City, the big man behind the black community's voting machine, "Operation Big Vote," he stood proud in rainbow suspenders, a red carnation on his collar and a short and wide, blue-scribble tie on his chest.

Uncle Charley Hadley, 69 years old, 300 pounds of a man on a portable stage. A thousand eyes were on him, some of them belonged to very important people.

Charley Hadley spoke in sentences with no periods, told jokes, thanked everybody for coming to the dedication of the Charles Rudolphe Hadley Clinic, the extension of a public venereal disease control center at 1350

NW 14th St., where Hadley worked from 1943 to 1982.

"I didn't know this job thing would last so long. I thought I would be looking for another job. But as the years started to pass, the business began to pick up," he said.

But his role as a health investigator was not what drew more than 500 people to the new clinic Wednesday. They came to pay tribute to Hadley, the black powerbroker who 25 years ago founded Operation Big Vote, a grass-roots political network that has helped to elect members of Congress, state legislators, commissioners and mayors.

Once his candidates made it to office, they usually appointed Hadley to select boards. He has served on the Miami Biracial Committee for Community Problems, Urban Renewal Committee, Civil Service Board and Housing Authority, and the Advisory Board for Metro's Department of Housing and Urban Development.

Wednesday, many of those politicians whom he helped to get elected paid tribute to him.

"If I had the opportunity I would nominate him as one of our national treasures," said Commissioner Ruth Shack.

A chorus from the James E. Scott Community Association sang, "He's got the whole world in his hands." And later, Dewey Knight, assistant county manager, said: "Charley Hadley is not God, but he has had many, many people in his hands. He has had the children with no toys at Christmas in his hands. He has had the people with food problems at Thanksgiving in his hands."

When the kudos had passed and the songs had been sung, the "Man of the Hour" remained at the microphone, bathed in his glory. As he left the stage, the old activist said softly: "This will probably be my last time this way."●

#### DAUPHIN COUNTY VOLUNTEER FIREMAN HONORED

### HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 1, 1983

● Mr. GEKAS. Mr. Speaker, the volunteer fireman occupies a special place in both the history of our Nation and in the esteem bestowed upon him by his fellow citizens.

Therefore, an award granted to one of its number by his peers is of special significance.

Such an award was given to Rev. Lloyd E. Beamesderfer, a constituent, by the Dauphin County, Pa., Firemen's Association at their annual convention on June 10, 1983.

Reverend Beamesderfer was named chaplain emeritus of the association in recognition of his many years of service.

The inscription on the plaque is as follows:

West Side Hose Co. No. 3, Joseph Bivens Award, 1983, presented to Rev. Lloyd E. Beamesderfer, with gratitude for your tireless effort in the interest of the Volunteer Fireman of Dauphin County.

The achievement is worth the recognition hereby granted by the U.S. Con-

gress through its inclusion in the CONGRESSIONAL RECORD.●

#### CONCERNING THE ETHIOPIAN HUNGER CRISIS

### HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 1, 1983

● Mr. BROWN of California. Mr. Speaker, July 21, 1983, I participated in the special order requested by my distinguished colleague from Michigan, Congressman WOLPE, concerning the Ethiopian hunger crisis. In my remarks, I urged the United States to expedite its response to the pleas for emergency assistance. I also expressed my disappointment and frustration at the decision to discontinue the long-standing Public Law 480, Food for Peace, assistance for that region.

Last week, July 26, 1983, Peter McPherson, the administrator of the U.S. Agency for International Development (AID), announced the United States would provide an additional \$700,000. The bulk of this assistance, to be utilized by the Christian Relief Service (CRS), is for the transportation of food. At the same time, Mr. McPherson announced the reinstatement of \$3 million for ongoing humanitarian assistance under the Public Law 480 for fiscal year 1984.

I would like to express my support for this increased assistance, and commend the administration for its prompt response. In addition, I would like to encourage AID to continue to monitor this situation closely, and join many other relief efforts in Ethiopia which are being coordinated through the United Nations Disaster Relief Organization (UNDRO).

At this point I would like to share with my colleagues an article outlining the plight in Ethiopia.

[From the Christian Science Monitor,  
Thurs., July 28, 1983]

#### WANTED: TRUCKS TO CARRY FOOD TO DROUGHT-STRICKEN ETHIOPIANA

(By David Winder)

The refreshing sound of rain falling on parched land has brought new hope to drought-stricken Ethiopia.

At the same time, an international SOS to save 4.5 million Ethiopians from malnutrition and starvation is yielding some results. Food—now the most precious commodity in Ethiopia—is reaching the nation's ports in plentiful amounts as a result of accelerated international relief efforts.

The overwhelming need at this point is for more trucks and spare parts to ensure that the food gets from clogged ports to starving people, some of whom are caught in a cross fire of government and guerrilla shooting in the northern regions of the country.

The fighting has only exacerbated the devastating effects of the drought and caused a flood of refugees into Sudan and Djibouti, both poor countries straining

under an increased refugee load. Meanwhile Somalia—also a catchment area for fleeing Ethiopians and at war with Ethiopia because of the contested Ogaden region—recently reported coming under ground and air attack from Ethiopia.

Ethiopia's response to both its internal and external problems has been dramatic. A thorough shakeup of its military government has left its strong man, Mengistu Haile Mariam, firmly in the saddle. The shakeup has been followed by an announcement that Ethiopia will introduce military conscription.

According to an official of Oxfam, the British relief agency, as many as half of those fleeing across Ethiopian borders are students—presumably those who would be eligible for the draft.

Ethiopia has broadened its international appeal for help in combating a drought that many voluntary agencies working in the country say is as severe as the 1972-73 drought. The Ethiopian government's failure to respond adequately to the earlier crisis was the straw that broke the reign of Emperor Haile Selassie and paved the way for the present Marxist government.

The United States, for one, has just stepped up its assistance. Voluntary agencies suspect that the Reagan administration is now responding to increasing pressures within Congress that it put humanitarian considerations ahead of political objections on the Ethiopian issue. Ethiopia is a firm supporter of the Soviet Union, its principal arms supplier, and has angered Washington in the past with strident anti-US attacks.

"The major point is that the US government is now responding in greater measure to the crisis and we applaud that," says Carol Capps of Church World Service and Lutheran World Relief in Washington.

She was reacting to the July 26 announcement by the administrator of the US Agency for International Development (AID), Peter McPherson, that the US would provide an additional \$700,000 to Ethiopia. The bulk of that will go to renting trucks where delivery of food is frustrated by poor roads or lack of roads, insufficient numbers of trucks and spare parts, and an inability or reluctance to penetrate large areas of rebel-held territory.

In addition, AID has reinstated a \$3 million request for ongoing humanitarian assistance under the PL 480 food aid program for the fiscal year 1984. Until now AID had failed to submit such a request—a gesture interpreted as signifying the administration's disapproval of the Marxist government of Colonel Mengistu.

In a telephone interview shortly after disclosing new Ethiopian funding to a Senate subcommittee hearing on world hunger, Mr. McPherson insisted that the US was doing what was needed to alleviate the situation. "It is the Ethiopians and the Soviets who should be doing more," he said. Mr. McPherson also suggested that the Ethiopians could release more of their military trucks for distributing relief supplies.

The AID administrator's assessment is at odds with that of Catholic Relief Services (CRS), a volunteer agency through which AID is funneling almost all of its assistance.

According to Ken Hackett, African regional director of CRS, who has just returned from a tour of Ethiopia, the government there earns high praise for its well-organized relief efforts. "The difference between the Ethiopians' relief work and their counterparts in the rest of Africa is the differ-



ence between night and day," Mr. Hackett says.

The Ethiopian relief effort has been aided by late rains needed for the November harvest, which will be the next crucial stage in the recovery effort.

At the same time, the problems confronting the Ethiopian government are immense. The government is unable, despite the use of greater military muscle, to dislodge guerrilla forces which for 20 years have been waging a struggle for independence in the northern province of Eritrea.

Meanwhile the drought has hit hardest in the three adjacent provinces of Gondar, Tigre, and Wollo. In Tigre, guerrilla forces of the Tigre People's Liberation Front (TPLF) are thought to occupy as much as 85 percent of the province. Fighting, which has intensified in Tigre Province in recent months, has also spilled over into Gondar and Wollo. As many as 10,000 new refugees are believed to have fled both the drought and the fighting and found refuge in rural refugee encampments scattered in the vicinity of Kassala, Qala 'en Nahl, Gedaref, and El Hawata in eastern Sudan.

Ethiopian refugees have also swollen the slum areas of Khartoum and Port Sudan. The total number of Ethiopian refugees in Sudan is now estimated to be well in excess of 600,000. Tiny Djibouti on the shores of the Red Sea is staggering under the weight of some 35,000 to 40,000 Ethiopian refugees representing some 15 percent of the entire population—a load that the Djibouti government finds intolerable.

Because of the fighting, especially in Tigre, food supplies cannot penetrate key areas. Food that would normally take two days to reach Makale in Tigre, where there are devastating accounts of starvation and malnutrition, now takes two weeks. The food comes in at the port of Massawa, and is then loaded and dispatched to Asmara. From there it is reloaded again and sent on to Adigrat. At Adigrat, a military convoy consisting of about 100 military trucks to ensure its safety takes over and continues the journey to Makale.

Yet some of the food distribution problems begin at the source—at the ports of arrival. While food shipments are moving smoothly enough out of the port of Massawa, there are long tie-ups at Assab (not enough trucks) and Djibouti (only two locomotives).

The combined effects of civil strife, drought, and world recession on one of Africa's largest and poorest countries (per capita income is \$140, or 1 percent of the US's) is taking a toll even on those not directly affected by drought or fighting.

According to a relief worker who has been there, the nutritional status of the people in Addis Ababa, the Ethiopian capital, is now as bad as that of the Sahel, the desert region of West Africa, "and getting worse."●

### SALUTE TO THE HOLCOMBE RUCKER BASKETBALL LEAGUE

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, August 1, 1983*

● Mr. RANGEL. Mr. Speaker, I would like to bring to the attention of my colleagues that one of our Nation's finest and its oldest summer professional basketball league, the Holcombe

Rucker League in New York City, is now in its 30th year of competition.

On Sunday, August 7, the Rucker League will be host to the Remy City Games, a tournament featuring teams from the professional basketball leagues in Baltimore, Washington, D.C., Philadelphia, and Chicago. These teams will challenge New York's basketball supremacy.

The expansion of inner city summer basketball leagues founded in the 1960's and 1970's to encourage youth to excel in academics and athletics can be traced back to the efforts of a former New York City Parks Department employee and schoolteacher Holcombe Rucker, who founded the league, the first of its kind in America.

Holcombe Rucker dedicated his life to the youth of his city, giving his time, money, love, and fostering the desire to achieve on and off the basketball court. The Rucker League's main purpose has always been to use sports as a vehicle to encourage youth to obtain an education. Toward that purpose, the Rucker League also sponsors an educational component called the each one, teach one program, which serves more than 400 educationally disadvantaged, inner city youth. The program provides academic counseling and tutoring for the students.

I am proud that such a fine program which combines athletic and academic excellence serves the youth of my community, my city, and our Nation.●

### CLASS OF 1958 OF THE ROOSEVELT HIGH SCHOOL IN HONOLULU, HAWAII, CELEBRATES ITS 25TH REUNION

**HON. DANIEL K. AKAKA**

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

*Monday, August 1, 1983*

● Mr. AKAKA. Mr. Speaker, on August 13, 1983, the Class of 1958 of the Roosevelt High School in Honolulu, Hawaii, will be celebrating its 25th class reunion. I remember this class very well, for I was an educator at the time. I have fond memories of many of the alumni of the class of 1958; in 1958 in Hawaii our students were highly motivated, and the quality of education uniformly high. Indeed, in 1958, we trained minds and prepared our students to live in the world of the future. As a former teacher and principal, I am immensely proud of the quality of education we offered our students in the fifties.

The students we trained in the fifties have gone on to higher and greater things; they have received advanced degrees; they are professionals engaged in a wide variety of activities; and, perhaps the most important area of endeavor of all, they are the mothers and fathers of many of our young

professionals today. All of them have communicated a love—and even a reverence—for learning to their children. This is indeed a great accomplishment.

During my years as a teacher in the public school system, there was strong community support for our public schools. Communities across the face of this Nation believed that a publicly financed school system could provide our Nation's young people with a quality education. I can still recall the enthusiasm for learning shared by the class of 1958 at Roosevelt High School and at every other institution of learning in Hawaii. The dreams and aspirations of the students of the fifties were supported and reflected by their parents. Those were indeed the halcyon days for education in our Nation.

For the last several years, public confidence in our Nation's educational system—and the schools which compose it—has been slipping. Thus, it came as no real surprise to many of us when the National Commission on Excellence in Education reported that American education is in trouble. I am sure that there is not a member of the Roosevelt High School Class of 1958 who did not know that long before the Commission issued its report.

I am sure that the members of high school classes of the late fifties share my commitment to improving the quality of education we are able to offer our children and their children in the future. Certainly, the future of our Nation depends upon our ability and willingness to make that commitment.●

### HIGH STAKES IN CENTRAL AMERICA

**HON. ROBERT J. LAGOMARSINO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, August 2, 1983*

● Mr. LAGOMARSINO. Mr. Speaker, the current issue of Readers Digest contains an interesting and informative summary of the crisis in Central America. The analysis by Author David Reed puts into proper perspective the national security interests of the United States in countering the Soviet, Cuban, Nicaraguan threats in this hemisphere.

#### HIGH STAKES IN CENTRAL AMERICA

THE COMMUNIST-INSPIRED STRUGGLES RACKING THIS VULNERABLE REGION MAY SOON AFFECT THE ENTIRE WESTERN HEMISPHERE

(By David Reed)

The guerrilla column moves silently through the night, across abandoned farms, past charred ruins of farm-houses. When the men reach a cleared strip, they place tin cans, filled with gasoline, along the edges. The moment they hear the sound of the twin-engine plane, they set the gasoline afire. Guided by flickering ribbons of flame,

the aircraft drops bundles dangling from parachutes. When the bundles hit the ground, the guerrillas tear them open and load up with weapons and ammunition, medicines and radio equipment. Then, as silently as it came, the column disappears in the darkness.

The scene is El Salvador and the guerrillas, members of the Farabundo Martí National Liberation Front, are seeking to establish a Marxist dictatorship there. Shipments are assembled in pro-Soviet Nicaragua to the south, and then sent by land, sea and air across Honduras to El Salvador. The conflict is anything but a local matter; instead, an expansionist Soviet Union is focusing its might on Central America in an effort to bring that key region under the control of pro-Soviet client regimes. Cuba, propped up by \$12.8 million a day in Russian subsidies, carries out the dirty work for Moscow, organizing the pipeline of materiel, and training guerrillas and urban terrorists.

Ever since NATO was founded in 1949, Americans have accepted the necessity of defending Western Europe against Soviet expansion. But many members of Congress, fearing "another Vietnam" and eager to oppose President Reagan for partisan political reasons, have been reluctant to back his requests for military aid to anti-communist forces in Central America. Yet Central America is right on our doorstep. San Salvador, the capital of El Salvador, is closer to Washington, D.C. (1880 miles) than Los Angeles is (2300 miles).

Modest American aid can save El Salvador and the rest of Central America from a communist takeover. All that's needed is more instructors and more military equipment. American combat troops are neither wanted nor required. Local anti-communist forces can do the job on their own.

#### NINE DICTATORS

Nicaraguan guerrillas, who called themselves Sandinistas, came to power in July 1979 because of the near-total opposition of Nicaragua's 2.7 million people to continued rule by Anastasio Somoza, whose family had run Nicaragua for more than 40 years. There was widespread rejoicing when Somoza fled into exile, and the Sandinistas promised that free elections would soon be held and that the country's wealth, much of which had been in Somoza's hands, would be redistributed fairly.

Today Nicaragua is ruled by a directorate of nine former guerrilla comandantes who have turned the country into a police state. Like their mentor, Fidel Castro, they swagger about in military uniforms with pistols on their hips. As a result of Sandinista mismanagement of the economy and the world recession, there are shortages of basic foods; unemployment and inflation have soared. Elections have been postponed until at least 1985.

The comandantes, however, have not fared badly. Each has taken over at least one mansion, sometimes two, formerly owned by Somoza and his cohorts.

Nicaragua groans under the weight of foreign communists. More than 6,000 Cubans and 500 Russians and Eastern Europeans are busy shoring up Central America's first pro-communist regime. Two thousand of the Cubans are military personnel. They have turned Nicaragua's armed forces into the biggest and most menacing war machine ever seen in Central America. In addition there are 2,000 Cuban teachers, 1,500 Cuban construction workers and 500 Cuban medical personnel in the country, with Cuban technicians and advisers found at the high-

est levels of all government ministries. East Germans are instructing the Sandinistas on their sinister specialty, the secret police. The Palestine Liberation Organization has dispatched 50 military instructors.

The communists have dug in for the long haul in Nicaragua. Several thousand young Nicaraguans have been sent to the Soviet bloc for university study, technical training and political indoctrination. Aeroflot has established air service to Managua, and there is a constant flow of Nicaraguans to and from Moscow.

Nicaragua's neighbors are increasingly worried about the military buildup and the Sandinistas' cries of "revolution without frontiers." The Sandinistas already have a regular army of 20,000 soldiers, mostly Cuban-trained, 2½ times the size of Somoza's army. They are backed by 20,000 trained reservists and 50,000 militiamen. Nicaragua's neighbor to the south, Costa Rica, abolished its army in 1948. (The Costa Ricans felt, quite rightly, that armies and ambitious generals are the curse of Latin America.) Nicaragua's neighbor to the north, Honduras, has just 13,500 in its army. Honduras has air superiority over Nicaragua, but only for the moment. Some 120 Nicaraguans are being trained as Mig pilots inside the Soviet bloc. Diplomats in Managua expect a squadron of 16 Migs in Nicaragua before the end of the year. The Sandinistas also have 152-mm. self-propelled guns and 50 T-54 and T-55 tanks, all supplied by the Soviets. Honduras has no armor, no meaningful anti-tank capability, no artillery. Nervously watching the Sandinista buildup, Honduras's Chief of Staff Gen. Gustavo Alvarez, says, "I don't imagine they want it for parades."

Nicaragua also provides the headquarters for El Salvador's insurgents. Instead of being in the El Salvador mountains, Salvadoran rebel leaders are in a heavily guarded compound near Managua where, with Cuban assistance, the major military decisions are made.

#### REBELS AT HOME

The flow of war materiel from communist countries for El Salvador's rebels funnels through Nicaragua. Last April, Brazilian authorities confiscated 52 tons of arms and ammunition (labeled "medical supplies") on four cargo planes from pro-Soviet Libya after the planes had made refueling stops en route to Nicaragua. The portion of Honduras fronting the Pacific coast is about 60 miles wide. It takes only two nights for men on foot or leading mules to cross from Nicaragua through Honduras to El Salvador. Other arms are loaded onto small boats in Nicaragua. Darting across the water at night, the boats are hidden in coastal inlets by dawn. More and more, materiel is being sent by airdrops.

However, after four years of helping stir up trouble in El Salvador, the Nicaraguan Sandinistas now find themselves with plenty of the same at home. The regime has come under attack from more than 7500 anti-communist guerrillas, called contras, short for counterrevolutionaries. Operating out of Honduras and Costa Rica, the contras have fought a number of pitched battles with Sandinista troops. One group of contras from Honduras raided as far south as the Nicaraguan town of Matagalpa, just 60 miles from Managua. U.S. officials say the contras are doing much better than anyone had expected; they have been receiving assistance from villagers who have grown increasingly resentful of the Cubans,

food rationing and Sandinista harassment of the Catholic Church.

The largest of the contra groups is the Nicaraguan Democratic Force (FDN in Spanish), its 5000 fighters trained and armed in Honduras with CIA and Honduran assistance. Fighting in coordination with the FDN are 2000 Miskito Indians determined to avenge Sandinista atrocities against their people. The Miskitos—Moravians and Roman Catholics—were outraged when the Sandinistas closed down churches. When some Miskito men joined an anti-Sandinista movement, the Sandinistas forcibly removed the entire Miskito population from the border area with Honduras, destroyed 40 of their villages, killing women and children as well as men.

A third group of 500 contras operates out of Costa Rica and is led by Edén Pastora, a former Sandinista comandante, who got fed up with the Cuban domination of the Sandinista government.

The contras have tied the Sandinistas in knots. They have the classic advantage of the guerrilla, and the Sandinistas the classic weakness of the government. The government has to be everywhere, guarding military installations and economic targets and defending cities and towns. The guerrillas choose when and where to fight. By inflicting damage on Sandinista forces, they undermine the credibility of the government.

#### INFORMAL ALLIANCE

Honduras has become a key ally of the United States in opposing Soviet-Cuban designs on Central America. The Honduran government permitted Nicaraguan contras to train on Honduran territory and continues to allow CIA-funded supplies to be shipped through Honduras. In addition, the government has agreed to open a base in Honduras where 120 U.S. military instructors would train 2400 Salvadoran troops so as to increase their effectiveness in coping with the guerrillas in their own country. President Roberto Suazo, a 56-year-old country physician, says, "As a doctor I know that when there is a cancerous lesion on the body, it must be eliminated or it will spread."

The Honduran army and police have cracked down on the traffic of supplies from Nicaragua to El Salvador. It is impossible to stop it entirely because most of the border is sparsely settled wilderness. The Hondurans, moreover, do not have the means to intercept the night flights across their territory.

Honduras will receive more than \$30 million in U.S. military aid during this fiscal year. At any one time, 35 to 40 U.S. military personnel are in the country helping to train its army. In addition, 50 men from the U.S. Army Corps of Engineers are working on a \$13-million expansion of a military airfield that American planes could use in a Honduran emergency.

Except for Haiti, Honduras is the poorest country in the Western hemisphere. Unlike its neighbors, it has no rich volcanic soil and, rather than a country of huge haciendas with peons working the land, Honduras has always been a place where small farmers work their own land. With a freely elected government, a free press and free labor unions, Honduras has few indigenous guerrillas or urban terrorists of any consequence. And its informal alliance with the United States is paying off handsomely in its struggle against poverty. The United States has embarked on a program of economic aid to Honduras that is large for a



country of just 3.7 million people. If Congress approves a request for supplemental funds, \$96 million will be spent on economic and health programs during this fiscal year, three times as much as on the military.

#### SIGNS OF HOPE

In El Salvador a military stalemate has developed. The government has been unable to defeat the Marxist guerrillas, who number some 6000; the guerrillas, in turn, are unable to bring down the government. The stalemate gives the government time to build its strength. American military aid, though inadequate, has nonetheless brought about some changes in the Salvadoran security forces. Says one American adviser, "The Salvadoran army was organized to fight on conventional lines. We're turning it completely around, into a counterinsurgency force."

While some elements in the security forces have no appetite for fighting, those who have been trained by Americans fight well. Unfortunately there are far too few troops with such training—4,000 out of 20,000 in the regular army and national guard. The American military mission in El Salvador hopes to train 3,000 more Salvadorans this year. The program, however, has been hobbled by the fact that the Administration, fearful of an adverse reaction in Congress, has limited the number of American instructors to 55. The President had asked for \$136 million for the current fiscal year, but seven months into it, Congress provided only \$26 million.

In the past, the Salvadoran army conducted itself as most Latin American armies do. When troops ventured out of their garrisons, it was in force to patrol highways in vehicles. Now, as a result of American insistence, small units are in the field all the time; when they find Marxist guerrillas, reinforcements are flown to the scene in American-provided helicopters. Three immediate-reaction battalions and an airborne battalion, all trained by Americans, are able to strike at the guerrillas anywhere in the country.

The security forces have been singularly successful in cleaning up San Salvador, the capital. Three years ago, guerrillas roamed the city with impunity, collecting "war taxes" at gunpoint and hijacking cars. At night, everyone withdrew to his home; the streets were absolutely deserted. Since then, however, the security forces have run the guerrillas out of town. Streets are thronged at night with people out for a stroll.

The guerrillas have little chance of winning, not only because of the military superiority of the government forces but because the Salvadoran public does not support the rebels. The guerrillas called for a general strike in August 1980. The public ignored it. In January 1981 the guerrillas called on civilians to stage an uprising in connection with a "final offensive" by the rebels. There was no uprising and the offensive was a bust. Last year, the guerrillas urged the public to boycott elections for a constituent assembly, threatening to shoot people who turned out to vote. The result: 80 percent of the eligible voters went to the polls. The public has been further alienated by the guerrillas' economic warfare. The rebels burn trucks and buses, destroy bridges and power lines and set fire to crops.

The Salvadoran government is far from perfect, but it is a freely elected one. Rightists inside and outside of the government have tried to sabotage the land-reform program, yet it remains basically intact. About 100,000 peasant families have benefited;

once employed for a pittance as laborers on vast haciendas, they now are living on their own land. Rightist terrorism still is carried out by elements in the security forces, particularly the national guard and the treasury police, but the number of political murders and kidnappings has fallen sharply. Human-rights violations are deplorable, but critics of American aid to El Salvador should bear in mind that it has been a land of great violence throughout its modern history. The situation cannot be changed overnight—especially in the midst of a fratricidal war.

Of all the events that are unfolding in Central America, the appearance of the contra guerrillas in Nicaragua may prove to be the most decisive. Many people feel that the contras have a good chance of destroying the Sandinista regime. This will not happen very soon; guerrilla warfare normally goes on for several years before it is successful. Should the contra win, the Marxist insurgency in El Salvador and a similar, lower-level one in neighboring Guatemala would in all likelihood wither away.

To hasten this day, the United States should lend its support to democratic forces in Central America whose people look to us for leadership. Indeed, America's role as a world leader may well hinge on how resolutely we deal with this Soviet-orchestrated threat in our own back yard. ●

#### CENTRAL AMERICA

### HON. THOMAS F. HARTNETT

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. HARTNETT. Mr. Speaker, one can hardly comprehend the injustice and inequities being inflicted upon the peoples of Central America, until it is viewed with one's own eyes. During my visit to Central America in June, I witnessed the degradation of human freedoms and rights on a scale beyond belief. The citizens of these countries are not calling on the United States from some far corner of the world. These people are calling for help from within our hemispheric bounds. Our neighbors request the economic and ideological help a democracy can provide.

The countries of Central America are not only proximal to the United States geographically, but also politically. Of the 32 countries in Latin America, 23 nations representing 70 percent of the total Latin American population, are democratic. It is, therefore, the direct responsibility of the United States and the other eight regional democracies that endorsed the principles of the San Jose Final Act of October 1982, to insure the security of the Latin American democracies. This security is becoming increasingly difficult to maintain under the weight of Communist subversion and aggression.

The Soviet Union has preyed upon targets of democratic, as well as authoritarian, regimes. This was evidenced in the 1960's by the Commu-

nist guerrilla activities in democratic Venezuela and Uruguay. Since 1978, the negative influence of the Soviet Union has infiltrated Colombia and Costa Rica. The Soviet Union, working through its satellite, Cuba, has demonstrated large-scale subversion in many Latin American countries. There are an estimated 8,000 Cubans in Nicaragua and Suriname. Currently, major subversive efforts are being actively pursued in Central America, Colombia, Dominican Republic, Chile, and Haiti. This amounts to a Soviet military effort in Latin America that is twice as great as that of the United States.

Between 1962 and 1981, Soviet security assistance to Latin America totaled nearly \$4 billion; U.S. assistance for the same period was roughly \$1.5 billion. The number of Soviet military advisers in Latin America between 1970 and 1981 was double that of the United States. Furthermore, the Soviets have also provided for the massive modernization and buildup in Cuba since 1981. In 1981, military equipment, amounting to more than 63,000 metric tons, poured into Cuba. This is the highest total since 1962, during the Cuban missile crisis. Just last year, 68,000 metric tons of military equipment was delivered to Cuba.

When I look at these startling figures and realize that nearly half of our foreign trade, including petroleum, passes through the Panama Canal and Caribbean Sea; and further, in a time of European crisis, at least half our supplies for NATO would go past Cuba, I feel the need to enact more responsive legislation in this area of concern. Our lifelines of trade in the Caribbean Basin are in ever increasing danger from the Soviet combat brigade stationed in Cuba and a modernized Soviet submarine base, also located in Cuba. There is firm evidence regarding Soviet and Cuban support for violent leftist activities in Central America. U.S. intelligence has provided locations of training camps, command centers, and arms supply routes within this region. There are Nicaraguan based military facilities that provide command and control, training and logistical support for the Salvadoran guerrilla forces. These activities are not motivated with concern for democratic freedoms and equalities in society, but are, in fact, designed to prevent friendly U.S. relations with Latin America.

It has, therefore, been necessary for the United States to promote a policy of support for nations struggling with political freedom. Many of my liberal colleagues have said the United States is emphasizing security over economic development; this is simply misleading rhetoric. In fiscal year 1983 three-fourths of our assistance to the region came in the form of economic aid, only one-fourth was military aid, from 1946

through 1982, the United States provided \$2.3 billion in economic aid, as opposed to \$296 million in military assistance to the region. Up to 1982, the U.S.S.R. provided \$4 billion in military subsidies to Cuba. The Soviets provided \$150 million in military assistance and \$50 million in economic assistance to Nicaragua.

Although I feel developmental assistance to Central America is vital, we must also provide a shield of defense behind which democracy can grow. When I hear the opposition berating the current policies in Central America, in particular, U.S. military practice, I feel compelled to set the record straight. No military assistance was given to El Salvador until President Carter did so in January 1981 following definitive evidence of massive arms flows to El Salvadoran guerrillas from Nicaragua.

U.S. diplomatic initiatives in the Latin American countries advocate reductions in armaments, but I am in agreement with the administration. As long as Nicaragua maintains a huge militarization program, its neighbors need military support to resist threats to their security. The United States is trying to advance political reconciliation through the democratic process within each nation. I have seen where these programs have begun to work and have much potential for success. The million and a half Salvadorans—83 percent of the electorate—who voted in March 1982 are crying out for the democratic freedoms that they are entitled to as human beings. I feel that Congress must continue to support democracy, reform, and human freedom in Central America. We must continue to support economic development. We must support dialogue and negotiations, both among the countries of that region and within each country. Paramount to all of this is the pledge to assist those nations threatened by possible loss of democracy.

It amazes me how some of my colleagues feel that the Reagan administration has been ignoring the conditions of this area, when the President increased the Carter administration's \$20 million (fiscal year 1981) economic assistance request for El Salvador to over \$100 million. This economic aid was also increased further to provide \$186.1 million (fiscal 1982) to the Salvadorans. Such a ludicrous assertion can be further dispelled when one considers the proposed Caribbean Basin Initiative, which will provide powerful trade and investment incentives to countries of the region.

It should be understood that military aid must go hand in hand with economic aid. For just as we argue that economic growth will promote political security, it is also true that economic growth will only take place in

an environment of political peace, not violence or military aggression.

Much of the world and the United States have focused their attention on the 55 U.S. advisors in El Salvador and what the United States may or may not be involved with in Nicaragua. Our advisors have helped to train just 1 out of every 10 Salvadoran soldiers; much less than the number of guerrillas trained in Nicaragua and Cuba. As time passes, chunks of democracy fall into the hands of Communist control. We, as Americans, cannot permit this to happen. We cannot support repressive regimes. We must promote freedom and individual liberties. For if we fail in our goals, it is my firm conviction that we will witness a bloodbath between the marxist and the anticommunist led elements of Central America, and later among the leftists in a struggle for power. This violence will result in a mass exodus, fleeing the chaos and repression in Central America to the relative peace and freedom of the United States. The security ramifications for the United States would be intangible. We would be bordered to the south by marxist totalitarian dictatorships committed to a goal of democratic destruction. This would incorporate a threat to the Panama Canal, Mexico and the vital sealanes through which 50 percent of our trade passes. There would be no hope of rebuilding this region into pluralistic states.

In conclusion, allow me to say that for too long, the extent of the Soviet threat in Central America has been overlooked or simply underestimated. We are witnessing a premeditated plan for the erosion of the democratic countries in Latin America. It is imperative that the United States provide the help economically and militarily to these countries under communist pressure. A battle for justice and freedom is being waged in our hemisphere. It is our democratic and moral obligation to pursue a policy which will assist the efforts being made to foster democracy in Central America. The ideals we represent are being challenged. We must stand up and be counted in their defense. ●

#### LEGISLATIVE VETO: YES OR NO?

#### HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. MICHEL. Mr. Speaker, when the historic Supreme Court decision on the legislative veto appeared, I said that we would—and should—see a variety of opinions and commentary on the decision. I have not been disappointed. There are probably more views on this difficult and complex

subject than on any other in recent memory.

One such view was put forth recently by Terrence M. Scanlon, Vice Chairman of the U.S. Consumer Product Safety Commission in testimony before the Subcommittee on Administrative Law and Governmental Relations of the Committee on the Judiciary of the House of Representative. I want to bring these remarks to your attention since they very clearly and informatively present one point of view on this very difficult problem.

At this point, I wish to insert in the RECORD a statement by Terrence M. Scanlon, Vice Chairman of the U.S. Consumer Product Safety Commission before the Subcommittee on Administrative Law and Governmental Relations of the Committee on the Judiciary of the House of Representatives.

Mr. Chairman and Distinguished Members of the Subcommittee on Administrative Law and Governmental Relations, I welcome this opportunity to submit written testimony on H.R. 2327, The Regulatory Reform Act of 1983, and to comment on the June 23, 1983 U.S. Supreme Court decision on the "legislative veto," as well as the potential impact on the Consumer Product Safety Commission (CPSC) of some of the various legislative responses to that decision. I regret that I cannot appear in person to deliver these remarks because of a long planned trip. I will limit my comments to the issue of the legislative veto, as it is certainly on the minds of many people today, especially regulators such as myself and you as members of the legislative branch.

When first contacted on the day the U.S. Supreme Court decision was announced in *Immigration and Naturalization Service v. Chadha et al* (Slip Opinion No. 80-1832, decided June 23, 1983), I said then in response to a media inquiry and will repeat that "... to the extent that Congress more accurately reflects the mood of the American people than the regulators, the review that has been eliminated [i.e., the legislative veto] is one that I feel was a very important balance and restraint on regulation." I also stated that, with the elimination of this additional review of the regulator's action and the resulting increase in power granted to us, our level of responsibility increases as well. Accordingly, I stated that, "I hope history proves we were worthy of that responsibility."

I stand by those preliminary remarks and, on further reflection, I think they adequately reflect my views today and I am certain many of yours as well. The added responsibility placed upon regulators, in absence of the legislative veto, is one I take seriously and view with some concern; and I am sure all those in a similar position do so, as well.

Unfortunately, self-policing and self-restraint have hardly been the forte of most regulatory bodies. A need for adequate checks and balances is I believe self-evident. An external check on the power of regulatory authorities is, I think, necessary and important if we are to provide the maximum benefit to the public.

Judicial review is, of course, always available on any proposed regulation. But, all of us familiar with the costs and delays inherent in the judicial process as it exists today would hardly look to this method of review as "one last resort" for those to be regulat-



ed. Often, those affected by such regulations are small businesses or minority-owned enterprises, an area I specialized in for thirteen years prior to my appointment to the CPSC. These individuals and groups are least able to turn to the costly and often long-delayed judicial review process when faced with regulation that may adversely impact on their businesses or even place their very survival in jeopardy.

Since the 1981 amendments<sup>1</sup> added the legislative veto to our statutes (Consumer Product Safety Act, CPSA; Flammable Fabrics Act, FFA; and Federal Hazardous Substances Act, FHSA), these provisions have had no adverse effects. The legislative veto provision has merely delayed the effective date of promulgated rules, pending the required expiration of the 90-day continuous session without disapproval.

It is possible I may be in a minority among regulators, both at the CPSC and elsewhere in the federal establishment, in that I favor Congressional review and authority to disapprove regulatory actions. My work with small business development compels me to this conclusion. My call is for a shared responsibility with the Congress, the representatives of the American people. This is one of the best barometers I know of, along with the President, of citizens' hopes, fears, and aspirations. Accordingly, I favor a legislative response to the challenge posed to all of us by the loss of the legislative veto.

The form and format of such a response is, of course, the more difficult question. It is not easy to say what method Congress should use to supervise the exercise of delegated powers. The two specific proposals I am familiar with have both been added on the House side to our reauthorization bill (H.R. 2668). They would serve to put this particular Commission on notice that we cannot expect an unbridged power to regulate. One proposal would give both the legislative branch and the President 90 days (continuous days of the Congressional session) to disapprove a final rule or regulation by joint resolution.

The other proposal would provide that both legislative bodies and the President must in substance affirmatively approve any regulation before any appropriated funds may be used to place in effect that safety rule. No time limit for action is set out in that particular proposal. This, in my view, is the more stringent check on regulatory conduct. Mere inaction by either House or, more importantly, a single Committee of the House or Senate would effectively kill any safety rule or regulation. I need not tell you of the potential of inaction by a Congressional Committee on any given proposal due to the enormous number of bills introduced annually. Congress could be potentially faced with the added burden of legislative processing of the many regulations promulgated yearly. Such inaction would be I suspect the norm rather than the exception.

Regardless of which proposal is ultimately adopted, the public good—in our case at the CPSC, the specific well being and safety of consumers in the complex and diverse marketplace of America—will best be served by Congressional and executive action on any proposed regulation, as well as judicial review. Such shared responsibility, I believe, is the best chance to produce a "consensus"

<sup>1</sup> Section 1207, Omnibus Budget Reconciliation Act of 1981 (Omnibus Act), P.L. No. 97-35; 95 Stat. 718-20; 15 U.S.C. § 2083, 1276 and 1204.

that is possible to be reflective of the very diverse and complex society which is the United States today. I am sure the Congress, as well as the executive branch, can and will be able to meet the challenge posed by this Supreme Court decision. Not only will the traditional separation of powers be maintained, but also the process will be such that all of us can fulfill the mandate with which we are charged—to provide for the common good.●

#### ETHNIC WAR IN NICARAGUA

#### HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. LAGOMARSINO. Mr. Speaker, in the debate on covert aid to the Contras in Nicaragua, there were times when the discussion lost sight of the severe attack on human rights being orchestrated by the Sandinista regime. That government's policy toward the ethnic minority groups in Nicaragua is an outrage. The Miskito Indians and other Indian groups have been the victims of imprisonment, relocation and massacre. The Congress has never hesitated to condemn the unspeakable horror of genocide, yet the campaign of terror invoked against the minorities of Nicaragua seem to be ignored. I urge my colleagues to consider the analysis of Prof. Bernard Nietschmann of the University of California at Berkeley in the following commentary entitled "Ethnic War in Nicaragua."

#### ETHNIC WAR IN NICARAGUA

The Sandinista invasion and occupation of eastern Nicaragua has turned into an outright war against all ethnic minority groups. Miskito, Sumo and Rama Indians, Creoles, and Black Caribs (Garifunas) have been killed, imprisoned, relocated by force, and some have escaped capture by fleeing into the forests and swamps. A few have managed to elude Sandinista patrols and boats and have made their way to Costa Rica to become refugees. Others have stayed to take part in the growing resistance against the Sandinistas.

Every member of an ethnic minority is considered to be a probable contra, and as a result, all central and southern coast villages are being turned into ethnic ghost towns, replaced by military garrisons. For example, Marshall Point villagers (Creoles) are in prison or in the bush and their settlement is now occupied by 250 Sandinistas. Orinoco (Black Carib/Garifuna) had two-thirds of its population arrested and now is a military post. Tasbapauni, Miskito community, was invaded by 500 Sandinistas on January 18, 150 Miskito were arrested, 600 fled, and the village is now occupied by a military force. Eastern Nicaragua is now a region devoid of the ethnic minorities that once made up the bulk of the population in this formerly isolated coastal lowland. The minorities are either dead, in jail in Bluefields, Puerto Cabezas, or Managua, in the bush as part of the Resistance, or in Honduras or Costa Rica.

The war between the Sandinistas and eastern Nicaragua's ethnic minorities is

based on a different history and different influences than those that are part of the war being waged by Spanish-speaking Nicaraguan contras operating out of Honduras and Costa Rica. Fighting between the Miskito and Spanish-speaking people goes back 400 years. Until the 1979 Sandinista Revolution, Miskito territory was never occupied by or surrendered to Spanish-speaking peoples. Historically, Rama and Sumo Indians also have resisted Spanish intrusion. The coming of the Sandinistas to the east coast is the first large-scale invasion and occupation by Spanish-speaking peoples. The occupation has turned into a race war against all ethnic minorities. Resistance is widespread and growing and includes not only Indians but Blacks (Creoles) and Garifuna, a people whose culture was forged from waging the only effective armed resistance encountered by the Spanish, French and English in their sixteenth to eighteenth century conquest of the eastern Caribbean.

Ethnic minority peoples are resisting the Sandinista invasion. Displaced, imprisoned, dead—many are unable to resist. But others are and they are doing so for their own territory, their own people, their villages, and for their dead. The Ethnic Resistance is independent in origin, united by the collective experience of Sandinista repression, and seeks self-determination of livelihood and autonomous control of their villages and lands.

The Ethnic Resistance is a third front against the Sandinistas. Many people misunderstand the basis and the alliances of this resistance, supposing that it has been originated by outsiders, either Spanish-speaking contras or the C.I.A. To believe this is to ignore completely the bloody colonial history of Spanish extermination and exploitation of Indians in Latin America and post-Independence racist treatment of Indians that continues unabated to the present. Why are there no Indians in Cuba or in the island Caribbean? Why are there so few in Costa Rica? El Salvador? Why are Indians being killed in Guatemala? And why have the Miskito been resisting the Spanish and the Spanish-speaking Nicaraguans for more than 400 years?

The treatment of Indians has not changed over time or with political change. Colonialists and revolutionaries have violated Indian human rights and territorial rights. Governments of the political right and left have dispossessed Indians of their lands and taken their lives and this continues in Nicaragua under the cover of economic and political development and military security. Hundreds of Indians have been killed and now the killing also includes Garifuna and Creoles. Hundreds have been arrested and imprisoned. And more than 14,000 have fled Nicaragua to take refuge in Honduras and hundreds more are on their way to Costa Rica. Thousands more have been forced into "relocation camps," which are simply concentration camps from which attempted escape means pursuit by guards and bombardment and strafing by Sandinista airplanes as happened between March 30 and April 5 when some 700 Miskito broke out of relocation camp Francia Sirpi and headed for Honduras to seek refuge. At least 17 Indians were killed and many more wounded by the aerial attacks.

Indian peoples have survived in Latin America in isolated areas, but few places are isolated anymore. And Indian peoples have survived by resisting as did the San Blas Cuna who fought and defeated the Panamanian forces in the 1930s. The Cuna have

their own islands and have control over those islands as a result. And the Garifuna survived through resistance until they were deported from St. Vincent Island in 1797. But their descendants in Nicaragua continue to resist invasion of their villages and lands. Now, too, they have been deported to jail in Managua, exiled from their homeland; some have become refugees in a foreign land. And others stay to fight.

The expelled and bloodied ethnic minorities of eastern Nicaragua will continue to resist the occupation of their homelands. To consider Indian and Black resistance fighters to be mercenaries is both paternalistic and racist. The Caribbean Front is an ethnic war precipitated by the Sandinista invasion. Denied their lands, villages, homes, their human rights and very lives, are they now to be denied even the history and origin of their resistance?

Apologists for the Sandinista invasion and repression of ethnic minority rights will continue to try to explain the ethnic resistance as foreign-inspired. For them the Revolution must have no blemishes, no legitimate internal rebellion. They seek resistance to the Resistance.

Ethnic resistance to ethnic repression will continue. The Third Front is real. What is going on in Nicaragua is much more complicated than the two dimensional descriptions of the good guys vs. the bad guys, Washington vs. Managua, capitalism vs. socialism, the C.I.A. vs. the Sandinistas. Indian and Black peoples are dying and fighting for their rights and lands. Some things never change, only the interpretation. Remember Tasbapauni.

(Bernard Nietschmann is Professor of Geography at the University of California, Berkeley. He has worked with Indian and Black peoples of Nicaragua since 1968.) He is the author of three books on eastern Nicaragua: "Between Land and Water: The Subsistence Ecology of the Miskito Indians" (1973, Seminar Press); "Memorias de Arrecife Tortuga" (1977, Managua); and "Caribbean Edge: The Coming of Modern Times to Isolated People and Wildlife" (1979, Bobbs-Merrill).

#### TIME HAS COME TO DECONTROL

**HON. THOMAS F. HARTNETT**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. HARTNETT. Mr. Speaker, I would like to share with my colleagues two articles which have appeared in the Charleston News & Courier and the Evening Post calling for decontrol of natural gas.

I represent, as many of my colleagues do, a consuming State of natural gas. Under the complex price regulations of the Natural Gas Policy Act of 1978, my State, along with many other States, pays more than the national average for its supply of natural gas. I am opposed to this regional disparity because in a tight supply situation, South Carolina, under the present law, would be very vulnerable to price and supply distortions in the natural gas market.

What this could mean to South Carolina in terms of employment was spelled out in a recently completed study by Clemson University's South Carolina Energy, Research and Development Center, on the economic impact of natural gas prices and deregulation on the South Carolina economy. The study entitled "An Assessment of the Economic Impact of Natural Gas Prices and Deregulation Upon the South Carolina Economy," concluded that if the present law remains unchanged, in a tight supply situation, pipelines serving South Carolina might not be able to purchase expensive gas and the State could face plant shutdowns with a cumulative loss of 130,000 South Carolina jobs.

[From the Charleston (S.C.) News & Courier, Feb. 26, 1983]

#### TIME HAS COME TO DECONTROL

When it passed the Natural Gas Policy Act of 1978, Congress wanted the price controls on natural gas to be phased out gradually with a minimum impact on the consumer. Gas was cheap then and fuel oil was expensive. It was hoped the two prices would equalize by 1985.

But ask any natural gas consumer about gas prices—they have tripled since 1978 in some parts of the country, and, on average, went up 25 percent last year alone. In some markets the cost of gas has now zoomed past the cost of fuel oil, causing industrial users to start converting their energy source to oil. As the current OPEC disarray continues and the price of crude drops, that gas gap will continue to widen.

There was one positive result of the 1978 legislation—it stimulated a search for new sources of gas. That search was so successful, it spawned a whole new breed of overnight millionaires and there's so much gas available today that wells are being capped off. That raises the question of how does gas defy the laws of supply and demand? The answer lies in the regulatory flukes built into the 1978 law by which Congress created different prices for gas from different sources to stimulate exploration. As a result, gas in the lower-priced categories is being capped off and left in the ground while the expensive brand is being delivered to the customers.

All of this has not escaped the attention of President Reagan who advocated speeding up decontrol of natural gas during his 1980 election campaign. He has not pushed the subject over the last two years for fear that the prices on a free market would zoom, negating his efforts to lower the inflation rate, as it has turned out, the prices zoomed anyway because of the way the regulations were worded while the inflation rate dropped to the lowest in a decade. Mr. Reagan's major obstacle in Congress remains those Democrats who advocate recon- trol of gas prices. All that would accomplish is a return to the gas shortages of the mid '70s which led to the initial decontrol legislation.

The answer is to speed up the process of decontrolling natural gas prices. The time is even more critical now that oil prices are tumbling. The built-in market competition will insure a rapid stabilization of prices and an end to this unnatural defiance of the laws of supply and demand.

[From the Charleston (S.C.) Evening Post, Mar. 31, 1983]

#### GOVERNMENT RULES RAISE NATURAL GAS COST, EXXON OFFICIAL SAYS

(By Terry Bresnihan)

The solution to problems in the natural gas industry is to end government regulation and a return to a free and competitive market, an Exxon USA official said here Wednesday.

Dr. Arthur G. Randol III, public affairs manager of Exxon's southeastern division, said federal government price rules that were prescribed in 1978 legislation have brought large increases in the cost of natural gas and caused other distortions in the market that wouldn't occur naturally.

Randol made his remarks in an address to a Charleston Trident Chamber of Commerce forum on natural gas.

The 1978 law, enacted at a time of gas shortages, lifts price controls by 1985 on offshore oil and gas discovered after April 1977. But it retains indefinitely price ceilings on gas found prior to April 1977 and mandates numerous, complex pricing procedures. President Reagan has proposed that all controls be eliminated by 1986.

Randol said that South Carolina is very vulnerable to price and supply distortions in the natural gas market because of the government's current policies. The state is very dependent on outside suppliers of energy and sits at the end of most pipelines serving this region. Because South Carolina already holds a disadvantaged position, market disruptions could have tremendous effect, he said.

Randol, who said he believes that increasing awareness of the problem will lead Congress to accept Reagan's proposal, disagreed with those consumer groups and others who predict price increases following total decontrol. He noted that oil prices didn't experience the predicted large increases after that commodity was decontrolled. "Under the president's proposal it's more than likely that prices would drop," he said.

Randol also made reference to a Clemson University report assessing the impact of natural gas prices and deregulation on the state's economy. A major conclusion was that supply is significantly more important to South Carolina industry than cost because of the low quantities of natural gas used in relation to total product output. Recommendations of the study favored deregulation to a limited degree with provisions for alleviating the disruptions of shifting from a controlled market to a free market.

#### ANOTHER VIEW OF SOUTH AFRICA

**HON. JACK FIELDS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. FIELDS. Mr. Speaker, I would like to present for the RECORD, an article that recently appeared in Portland magazine entitled "Another View of South Africa." The author, Mr. R. E. Forbes, clearly explains why the United States must continue to play an important role in business and trade with South Africa.



Forbes, a resident of southern Africa for almost three decades, writes in response to recent cries calling for divestment of U.S. business interests in South Africa. Forbes notes that during the last 3 years more progress has been made toward creating a more just social order in South Africa than in all of its previous 300 years of existence. During this time, job reservations for whites were abolished, an increasing number of blacks learned trades and entered the professions, and the real income of blacks increased 40 percent over the past decade, by far the highest income on the African Continent.

The present Government in South Africa recognizes that in order to prevent rising social unrest, structural changes must be made within the Government to provide all races in South Africa with the economic and political freedoms they deserve. While continued improvements are necessary, the changes being made represent the beginning of a program to improve the quality of life for the black population in South Africa. Divestment of American business in South Africa would not only hurt our own economic interests, but would also cause undue economic hardship and misery for the nation's majority black population.

I commend the following article to the attention of my colleagues:

ANOTHER VIEW OF SOUTH AFRICA

(By R. E. Forbes)

A bill recently came before the Oregon Legislature, which was to prohibit state funds to be invested in businesses trading with South Africa. After lengthy deliberations, better judgment prevailed and the bill died quietly.

For one who has lived in southern Africa for almost three decades it is incomprehensible how such a bill could have come up at this juncture, when, particularly during the last three years, more progress was made toward creating a more just social order in South Africa than in all the preceding 300 years. Nobody claims that there aren't still many problems, but there is willingness by the government to solve them without at the same time jeopardizing the country's security. The secretary-general of the biggest black South African labor union, Lucy Mvubelo—addressing an audience in this country recently—was asked whether the changes made by the government aren't just cosmetic. She replied, "They are not cosmetic, they are more like a heart transplant." Contrary to the impression the enemies of the Republic of South Africa (RSA) wish to create, the government is doing its utmost to improve the quality of life of the black population. South African blacks have by far the highest average annual income on the African continent. From 1971 to 1980 the real income of blacks increased by 40 percent while that of whites decreased by 3 percent. However, there still is a gap between the two incomes, but since job reservations for whites were abolished and an increasing number of blacks learn trades and enter the professions, it is shrinking fast. The government knows that the best way to prevent social unrest is to create as large a black middle class as possible, which is also good for the economy.

There also are other reasons why the republic's enemies' prediction, which has been banded about for at least half a century, that a black uprising is inevitable, is without foundation. Unlike the American blacks, who are a more or less homogeneous community, South African blacks are not. They belong to 10 separate nations (each subdivided into many tribes), each with its own language and tradition. One manifestation of this, and of the fact that there is no unity—rather hostility—between the different nations, is that a member of one black nation only will call a member of the same nation brother, never one belonging to another nation. Even if there were motivation for an uprising (and as the above-mentioned Lucy Mvubelo said, such motivation does not exist) concerted action by the different nations and tribes is an impossibility.

South Africa's blacks are aware of what goes on beyond their borders—the utter misery, starvation, unemployment, rape and massacres in the tribal wars in Angola, Mozambique, Zimbabwe and farther afield, the consequence of revolutions—and they don't want any of it. The only ones who want revolution by advocating divestment are a few power hungry individuals such as foreign-based, Soviet-backed terrorist leader Oliver Tambo, who couldn't care less about the peoples' well-being. The internationally revered Gatsha Buthelezi, chief minister of the Black National State of KwaZulu and leader of the Zulu nation said, "It is morally imperative that American firms remain active here. My people want you and need you here, as we need the whites and the whites need us." Many responsible black labor leaders, including Lucy Mvubelo, also have spoken out publicly against American divestment, and neither Buthelezi nor any of them are Uncle Toms.

One might ask those who want to punish businesses trading with South Africa why they don't want to punish firms trading with countries which invade other countries, which arm terrorists all over the world, which will not allow their citizens to emigrate, and penalize those who hold religious beliefs and generally violate human rights far more than South Africa ever did?

It is, however, not surprising that many Americans are emotional and biased against South Africa when one realizes that most of the Western media throughout the years have sent only the kind of people to South Africa who could be depended upon to send back sensational reports, reporting only the detrimental and none of the favorable news. If there isn't detrimental news, it is manufactured. An example is what I once witnessed. One morning I happened to see a panel-van, with the name of a well-known TV network on its side, stopping in a street of a white suburb where the children of the black servants were playing. Several men got out and set up the TV paraphernalia and, of course, the kids crowded around curiously watching. One of the men took out a handful of coins and dropped them in a garbage can. The kids, of course, dived for them and the camera whirred. One of the men shouted, "Keep it at a distance, they are too fat." What Americans eventually heard and saw on their sets was "starving black children raiding the whites' garbage for scraps of food." It's the same kind of news coverage but in reverse, which relegates in low-key to the back pages the findings of the Italian authorities of the KGB involvement in the assassination attempt on the Pope or the Soviet use of poison gas in Afghanistan.

Apart from the above considerations, what would divestment in South Africa do for, or to, the United States. South Africa is one of the most lucrative and safe investment fields in the world. The yield from foreign investment is an important national revenue which is reflected in the balance of trade. Were American businesses forced to sell out in South Africa, no doubt some other industrialized country would pick up those assets probably at bargain prices. We would be the losers without having accomplished anything. But supposing that nobody were to buy our factories or whatever, the assets would have to be liquidated and the loss would even be greater. However, it would hurt the South African economy, but the ones to be hurt most would be the people on which behalf it would be done. They would lose their jobs.

The goal of the divestniks is to topple the South African government. Supposing they succeeded, it would mean a bloodbath of almost unprecedented proportions, and the only winners would be the Soviets. Leonid Brezhnev told the Warsaw Pact chiefs in Prague in 1973 that the Soviet goal is to bring the West to its knees by cutting off the supply of Middle East oil and the minerals from Southern Africa. As I said in my testimony before the Oregon Legislature, a vote for this bill is a vote for Yuri Andropov. ●

CENTRAL AMERICAN  
CLARIFICATION

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. LAGOMARSINO. Mr. Speaker, it seems that congressional and media critics of the administration refuse to acknowledge the significance for U.S. security interests of countering the Communist threat in this hemisphere. The President's press conference July 26 attempted to put into perspective the threat the United States faces as well as the coordinated effort to find a negotiated settlement in the region while putting pressure on the Nicaraguan Government to curtail its subversion in Central America and join the negotiation process. William Randolph Hearst, Jr., in the July 31 Los Angeles Herald Examiner, describes his impressions of U.S. policy in Central America and his support for the President's position.

SAN SIMON, CALIF.—President Reagan tackled the Central American and Caribbean region problems head-on with an emphatic assertion that the United States wanted nothing but to preserve freedom. He supported fully military maneuvers around the ticklish areas, wondering why critics made such an outcry when they have been staged regularly there for years.

Fleet battle groups shortly will take up positions in international waters where they are entitled to be, and land maneuvers are planned with friendly Honduras adjacent to communist Sandinista-run Nicaragua. The president declared that we didn't covet an inch of Central American territory which Soviet-sponsored surrogates actually seek.

But the United States, President Reagan told a White House televised press conference, must provide our embattled Central American friends such as El Salvador with a "shield for democracy," meaning our intent and power to enable them to do their job. They haven't asked for U.S. forces and President Reagan didn't foresee a scenario where they would, if they themselves are adequately trained and supplied.

I wholeheartedly agree with his position, told frankly and fully to a national audience. The president detailed specifics of Soviet and Cuban clandestine military aid to the Sandinistas last spring. After an initial favorable national response, congressional and media critics clouded up the issues that involve our own national interests.

The president made a number of other comments in his wide-ranging press conference that I think should be emphasized.

One of them was about that phony comparison between Vietnam and Central America. Over and over again in recent weeks we have all read and heard that phrase "another Vietnam" in connection with the news about Nicaragua and El Salvador. In the first place, Vietnam is thousands of miles away, whereas Nicaragua and El Salvador—and communist Cuba—are right on our country's front doorstep.

Secondly, Ronald Reagan is not just talking through his hat when he says that on that doorstep are Cuban soldiers and installations financed by the Soviet Union. President Reagan referred the other night to the "constant drumbeat" of confusion on this issue. He has every right to be annoyed when his critics, be they politicians or members of the press, draw parallels between countries just south of Florida and a country in far-away Asia.

He responded in a statesmanlike manner to a question about Henry Kissinger's qualifications to head a study of Central American problems, adding that the record shows that Kissinger is one of the nation's ablest diplomats and his service in this present crisis is invaluable.

President Reagan asserted that above all, he wants peace and that the Americans are probably the greatest peace-lovers on earth. In his lifetime, the president noted, he saw four wars. He added: "I agree with General Eisenhower that war is man's greatest stupidity."

Yet peaceful pursuits are not the intention of the Soviet Union or of their chief honcho in Central America, Castro. The president remarked that a Soviet freighter loaded with helicopters and guns was heading for a Nicaraguan port. Other knowledgeable sources tell me that the Russians have sent over 6,000 tons of military hardware to Nicaragua already this year.

Contrast the Soviet-surrogate kind of gunmanship with President Reagan's determination to achieve peace. He just sent a letter to the "Contadora" group, composed of the presidents of Mexico, Panama, Colombia and Venezuela, which seeks a settlement of conflict in Central America. President Reagan congratulated the group on its efforts and hopes it will find a solution through the Organization of American States (OAS). I thought the Contradoras were a little wishy-washy myself, but President Reagan obviously has more inside information than I.

I can't help feeling that the Contadoras believe that the Sandinistas will ultimately follow results of the ballot, not the bullet. It's a long-held democratic principle that evolution at the polls count and not what

the other side does through the barrel of a gun.

Castro had a 90-minute speech read for him at Santiago in Cuba, charging that the United States was trying to create an atmosphere of terror in Nicaragua. At the same time, the bewhiskered Cuban dictator seemed to rule out a withdrawal of Cuban military advisers from Nicaragua. The Contadoras have asked for withdrawal of all foreign advisers from the Central American arena.

Castro has been in for 25 years, but look at what he has done in that time: By agreeing to installation of Soviet nuclear-tipped missiles in Cuba, Castro nearly plunged us into World War III until the Soviets removed the danger. Then to pay back the Russians for their more than a billion-dollar annual subsidy, he sent Cuban legions to Africa and the Middle East where they suffer ever-increasing casualties.

Having become the chief stooge for the Soviets in this hemisphere, Castro uses the color of his shirt as do his masters in the Kremlin to denote revolution. In earlier times, there were black shirts for Mussolini's Fascists, brown shirts to show off Hitler's Nazis. Castro and the Russians display crimson shirts, which brand them for what they are: "Red Fascists."

Today Castro's gunmen who helped the Sandinistas betray the revolution overthrowing the Somoza dictatorship instruct, mind you, their communist disciples in Nicaragua on "human rights." As a result, Sandinistas have jailed or driven out thousands of Miskito Indians, Baptists, Mormons, many of the majority Catholics and all of the small Jewish community. Quite a record in a short time.

Besides accelerating repression of critics and opposition, which the Sandinistas vowed to uphold originally, they undertook to export with Cuban and other Soviet bloc help guerrilla destabilization of next-door El Salvador. They learned the Soviet-Cuban slogan fast: "Peace means war."

President Reagan continues to hope for the best, which is peace but not at any price. ●

#### MILITARY AID TO EL SALVADOR ESSENTIAL

HON. THOMAS F. HARTNETT

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. HARTNETT. Mr. Speaker, many have objected to the proposed military aid to El Salvador on the grounds that the United States should not bail out a country which abuses human rights. Considering the fact that El Salvador does not have a history of democracy and that it is under attack from well-trained, Communist-supported guerrillas, we should not be so quick to judge them by our standards of justice. Furthermore, since the 1982 election of the interim democratic government, the number of instances of human rights violations has dropped significantly.

The fact that the guerrillas are backed by Nicaragua should signal the danger present in El Salvador. One has only to take a look at the Nicara-

guan Government to see what kind of alternative the guerrillas offer to the people of El Salvador. Since coming to power in 1979, the Sandinista government has increasingly harassed the independent political parties, denied permission for political rallies, and attacked their headquarters. The freedom of the press has been attacked with the newspaper La Prensa being shut down repeatedly and presently heavily censored. The religious freedom of the people is in serious question. The Sandinistas have prevented Archbishop Obando Baravo from celebrating mass on television and have closed the church's radio station several times. The clergy have been attacked and humiliated in public, using mobs as a form of intimidation. And then, of course, there is the matter of the public insult to the Pope during his visit to Nicaragua, an insult that has been termed "unprecedented in modern history." The Catholic Church has not been singled out by the government, either; many of the Protestant sects have suffered, as have the Jews.

The list of human rights offenses goes on. It includes the severe repression of the Miskito Indians. The Indians now control the northeastern section of Nicaragua and are violently opposed to the Sandinista regime, charging it with genocide and infanticide. The Sandinistas have been following a scorched Earth policy toward the Miskitos, as well as forced relocations. The list also includes attacks on the business community with the result that the Sandinista regime now owns close to half of the economy. Also, there are still 3,600 political prisoners and the allegations of political arrests and disappearances have increased. Then again, the testimony of Miguel Bolanos Hunter, the defector from Nicaragua, must be considered. He describes the use of starvation and deprivation tactics by the Communist advisers of the Sandinistas, an all-too-familiar Communist method of control.

A comparison of the democratic process in El Salvador to that in Nicaragua serves to discredit any suggestion of similarity between the governments themselves. Both have followed totally different paths. The Sandinistas came to power promising democracy in July 1979, and specifically they promised elections. To this date, the elections and the democracy have yet to materialize. The Government of Nicaragua has instead followed an increasingly totalitarian path. The Salvadoran military officers, who overthrew the former military dictatorship in October 1979, promised social and economic reforms and elections. Since that time, the Salvadoran Government's former adversaries, the Christian Democrats, have been invited into the Government and a civilian has



been appointed president. Social and economic reforms have been instigated, including a project to return land to peasant ownership and elections for a Constituent Assembly that was held in 1982 with fully three-fourths of the electorate participating. There are planned presidential elections in December of this year.

Furthermore, we know that within 2 weeks of coming to power, the Sandinistas were sending arms to the leftist guerrillas in El Salvador, and that within months, they were providing training and support for the guerrillas. While we may deplore any breach of human rights in El Salvador, the alternative is far worse. As Jeane J. Kirkpatrick, U.S. Ambassador to the United States, recently discussed in the Washington Post, we cannot plead ignorance about these guerrillas or about the plans of the Communist regime in Nicaragua; we know too much. We have a choice to either abandon El Salvador to a well-armed and supplied adversary or to lend aid to a government who is struggling mightily to restore human rights and create a democracy. ●

#### TEXTILES VERSUS GRAINS

### HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. FRENZEL. Mr. Speaker, the Journal of Commerce's lead editorial today is titled "Textiles versus Grains." Reproduced below, it details the opposing interests in the negotiations with China on textile imports to the United States. The Chinese, our largest buyer of cotton and a huge buyer of wheat, had threatened to stop all buying of both commodities from the United States.

The agreement is still very restrictive. The United States still has the highest textile tariffs in the world, and still has strict textile quotas. The protests of the textile industry may be real, but the very small annual increases in quotas do not appear to me to be a victory for agriculture.

It looks like a dead heat to me.

The textile trade accord signed between the United States and Chinese negotiators in Geneva over the weekend, breaking a seven-month deadlock, is an important achievement.

This is all the more so since the agreement follows an apparent decision by the administration, despite pressure from the textile and apparel industry, not to reopen recently concluded agreements with Taiwan, Korea and Hong Kong to make them more restrictive.

President Reagan met last week with the Cabinet-level council on the industry's problems and officials indicated then that no decision was taken to alter the administration's textiles policy. The policy, one would think, is tough enough, considering that a

record number of unilateral import quotas have been imposed in recent months.

As one U.S. official put it last week, the U.S. textile industry is finally asking for too much. Indeed, we would have thought, they have been asking for too much for too long.

Under the new five-year quota agreement with China, which is retroactive to Jan. 1, the growth of about 30 categories of Chinese apparel shipments to the United States will be limited to between 2 and 3 percent a year, according to official spokesmen. This compares with the 6 percent rate desired by the Chinese and the 4 percent rate on 15 categories of apparel under the bilateral accord that expired Dec. 31.

Domestic textile and apparel manufacturers are unhappy with the Taiwan, Korean and Hong Kong agreements. During the first four months of the year, imports of textile and apparel were up 22 percent over the comparable period a year ago, the manufacturers point out. They are even more unhappy with the Chinese one.

A group of U.S. textile industry officials who were serving as advisers to the American negotiating team in Geneva walked out because they charged that the United States was offering up too many concessions. A spokesman for the Federation of Apparel Manufacturers called the agreement a "disaster."

Textiles have accounted for roughly 40 percent of Chinese exports to the United States. The fourth largest supplier, after Hong Kong, South Korea and Taiwan. China boosted its sales last year by 25 percent to \$800 million. Washington puts China's share of all imports at roughly 11 percent.

The domestic industry has always had its way with the administration in the past. Why has it been thwarted now? Has an administration, which talks so much about eliminating barriers to trade, begun to take its own words seriously for a change?

We doubt it. What has more likely happened is that American farmers, witness the new five-year grain agreement with the Soviet Union, simply have more clout. One major benefit of the textile accord with the Chinese is to open up the Chinese market once again for American grain and other agricultural products.

To show their displeasure over the delay on reaching a textile accord, the Chinese have bought no U.S. cotton, corn, soybeans or wheat since early January when the United States unilaterally imposed limits on 32 categories of Chinese textiles and apparel.

The gesture was not lost on Republican members of Congress representing the Midwest, who pressured the administration to settle the Chinese dispute. Their pressure more than offset calls by other powerful Republicans to continue stalling in the China talks.

The Chinese accord should restore normal trade relations with the Chinese. Sales of U.S. agricultural products to China, which were valued at \$1.5 billion last year, are likely to resume. The U.S. agricultural sector will gain from the accord as will the lower-income U.S. consumer, who invariably benefits from continued competition in the apparel field. ●

#### THE KGB: THE REAL ENEMY— PART 2

### HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. MICHEL. Mr. Speaker, I am inserting into the RECORD a series taken from the New York Times about the activities of the KGB. Today's part deals with the various means by which the KGB gains access to Western technology.

At this point, I wish to insert into the RECORD part 2 of: "Tracking the KGB". This part is entitled "A Trail of Western Technology Is Followed to the KGB's Door" by John Vinocur, in the New York Times, Monday, July 25, 1983.

The article follows:

[From the New York Times, July 25, 1983]

#### A TRAIL OF WESTERN TECHNOLOGY IS FOLLOWED TO THE K.G.B.'S DOOR

(By John Vinocur)

PARIS, JULY 24—Every year Western high technology with military applications, worth millions of dollars, disappears beyond the borders of the Soviet Union and its allies. Sometimes the Warsaw Pact's procurement effort is so effective that the embargoed equipment is even returned to the West for secret repairs.

American laws and North Atlantic Treaty Organization agreements ban the transfer of such sophisticated microelectronic and computer equipment. But the volume reaching the Eastern bloc is startling, according to Western intelligence experts.

Much of it is obtained, they say, through dummy corporations and covert suppliers who cooperate with the technology procurement campaign, which is regarded as the current primary task of the K.G.B., the Soviet intelligence and internal-security agency, and the G.R.U., its military counterpart.

#### THE CASE OF THE MAN AT ORLY

How it works is illustrated through a case involving Jean Didat, a freight forwarder at Orly Airport in Paris. He has taken some extraordinary troubleshooting trips. The most brazen was traveling to Amsterdam to handle a shipment of advanced American-made microelectronic equipment, strategic goods weighing more than a ton, that the Russians were secretly flying back to the West from Moscow for servicing.

The Czechoslovaks also complained about their covertly obtained million-dollar American computers, he said. The Warsaw Pact countries' grievances were dizzying because they concerned sensitive American technology acquired from Western European middlemen systematically diverting embargoed material to the East.

According to Western experts, most of the goods correspond to precise shopping lists administered by Soviet intelligence agencies. It was a Fairchild Sentry 7 quality control system for testing integrated circuits that Mr. Didat said was shipped westward from Moscow for repair. The Sentry 7 is on the United States list of technology proscribed for export to the Soviet Union and its allies.

Last year, a United States Government document, trying to describe the scope of

the illegal acquisitions, said that they had eroded the technical superiority of Western weapons and that stopping the procurement was one of the West's "most complex and urgent issues." The intensity of K.G.B. program is such that it is said that the Central Intelligence Agency has set up a special internal organization to deal with technology transfers.

Defining the Soviet operation, the Government report said the K.G.B., with the extensive support of the intelligence agencies of Eastern Europe, had the main responsibility for collecting "Western classified, export-controlled and proprietary technology."

"These intelligence organizations," the report said, "have been so successful at acquiring Western technology that the manpower levels they allocate to this effort have increased significantly since the 1970's to the point where there are now several thousand technology collection officers at work. These personnel, under various covers ranging from diplomats to journalists to trade officials, are assigned throughout the world."

According to an expert in Washington, there may be as many as 100 K.G.B. collection officers working at the Soviet Embassy in Tokyo, one of the most fertile areas for acquisitions. In general, the Japanese efforts to control the process are regarded as slower in starting than those in the United States, or in Western European countries when their own technology, as opposed to that of third countries, is involved.

#### MICROELECTRONIC EQUIPMENT

The report said the illegal acquisition of hundreds of pieces of Western microelectronic equipment worth hundreds of millions of dollars had allowed the Soviet Union to build the basic industry for the development of sophisticated weapon systems over the next decades.

According to the document, the level of the acquired hardware and technical skill is such that put together it could "meet 100 percent of the Soviets' high-quality microelectronic needs for military purposes, or 50 percent of all their microelectronic needs."

A table of "notable successes" by the Russians contained in the report listed dozens of items such as advanced inertial guidance components, missile guidance subsystems, computers, lasers and complete industrial processes.

The report asserted that the acquisitions most directly affecting Soviet military development came from the gathering by K.G.B. agents of first-hand intelligence information, and "illegal trade diversions," the purchase of sensitive equipment through dummy corporations in the West for eventual transfer to the Warsaw Pact.

#### ROLE OF THE MIDDLEMAN

It is here that the middlemen come in. Mr. Didat estimated that his little office at Orly, decorated with a calendar of Soviet movie star from the Soviet film export organization, handled goods worth \$20 million to \$25 million a year for several years in traffic toward the Soviet Union and Czechoslovakia.

Almost all of it was American high technology material, obtained through an intricate series of post-box companies in Liechtenstein and Switzerland, forged, purchased and misappropriated documents and great amounts of cash.

In his interpretation of French law, Mr. Didat said he felt that the transport end of things, sending crates marked electrical

equipment from here to there, was legal. The rest of the business he is familiar with, he said, was managed separately by Robert Almori, also known as Mathurin Almori, or Joseph Lousky, two Frenchmen named this year by a hearing commissioner of the United States International Trade Administration as involved in the re-export of American equipment to "proscribed destinations."

Denied export privileges himself by the United States Department of Commerce in April for having shipped unlicensed high technology from the United States, and questioned last month for two days by the French police, Mr. Didat has not been accused of any crime.

But in separate interviews he and an associate, both describing themselves as manipulated and insignificant, furnished partial details of the some of the operations that, in the view of some investigators in the United States and Europe, have the mark of the Warsaw Pact's technology procurement campaigns.

#### GROUPS IN FRANCE AND SWITZERLAND

The company that employed Mr. Didat, Cotricom, in which a Mr. Almori, according to the Paris trade register, held a majority share, served as shipper for two parallel groups in France and Switzerland.

According to the trade register, Cotricom was created in 1977, nine months after the incorporation of Hedera Establishment, a Liechtenstein post-box company that served as an intermediary. After considerable success over a period of years, the operations founded this year with the issuance of the Commerce Department's trade ban on its principals and subsequent police investigations in France and Switzerland.

Both the French and Swiss legs worked on the principle that American high technology can be bought legally and with relative ease on the open market in the United States and transported to seemingly reputable purchasers in Western Europe without much difficulty.

In some cases, computer subcomponents, electronic manufacturing and testing systems were sent to Cotricom from Technica Limited, a company in Scottsdale, Ariz., run by Michel d'Origny. He is a French-born naturalized citizen of the United States, who, after a career in the garment business, went into the microelectronics field in what was believed to be an association with Mr. Almori.

#### SHIPMENT TO COTRICOM

In at least one instance, a Technica shipment, described as unlicensed by the Commerce Department, was made to Cotricom for the account of Hedera Establishment. The man who signed the Hedera order blank, listing himself as administrator, was Felix Constantine Popovitch.

Mr. Popovitch is a French citizen who said that he was born in Egypt of Rumanian parents and that he received an electrical engineering degree in 1960 from Stanford University. He was employed until his contract was terminated this month as a sales manager for microelectronics by Calma, a wholly owned French subsidiary of General Electric. He worked previously in Japan as Far East Marketing manager for Fairchild Systems Technology.

Mr. Popovitch signed the order blank for Hedera because, he said, Mr. Almori, "a buddy, a guy I know," who was involved in Hedera, had asked him for a favor. Although Mr. Popovitch denied it, Mr. Didat asserted that it was he who did the repair

work in Amsterdam on the Fairchild equipment he had flown out of Moscow.

Mr. Popovitch has acknowledged involvement in two orders. But, in fact, the volume flowing through Cotricom was vast, and the size and complexity of the equipment great. Mr. Didat said he went to Czechoslovakia to handle what he described as the first delivery of a Fairchild Sentry 7, the type of unit, worth about \$400,000, that eventually brought the French leg of the operation into the open.

"About three years ago," said Bernard Goldfarb, a French textile importer and exporter, "Almori came to see me through friends. The way he talked he seemed like a guy with political protection. He told me about his trips to Hungary and the U.S.S.R., and to talk like that I figured someone had to be watching out for him, because what he asked me was to get him an order blank from a certain company so that he could import something under an American embargo."

The company, Mr. Goldfarb said in an interview, was C.G.E. Alstholm, a major French electronics and technology producer nationalized by President François Mitterrand's Government. "I went to see a friend, and I got the order blank," Mr. Goldfarb said. But the association did not end there.

According to Mr. Goldfarb, Mr. Almori returned to see him last year, talking about another order blank and saying he had to go to the United States Embassy in Paris to prove that the signature on an Alstholm purchase order, that of a Mr. Lefevre, was legitimate.

"I stayed up all night practicing writing his name," Mr. Goldfarb said. "Almori told me there was nothing to worry about, that the fix was in."

In fact, the order for two Fairchild units worth \$800,000 had raised suspicions when Mr. Didat sought to expedite it in Washington, and the request for an export permit from the United States was never approved. Mr. Goldfarb said he kept 20,000 francs for his efforts and distributed 30,000 more to two intermediaries. (At the current rate of exchange 20,000 francs is worth \$2,570, and 30,000 francs is \$3,855.) With his acknowledgment of his role to the French police and United States officials, he said, he has experienced "shame I'll never live down."

#### ILLEGALLY OBTAINED PURCHASE FORM

Mr. Almori has not responded to attempts to have him comment on the case. Mr. Didat said his impression was that Mr. Almori had been delivering to the Soviet Union for more than two decades. Somehow, uncharacteristic sloppiness entered the handling of the illegally obtained Alstholm purchase form.

Since the late 1970's, Mr. Didat said, Mr. Almori "got orders from the Russians or Czechs, and most of time they used U.S. catalogues and showed him precisely what options they wanted." Mr. Didat added: "He never bought what wasn't ordered, and he was paid by the Russians or whoever through accounts in Switzerland and West Germany. But he's not a special case. There are a hundred deliveries like Almori."

According to officials of Hasler, two Favag employees, Pierre André Randin, the purchasing manager, and Marc Viloz, the administrator, both since dismissed, used the company to make orders for American high-technology equipment that was sold off to a dummy corporation apparently for transfer to the East.



## DIAGRAMS OF ORDERS

Mr. Randin is described by Hasler officials as the former employee of an American corporation who lives with a Czechoslovak-born woman previously employed by Favag.

He has drawn diagrams showing how a Czechoslovak organization made orders through Hedera that were eventually passed along directly, or via Favag, to Eler Engineering. This is a tiny company founded with about \$50,000 in capital in Rances, Switzerland, liquidated and then reestablished, also in Switzerland, by Mr. Lousky, whose residence is in Paris.

Other orders had been handled earlier by a second small company, apparently founded by Mr. Lousky, bearing the name Ditton & Drayton.

The equipment includes an order of more than \$1 million for three Digital PDP 11/70s computers, described by a United States official as having possible use in missile guidance and the collection of data from satellites, and one VAX 11/780 computer from Data General, sold for about \$800,000, in which Czechoslovak engineers were said to have inspected the material in a warehouse near Geneva.

The operation fell apart this spring as a result of the disappearance in 1982 of two American-made machines used in manufacturing microcircuitry. Shipped to Favag by a company in Massachusetts, and resold to Eler the equipment was suddenly gone.

## "LARGEST DIVERSION OF ITS KIND"

A Swiss customs service investigation into the affair has described it as the "largest diversion of its kind in the country's history," and a Commerce Department suspension order cited Mr. Randin and Mr. Lousky as having conspired to re-export the two projection mask aligners, made by the Perkin-Elmer Corporation of Norwalk, Conn., to a "proscribed destination."

The machines, worth about \$500,000, were traced to France. Mr. Didat does not say he shipped them to Eastern Europe, but like most of the investigators he would not argue against the presumption that they wound up in the Soviet Union.

Mr. Lousky was described by his lawyer as "not in France at the moment." Mr. Didat said no one saw Mr. Almor around anymore.

Hedera Establishment was dissolved as a company last Jan. 31 with declared capital of 15,000 Swiss francs (\$7,125 at the current rate of exchange). Under corporate law in Liechtenstein, its papers suggest nothing more about who paid for its multimillion-dollar accounts other than listing the two Vaduz lawyers who served as the entire membership of its "administrative board." ●

## MIRRORING THE SOVIET UNION

## HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. FIELDS. Mr. Speaker, I am pleased to insert in the RECORD an excellent op-ed piece by Mr. Joseph Sobran. Mr. Sobran discusses what the French socialist Jean-Francois Revel called a neurosis peculiar to liberals and so-called progressives. It is worth thinking about.

The article follows:

## [From the Washington Times, Aug. 1, 1983]

## MIRRORING THE SOVIET UNION

(By Joseph Sobran)

This morning I watched a congressman on television arguing that we should not provide any arms to the anti-communist side in the war for Central America. To do so, he said, would be "mirroring the Soviet Union."

One of the disadvantages of living in Washington is that you tend to get sucked into a vortex of cliché and repetition. I don't know how many times I've heard otherwise intelligent men warn us against "mirroring the Soviet Union," by which they mean what others might call fighting fire with fire. Were the allies "mirroring the Axis" when they fought back? Is the policeman who pulls his gun "mirroring" the bank robber?

The sad truth is that in this world, aggressive people give you the option of fighting them at their own level or losing. An even sadder truth is that some timid people prefer not to face this fact.

Sergio Ramirez Mercado, a member of the Nicaraguan junta, writes in the *New York Times*: "We do not consider ourselves an enemy of the United States government." His lengthy plea for peace and friendship would be a lot more plausible if the Sandinista national anthem didn't mention the United States by name as the "enemy of mankind." Evidently, he thinks this country is full of very gullible people. And evidently he is correct.

It would indeed be possible for us to "mirror" the Soviet Union. We could abolish elections. We could suspend all constitutional freedoms. We could confiscate private property. We could abolish the free press. We could send dissidents to concentration camps. We could arm our borders to kill anyone trying to escape. We could persecute religious believers and ethnic minorities. We could seize neighboring countries and establish public governments as brutal as our own to rule them. We could dump chemical and biological weapons on freedom fighters. We could arrange to have the pope shot. Then we would have made a reasonable start toward "mirroring" the Soviet Union.

Ah, but the revolutionaries in Central America are "indigenous." Those countries are "ripe for revolution." Really? Why just now? Are conditions so much worse now than before the Soviet took an interest? And do Soviet-backed revolutions produce better societies than the ones that preceded them? Is there a communist country anywhere that people flee to, rather than from? Didn't El Salvador just get through voting overwhelmingly against communist rule or compromise with the guerrillas?

Such questions are never answered. Instead, we are urged to hold "negotiations" with communist forces. Negotiations are supposed to have a magical way of resolving disputes, regardless of what the actual power relations are. The whole idea of the United Nations was to enable the world to settle all its differences diplomatically. Have there been any wars since 1946?

Negotiations are only useful when a situation is already near stability. The only country in which the communists want stability is Nicaragua. Their avowed goal, except when writing for *The New York Times* op-ed page, is to destabilize and communize every noncommunist country in the world, Central America being merely the current front.

When will we learn? The French socialist Jean-Francois Revel, warning his fellow socialists against the dangers of trying to live

amicably with communism, observes: "Neurotics always forget the last episode in which their neurosis manifested itself. The person who is always late to appointments, the businessman who always falls into the same traps, the con man's victim who knows better but is always available to be swindled once more—when misfortune strikes, each can offer a unique explanation for something he believes never before happened to him. Yet to everyone else, their behavior follows a pattern that has manifested itself many times in the past."

Revel continues: "Lessons are never remembered in this land of ignorance and forgetfulness. The same classic situations recur, but no one recognizes them. The same quotations, the same names, the same arguments are recited as if discovered for the first time. This historical memory of the noncommunist left is like that of a pillow: It changes shape when pounded by a fist, but it doesn't know how to avoid the blow, and it always peacefully regains its original shape, ready for the next pounding."

It would be possible to deal with people who knew what communism was and openly favored it. But it is next to impossible to deal with people who don't recognize it even when they see it in vivid action. ●

## A TRIBUTE TO PHIL CHELNICK

## HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Ms. OAKAR. Mr. Speaker, recently a friend of mine, Mr. Phil Chelnick, the founder and longtime leader of the Social Action Committee of the Jewish Community Center Senior Adult Department, was installed in the unique post of chairman emeritus. It was an honor and an emotional experience for all who were there.

Phil is now 85 years old, but both he and his committee are as vibrant as if they were just born yesterday. The committee routinely gives oral and written testimony for a vast number of social causes which all contribute to our human dignity. The greatest legacy we can leave is that we have made the world a little safer, more peaceful, and a better place for our children to grow up in. This is Phil's philosophy, and the light which has guided his committee.

Rose Schneider was installed as chairman, Jordan Rothkopf is the JCC assistant director, and Marilyn Weiner is the fine JCC adviser. I would like to insert Rose Schneider's speech in the CONGRESSIONAL RECORD today. Her remarks are eloquent in their clarity, and brilliant in their compassion for the elderly, the poor, and the needy. Having a sense of history is a precious trait; it helps prevent us from repeating tragic errors. Under Rose's leadership—and with Phil's philosophical guidance—this will be a better place in which to live.

## SPEECH BY ROSE SCHNEIDER

First, let me set the record straight on a few things. We shouldn't be under any illusions that Phil is going to retire. There are too many things left undone for us to allow him that luxury. We are merely recognizing his new status: e—meritus, meaning, in a free translation, he served with merit. It doesn't say anything about retirement. And that is the way Phil wants it, I am sure.

Now, a few words about Marilyn. You know how hard she has worked to make this event successful. Well, she has given of herself as unselfishly in every activity in which we have participated. The Social Action Committee, in appreciation of her devotion, is today making a contribution in Marilyn's honor, to the Phil and Eva Chelnick Social Action fund of the Jewish Community Center. Anyone who wants to share in this contribution and has not yet had the opportunity, can see Sandy later.

The many important people who are here to pay tribute to our Phil Chelnick come not only as a personal tribute, but as a recognition of the importance of the work of the Social Action Committee which he has chaired. I must admit when I read all the things we have been doing listed in the program booklet, I was really impressed. One of Phil's oft-repeated remarks is that he wants to leave his grandchildren a world of peace and justice. In essence, that is what we are all about.

We started in the years of the great depression. On the streets and through our organizations, with the help of some great statesmen in Congress and in the presidency, we won a new concept of our government as a compassionate and responsible force, with a new social outlook which included social security for the elderly, unemployment insurance, the right to relief for those in need, the right of labor to organize. We finished the task by defeating the greatest threat to our freedom and system of life—fascism.

Today, we are faced with an administration which seeks to turn back the entire concept of the government being responsible, as our Constitution declares, for "promoting the general welfare". I have nine grandchildren, whom I love very dearly, and I, too, am concerned about the world we leave them—and these are also the concerns of the many seniors here today. We are determined to do our part to reverse the priorities of the federal government. We are going to ensure that human services, not only to the elderly, but to the children, the poor and handicapped, to the sick, to the unemployed, be the first priority of our government. We are not about to return to the Hoover days of poorhouses and charity.

Although we are directing our main fire at the present administration, we are not too happy with some of the actions of the Democratic party. How can we excuse the cutting of social security benefits by a Democratic congress under the guise of "saving it", when we know the cash flow shortage is a temporary one, that a surplus is predicted for the 1990's, that money from the general fund, or even a loan, would have solved the problem without cutting the benefits. We say to you in congress, if you really want to solve all the problems of social security and medicare, appropriate enough money for public jobs to put ten million people back to work. We are proud that our three congress people from Cuyahoga County, MARY ROSE OAKAR, ED FEIGHAN, and LOUIS STOKES, all voted against the social security cuts.

How can we explain a Democratic congress which votes for a nuclear freeze, and then votes for MX missiles, when we know these same missiles, a first strike weapon, will make a nuclear freeze almost impossible to achieve. We are not talking about the merits of one weapon over another. What we are talking about is the need to prevent a world holocaust. We are talking about the urgency of cutting production of all nuclear weapons, to force a reluctant administration to negotiate in good faith and come up with a real freeze, followed by actual reduction, not increase, in nuclear weapons. We Jews have sad experience with holocausts. We have no patience with those who will come too late to say they "didn't know" what was going on. We do not plan to be too late this time.

We are faced with another problem—the rapid growth of anti-semitism and racism in this country and abroad. The defacing of synagogues, KKK marches, doubts about whether there was a holocaust, many other things which we could list—these are all warnings that we must unite with our friends to fight all signs of developing fascism. Foremost in such a fight are our black brothers and sisters. We have allowed small differences to come between us. But we cannot allow the enemies of democracy to keep us apart on the things that really matter. The black people, who are subjected to such severe economic and political oppression, are among our best allies in fighting against these would-be fascist. The Jewish people must unite with black and other progressive forces in the fight against racism, not because of some abstract ideals of justice (which are certainly pertinent), but in our own self-interest. The preservation of equal rights for all is of prime importance to use as Jews.

We have learned to work in coalitions to achieve some of our aims. In our efforts to change the basic priorities of the present administration, we have many allies in addition to the black people. There are the unemployed facing utter destitution, the labor unions under constant attacks, the young people facing attacks on their education, the farmers facing foreclosures. Because we share a mutual interest in a government of peace and social responsibility, we are planning to join with hundreds of thousands of seniors and others in a tremendous rally in Washington on August 27th. We call upon everyone who is physically able to join us in this march.

I cannot in good conscience stop here without bringing up a problem which deeply troubles me. This is the question of anti-communism. Perhaps you are wondering what that has to do with us. Well, stop and think a moment. Every backward move the government makes, every attack on our living standards, every move toward war, is cloaked in anti-communism, the implication being if you oppose these moves you are somehow a communist, or at least soft on communism. We have passed a budget increasing defense spending by 5 percent instead of 10 percent. This we call a victory, when we know defense spending should be cut by 50 percent, not increased at all. This to fight communism. There is no reason for building up armaments, even conventional weapons. Jonathan Schell, in his chilling analysis on nuclear warfare, points out that the only way to remove the danger of nuclear war is to make all war impossible, else there is no guarantee the losing party will not resort to nuclear bombs in desperation. We know we have no business in Central

America, so we ease our conscience by not giving Reagan all he asked for—we just give him a little—this in the name of fighting communism. We are encouraging large armies in China and Japan—to fight the communists. Where is our sense of history? Didn't we allow Germany to rearm, because Hitler promised to eliminate the communists? That he first tried to eliminate the Jews and take control of all Europe was only incidental. Do we believe a re-armed Japan will be foolish enough to attack the Soviet Union when all southeast Asia lies before it?

Perhaps you are wondering why I don't talk about medicare, about high utility bills, about Ohio Bell's outrageous application for new rates. We are interested in how many doctors from Mt. Sinai are going to be willing to accept assignment. We are concerned that medicare finances be controlled by controlling costs—hospital, surgical, nursing home costs—not by putting the financial burden on the elderly. We are interested in an economic equity act which fights discrimination against women—we want it also to provide equity for seniors, so that such medicare providers as Blue Cross will have to charge unified rates to all their clients. These are the things we are going to concern ourselves with. These are the issues we are going to Columbus and Washington about, that we are going to send you letters and delegations about. I merely wanted to put these things in their proper perspective.

We are prepared to take an active part in the life of our nation. Edmund Burke said all that is necessary for evil to triumph is for good people to remain silent. We think we are the good people. We are not going to remain silent. We are going to fight for all these things in order to better our own lives and yours, and above all to leave a world of peace and security to our beloved grandchildren. ●

PRESIDENT'S COMMISSION ON  
CENTRAL AMERICA

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. MAZZOLI. Mr. Speaker, I would like to commend to the attention of my colleagues the following piece from the Louisville Courier-Journal about the appointment of Secretary Henry Kissinger to lead the President's Commission on Central America.

As a cosponsor of the original Barnes-Kemp proposal calling for the creation of such a panel to study the situation in Central America, I applaud the President's quick action in forming the Commission. There will be no solution to the problems there unless the root causes are treated. A high-level investigation of this type can help more clearly define the problems and suggest practical, politically feasible solutions, much as the Social Security Commission did recently.

I am, however, disappointed at the President's choice of Mr. Kissinger to lead the panel. The last thing the panel needs is to encounter the suspi-



cions and enmities which this controversial and strong-willed man guarantees will come its way. It is daunting enough to address the deep and difficult problems of Central America without rehashing again the questions of Vietnam, Chile, President Nixon, campaign 1976, and all the other major events in which Secretary Kissinger has played a major role.

I am also disturbed at the President's oversight in not appointing a woman to the panel—particularly in this troublesome time since Central American women have in many ways borne the brunt of the pain and torment visited upon the region in recent years. Having the woman's viewpoint represented on the Commission would have been most helpful.

The article follows:

[From the Courier-Journal, July 20, 1983]

**KISSINGER IS STRANGE CHOICE FOR CENTRAL AMERICA PANEL**

President Reagan's third and latest attempt to tackle a politically sensitive issue by appointing a bipartisan commission is off to a shaky start. Leading liberals and conservatives in Congress are upset, for different reasons, with the appointment of former secretary of state Henry Kissinger to head the panel that will study the U.S. role in Central America. And some of Mr. Reagan's critics suspect that the commission's real job is not so much to formulate policy as to build a case for steps the administration already has taken to prop up the government of El Salvador and to pressure the Marxist rulers of Nicaragua.

Few veteran observers of government would suggest that U.S. policy in Central America is any hotter a political hot potato than how to save Social Security or whether to build the MX missile, the questions assigned to Mr. Reagan's first two bipartisan commissions. But the President seemed genuinely open to suggestions on those topics. That doesn't appear to be the case with Central America.

The administration's undeclared war on the Sandinista regime in Managua, using Nicaraguan exiles as surrogates for U.S. troops, is far advanced—too far, perhaps, to be halted by anything short of congressional action cutting off the supply of money. Left to his own devices, Mr. Reagan seems unlikely to call off this not-so-secret war unless the Sandinistas make a formal and verifiable promise to halt arms shipments to guerrillas in El Salvador. And even that might not be enough to satisfy the White House if the U.S.-supported Nicaraguan exiles seemed in a position to topple the Sandinistas.

The new commission presumably will be free to question the wisdom of these tactics and to propose alternatives. And in fact Mr. Kissinger himself, in an interview in Public Opinion magazine last spring, suggested that deploying U.S. forces along the Honduran-Nicaraguan border might be more effective than using anti-Sandinista guerrillas to stop the flow of arms to El Salvador.

But it's doubtful that a commission headed by Henry Kissinger will challenge Mr. Reagan's basic assumptions about the nature of the conflict in Central America or the need for a strong U.S. response. True, Mr. Kissinger is deeply distrusted by such ultraconservatives as Senator Jesse Helms for having negotiated the first strategic

arms treaty with the Soviets and for having pushed detente with Moscow. But both in the Nixon and Ford administrations and as a private citizen, he has consistently argued for resisting communist inroads in the Third World, including Latin America.

According to several journalistic accounts, Mr. Kissinger approved the U.S. role in the military coup that toppled the socialist Allende government in Chile in 1973. There's no reason to suspect that he has suddenly grown squeamish about the use of U.S. power in this hemisphere.

Trouble is, Mr. Kissinger, for all his extensive experience as a theoretician and practitioner of global power politics, is no expert on Central America. Yet local factors—such as poverty, land distribution and the history of U.S. intervention in Nicaragua—are at least as important as the global chess game between Washington and Moscow in creating and sustaining the region's many conflicts.

Moreover, U.S. options in the region are severely limited by domestic politics. Few American want to see U.S. troops dispatched to Central America, even if that were the only way to prevent a communist takeover in El Salvador. This reluctance to fight stems, of course, from America's long, futile war in Vietnam—a war that ended in a communist victory after Mr. Kissinger had negotiated a U.S. withdrawal and had won a share of the 1973 Nobel Peace Prize. (Le Duc Tho, the North Vietnamese negotiator who was co-recipient, at least was honest enough to decline the prize.)

By naming Mr. Kissinger to head the commission on Central America, Mr. Reagan has revived memories of the Vietnam war and its sorry conclusion. Those memories can't help but make it more difficult for the administration, and the commission, to persuade the American people that a deeper U.S. involvement in Central America is wise or necessary. Surely Mr. Reagan didn't intend thus to sabotage his own policy. But he evidently didn't think the matter through, and Mr. Kissinger, ever seeking new glory, was hardly the person to warn him.

**AN UNSETTLING REVERSAL**

Even on good days, there's precious little comfort to be had from knowing that that friendliest of "protectors," the Nuclear Regulatory Commission, is standing guard. But when the agency hops about like a rabbit on a griddle trying to decide whether to close five potentially dangerous nuclear plants and, if so, how quickly, the qualms become almost unbearable.

For a minute there last week, things seemed different. The NRC suddenly ordered five nuclear plants shut within 30 days for inspection after the plants' owners had refused to close them voluntarily. Inspections in 13 similar plants had revealed numerous serious cracks in the large pipes, manufactured by General Electric, that carry cooling water to the nuclear reactor. Cooling pipe failure can lead to a core meltdown, a most serious nuclear accident.

But hark! Less than 24 hours after this decisive action, the NRC executed a backpedal that would have made Muhammad Ali proud. No shutdown, the agency waffled, and no decision on a shutdown until after industry-sponsored laboratory tests are completed.●

**ADMIRAL WILLIAMS RETIRES AFTER DISTINGUISHED 37-YEAR NAVAL CAREER**

**HON. FRANK R. WOLF**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. WOLF. Mr. Speaker, I would like to call to the attention of my colleagues the distinguished 37-year naval career of Adm. John G. Williams, Jr., who retired as Chief of Naval Material yesterday, August 1, 1983.

Admiral Williams began his career upon graduation from the U.S. Naval Academy in June 1946 and later commanded submarines, subsequently serving as Commander Submarine Squadron Sixteen and Commander Submarine Group Five. He later served in various capacities in the Office of Chief of Naval Operations, assuming the position of Deputy Chief of Naval Operations for Submarine Warfare in October 1980. On June 30, 1981, he became Chief of Naval Material. Admiral Williams, who was succeeded as Chief of Naval Material by Adm. Steve White, will be returning with his wife, Dorothy, to their home State of Washington later this summer.

I commend to the reading of my colleagues excerpts from a speech delivered this past April by Admiral Williams at the christening of the submarine *Olympia* in Newport News, Va. These remarks reflect Admiral Williams' dedication to duty and service to his country and his firm belief in preserving peace through strength.

REMARKS BY ADM. JOHN G. WILLIAMS, JR.,  
CHIEF OF NAVAL MATERIAL

It is both a professional and personal honor for me to be here on this special day. The christening and launching of another Los Angeles Class submarine—engineered and built to help our Nation maintain a credible, survivable deterrent to war, today and into the future.

To me, it is an occasion of considerable personal, historical, professional and national significance. On a personal level, this is a very special day for several reasons. One is because my wife, Dorothy, has the great honor of being this submarine's sponsor. Another is because the *Olympia* is named after the capital city of that great State of Washington, the home State of both Dorothy and me. We grew up in Ocean Park and Ilwaco, Wash., and plan to return there later this summer. I left Ilwaco, Wash., in 1942 to become a plebe at the Naval Academy and start my naval career. How great then it is for me, a submariner, to be your speaker to the christening of a submarine that is named for the capital of my home State, Washington. I am indeed proud to have this opportunity.

I am proud also because of the distinguished naval tradition that this ship will continue. Her earlier namesake was the cruiser *Olympia*, built in San Francisco, where she was launched in 1892. Command-

ed by Capt. Charles Gridley, she served as Commodore Dewey's flagship during the Spanish-American War, and Dewey's immortal victory at Manila Bay in the Philippines. It was on May 1, 1898, almost exactly 85 years ago when, with ships darkened, Dewey led his fleet past the harbor defenses, and engaged the enemy off Manila at daybreak. Commodore Dewey reported: "At 5:40, when we were within a distance of 5,000 yards, I turned to Captain Gridley and said, you may fire when you are ready, Gridley". The very first gun to speak was an 8-inch, of the *Olympia*. By noon that same day, Commodore Dewey's forces, led by the *Olympia* had destroyed Spain's Asian Fleet, and played the pivotal role in ending the war with Spain. The *Olympia* later served in the North Atlantic during World War I, and subsequently in 1918, participated in the Garrison of Murmansk, and the Allied expedition on Archangel during the early days of the Soviet Revolution. One of the *Olympia*'s last duties prior to decommissioning in December 1922, was to transport the remains of the World War I Unknown Soldier home from France for interment in Arlington National Cemetery. Today, the cruiser *Olympia* is tied up in Philadelphia where she has been preserved as a shrine and is open to visitors.

Professionally, we all can be proud of the submarine *Olympia*—those of you who designed her, those who built her, and those of you who will take her to sea. This *Olympia* is a symbol of accomplishment, the merging of many diverse skills and complex technologies to produce the finest, most capable attack submarine. As the first *Olympia* was an instrument to end a war, hopefully, this *Olympia* will make its greatest contribution as an instrument to prevent war, as an instrument to preserve the peace. This christening is a visible sign of our determination to keep the peace, to do what is necessary to insure the continued freedom which we sometimes take too much for granted.

When the *Olympia* puts to sea on its first patrol, she will sail as a symbol of deterrence. Sometimes we have to be reminded of what deterrence really means—preserving peace through strength. This policy is founded on a determination to avoid the use of nuclear weapons. I believe that Soviet strategic thinking holds that situations could exist in which nuclear war is winnable and preferable to the alternative—thus it is necessary to keep the level of deterrence extremely high, and visible. This is why we are building Trident class ballistic missile submarines, and why we are christening the *Olympia* today. We must look at the *Olympia*, and its potential, in that light. Our Chief of Naval Operations, Admiral Watkins recently said: "I want it to be written by future historians that tomorrow's battle which was not fought, was the most important battle we fought in the twentieth century." I think we can all sign up to that.

The *Olympia* is particularly well fitted to fulfill its role as a credible contributor to deterrence. This multi-mission nuclear-powered attack submarine, in addition to its conventional roles as an anti-ship and anti-submarine platform, will also have a long-range land-attack weapon capability. She will later be equipped with the Tomahawk cruise missile system. This system will provide the *Olympia* with an unparalleled standoff strike capability—able to deliver either nuclear or conventional warheads over many miles against heavily defended targets such as airfields and air-defense systems. I am sure that the Soviets are keenly

aware of this new submarine capability of ours, for it adds a new dimension to be factored into their war versus peace decision-making process. It makes the decision to go to war a more costly one for them.

While *Olympia*'s greatest contribution to this Nation will be as a visible sign of our resolve to defend the peace, we also have to plan for the worst case scenario. The *Olympia* must be able to run silent, to probe the deep, enter into harm's way when necessary, without being detected by those forces it must find and defeat, should deterrence fail. She is capable of doing just that.

Perhaps the *Olympia*'s greatest attribute which will allow her to meet mission tasks—will be her stealthiness, her ability to operate at great ranges for long periods of time, quietly, without being detected. For it is this quietness, and her superior acoustic sensor systems which will allow the *Olympia* to close and engage the target, to fire the first torpedo, gaining the advantage in any naval engagement. This is an area where, today, we have an advantage over Soviet submarines which are noisier and more susceptible to detection. However, the Soviets also recognize this deficiency and are expending considerable resources to reduce their submarine-generated noise levels. We can expect their newer submarines to be quieter.

As there is due cause to be proud of what we are about today, I also ask that you remain vigilant to the Soviet threat which is why we are here today. Unfortunately, I see no evidence or indication that the Soviets have altered their traditional respect for strength, and disdain for and willingness to exploit another's weakness to their advantage. Their quest for maritime supremacy alone continues. The Soviet Navy currently has construction programs underway for a conventional aircraft carrier, five other classes of major surface combatants, including the Kiev class vertical-take-off-and-landing carrier, two cruisers, two guided missile destroyers, and seven classes of submarines.

The steady improvement made to Soviet naval shipyards in 1982 further underscores the U.S.S.R.'s commitment to building a Navy second to none. The Soviets have purposefully developed a huge but underused shipyard capacity, which includes 5 yards for submarine production, 8 for large combatants, and about 20 others for auxiliaries and small combatants. A single yard at Severodivinsk, has more building positions for nuclear submarine construction than has the entire U.S. nuclear submarine construction program. This continued dedication of resources to a Navy which already poses a clear and formidable challenge to our national interests, is a reflection of Soviet commitment to make it even more capable in the future.

We must show them that America is more than capable of meeting their challenge—that we recognize our obligation to those who went before us, and will follow after us, as well as to our friends and allies. The launching and christening of the *Olympia* symbolizes our national resolve to honor this obligation, to meet our commitment to peace.

Men and women of Newport News Shipbuilding, you have done your job, and done it well. You can be justifiably proud, as I am, of this visible product of your labor. The Soviet submarine building capacity may be bigger than ours, but the quality of their product is no match for what you have built and we are christening today. It is only appropriate that she be manned by the best

submariners in the world—and the *Olympia* will be—by experienced and dedicated officers and men of the U.S. Navy. I have every confidence in them. They will represent you and all Americans well. If called upon to do so, the *Olympia* will sail in harms way and execute her missions with distinction.

So, today, on this special occasion, let's all pledge our unwavering support to insure our deterrent strength remains strong. ●

#### OPM SHOULD REVISE FORM SF 2801 TO CONFORM WITH 1974 RETIREMENT LAW AMENDMENTS

HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Ms. OAKAR. Mr. Speaker, as chair of the Subcommittee on Compensation and Employee Benefits, I continually receive inquiries from the survivors of Federal retirees. Many of these survivors, most of whom are women, seek clarification of a rule change made in 1974 which has caused a great deal of confusion for many potential recipients. I am sure many of my colleagues have received similar contacts from their constituents.

In an effort to clarify an array of questions, I would like to call my colleagues' attention to a letter I recently received from Edith Fierst, a Washington attorney, who has been representing spouses in pension cases for many years. I think that Mrs. Fierst's letter clearly outlines the problem and what Federal employees and their spouses can do to guarantee survivor annuities in the case of a death of their loved one.

The text of the letter follows:

EDITH U. FIERST,  
ATTORNEY AT LAW,

Washington, D.C., July 25, 1983.

Hon. Mary Rose Oakar,  
Cannon Office Building,  
Washington, D.C.

DEAR CONGRESSWOMAN OAKAR: As Chair of the Subcommittee on Compensation and Employee Benefits of the House Post Office and Civil Service Committee, you are, I understand, interested in the progress of the lawsuit initiated by the American Federation of Government Employees and myself with respect to survivor annuities, entitled *AFGE v. Devine*.

#### BACKGROUND

This suit has its origin in the failure of OPM to revise the application form for retirement (SF 2801) to reflect the 1974 amendments in the retirement law regarding survivorship elections by Federal employees. Under the amended law the reductions from a retiree's annuity to pay for a survivor annuity will be discontinued when the retiree's spouse dies. Despite this change in the law, however, the application form continued to tell retirees that:

"If your wife (or husband) should die before you, no change in type of annuity will be permitted, your annuity will not increase, nor may you name any other person as survivor."



After our suit was filed and as a result of an agreement approved by the court, OPM revised the application form to delete this outdated and wrong information. It also sent notices to over 80,000 Federal retirees who had retired between 1974 and 1982 and elected less than a full survivor annuity, advising them of the misinformation and giving them an opportunity to apply anew for a survivor annuity. In cases where the retiree was already dead, a similar notice and opportunity were made available to the widow or widower. According to our latest information, over 3,000 retirees or surviving spouses have filed applications.

On the first go-around, OPM rejected many applications for reasons that we, as plaintiffs' counsel, thought improper. Accordingly, we went back to court, where OPM agreed (1) to reexamine all previously rejected applications, (2) if it decided to deny again, to provide the applicant an explanation of all its reasons for so doing, and copies of any relevant documents; and (3) not to issue its denials based on certain inappropriate reasons. OPM, is currently reviewing all pending applications in accordance with this agreement, and has already accepted some.

#### ACCEPTANCE OF WIDOW(ER) REQUESTS

Many of the beneficiaries of accepted applications have no other regular income, because they were lifelong homemakers and had earned no retirement income themselves. Until this year's amendments, Social Security coverage was not earned in civil service employment, and many civil servants do not have any. Their widows are women whose financial situation was extremely bleak unless they were entitled to a civil service survivor annuity. Those whose applications are now accepted suddenly have a modicum of security. One of them wrote to me that her "specter of becoming a bag lady" had vanished overnight.

#### CURRENT ACTION ON REQUESTS TO AMEND

While many applications have been accepted, others have been rejected. So far as we have been able to ascertain, the two major reasons OPM is now denying applications are as follows:

The first reason is that the applicant has failed to show that the misinformation on the form led to an initial election against a survivor annuity. For example, if the survivor wrote that the employee was dying when making the decision against a survivor annuity, that would tend to show that misinformation was not relevant. (The rationale is that the employee would have no reason to care about a continued reduction after the spouse's death if the employee expected to die first.)

Applicants whose requests have been denied for this reason should not despair. Sometimes the initial explanation given by the applicant can be truthfully and appropriately revised. For example, a survivor may not know what the retiree thought when making the election, and have only speculated in the application. Even where the retiree had a life threatening ailment, he or she may not have accepted the imminence of death. This and other facts can be brought out in the request for reconsideration which all rejected applicants have a right to file. (For a small fee, I am available to help applicants prepare a request for reconsideration.)

The second reason for current OPM denials is that the retiree was sent a follow-up form, which OPM alleges provided the correct information.

The form in question is the BRI 46-270 (or 46-270A) which contains an unobtrusive statement as follows:

"Should your marriage to your present spouse end, you can, on application receive your annuity without survivor reduction."

Plaintiffs believe the above language would be read by most recipients to refer to divorce or annulment, not widowhood, and therefore that it does not correct the misinformation on the SF 2801 which refers specifically to death, particularly since there was nothing in the BRI 46-270 or 270A to alert people that the form contained a correction of earlier wrong information. Applicants who tried to construe the two notices consistently would certainly interpret the follow-up notice as referring to divorce or annulment only.

Plaintiffs' counsel intend to litigate OPM reliance on the BRI 46-270 as a basis for denial of survivor annuity application. The U.S. District Court has ruled that we must exhaust our administrative remedies before going to court, which means going through the reconsideration process, and from there to the Merit Systems Protection Board. We have to persuade OPM or the MSPB of the rightness of our argument. If not, we intend to appeal to the courts.

#### RETIREE QUERIES

Retirees whose applications have been accepted are being asked, unless their individual financial situation justifies a waiver, to pay the Government the amount that was not withheld from their own pensions, but would have been withheld, if the retiree had elected a survivor annuity at the time of retirement. Many of them object on the grounds that if they had died before their applications were accepted, their survivors would not have been protected. This is not necessarily true. OPM is accepting applications from widow(er)s, and the agency alleges that these applications are being decided in accordance with the same standards as are applications from retirees. Plaintiffs' counsel do not know at this time whether that is factual, but we intend to find out at the next feasible opportunity, probably when we go before the Merit Systems Protection Board to challenge the BRI 46-270 (see above). At that time we expect to ask for a comparison of the numbers of applications that have been accepted from retirees and survivors, respectively, and an explanation of any difference in acceptance rate. If OPM cannot show that widow(er)s are being accepted as easily as retirees, we will make the argument that the retirees ought not to be required to pay back. Otherwise I believe the OPM position is reasonable.

Some retirees may not realize how valuable their "second chance" is. Even if the pay-back provision is fully enforced, the Federal civil service survivor annuity is the cheapest and best insurance for a spouse that can be purchased. In most cases the Government pays considerably more than half the cost (depending on how long the widow(er) outlives the retiree). Moreover, I know of no other annuity which is increased so well to keep pace with inflation.

Second, the pay-back may be made in installments from future annuity payments before they become taxable income, and thus are equivalent to tax deductible expenses. Or if someone prefers, the amounts that would have been withheld may be paid the Government this year, and deducted from this year's taxable income. If the amounts involved are substantial, and the retiree's tax rate in earlier years was higher than it is currently, he or she may also want

to look into the possibility of utilizing section 1341 of the Internal Revenue Code (Computation of Tax Where Taxpayer Restores Substantial Amount Held under Claim of Right). For this it might be helpful to consult a tax specialist.

Entitlement to a survivor annuity carries with it access to the Federal Employee Health Benefit plan, much of which is paid for by the Government. Only a survivor with an annuity large enough to cover the premium for the chosen health benefits plan has the right to continue coverage.

Finally, it is not necessary to elect all of the survivor annuity, or none. A survivor annuity may be chosen based on part of the retiree's annuity.

#### POLICY IMPLICATIONS

This lawsuit is helping many people who need survivor income. However, it also calls attention to the need for policy changes. Civil Service wives, like wives covered by Social Security, should have guaranteed survivor coverage.

Sincerely,

EDITH U. FIERST. ●

### REPORT ON FREEDOM OF THE PRESS IN LATIN AMERICA

HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. LEVINE of California. Mr. Speaker, those of us fortunate enough to live in an open, democratic society know how important is freedom of the press. In fact, we think of it as fundamental to a democratic form of government.

Recently, the Council on Hemispheric Affairs and the Newspaper Guild published a report titled "A Survey of Press Freedom in Latin America." It is the first of what is planned to be an annual survey of press freedom throughout that region.

The Council on Hemispheric Affairs writes that—

Suppression or manipulation of the news of one form or another is common in any of the countries [in Latin America], regardless of the governments' political bent. What varies are the tactics.

Below is an excerpt from this report which I commend to the attention of my colleagues. The complete report can be obtained from the Council and I urge my colleagues to read it.

#### THE JUNE 1983 PRESS FREEDOM REPORT

Not surprisingly, the June 1983 "Survey of Press Freedom in Latin America," a joint production of COHA and The Newspaper Guild, is hardly an upbeat report. According to the country-by-country study, suppression or manipulation of the news of one form or another is common in any of the countries, regardless of the governments' political bent. What varies are the tactics. The following are excerpts from four country reports: Argentina, El Salvador, Grenada and Nicaragua.

Argentina—One of the immediate victims of the Argentine military coup in March 1976 was the press. Upon assuming power, the junta immediately issued Communiqué

19, the press law, which held that anyone spreading information coming from organizations "dedicated to subversive activities or terrorism" would be subject to an indefinite sentence; anyone who impugned the prestige of the armed forces would face ten years in jail.

Soon after the press law decree, the junta apparently decided that terror, not decree, was the appropriate weapon with which to silence the press. Upwards of 100 journalists were among the estimated 15,000 Argentines who disappeared during the military government's "dirty war" of the late 1970s. Hundreds of members of the media received death threats or were tortured and jailed; many more fled into exile.

The repressive tactics of the security forces drove Argentine journalists to censor their own stories, while others were put on the payrolls of different military branches in order to insure favorable coverage. Gradually, by the end of the seventies, the press, painfully aware of its own limitation, settled into a routine of self-censorship.

This changed in 1982, the Falklands humiliation, the near collapse of the economy, and growing popular discontent lessened the junta's control over the flow of information. Nevertheless, the government lashed out against its critics, closing magazines such as *La Semana*, *Quorum*, and *Linea* for weeks or months at a time, and impounding threatening issues of *Quorum* and *Humor*. Though weakened, the military government tolerated only the most circumspect treatment of its greatest disgrace: the estimated 15,000 Argentines who "disappeared" during the dirty war.

In addition to forced closings, the Argentine government wields economic weapons. By imposing a 38 percent tax on imported newsprint, as well as high taxes on printing equipment, the junta protects the chief Argentine paper mill, *Papel Prensa, S.A.*, which the government and three Buenos Aires newspapers own jointly. The government can also punish publications by imposing boycotts of government-related advertising—the life-blood of periodicals in Argentina.

El Salvador—Journalism in El Salvador is a perilous profession. Since the 1979 coup that overthrew the dictatorship of Gen. Carlos Humberto Romero, 13 journalists have been reported killed in the country, most of them at the hands of security forces and paramilitary death squads. Eleven others are missing and presumed dead. Dozens more have been arrested and threatened; many have found their names on death lists issued by death squads.

Since December 1980, when the government abolished all constitutional rights through Decree 507, security forces have enjoyed free rein to counter "some people, associations and groupings who have undertaken to subvert the public order. . . ." Decree 507 allowed for the arrest of journalists as subversives if their material was considered contrary to the interests of the government or the armed forces. Acting under the umbrella of this decree, National Police agents last October 20 stormed the San Salvadoran offices of UPI, AP, NBC, ABC and UPI-TV. The employees of the news organizations were detained long enough for the agents to search for "clandestine messages" affecting the "security of the country."

Among the Salvadoran media, self-censorship has sprouted in the climate of fear. Many newspapers no longer publish information coming from organizations critical of the government. Publishers turn away

writers whose work might elicit violent reprisals from the military.

Grenada—When Maurice Bishop and his National Jewel Movement came to power in Grenada in 1979, many hoped that Bishop would improve upon the sorry human rights record of his deposed predecessor, Eric Gairy. Unfortunately, in the area of press freedom the People's Revolutionary Government (PRG) has only tightened the screws. According to People's Law No. 18, private ownership of media is prohibited. Grenadians' only source of printed news is *The Free West Indian*, a government-controlled paper. The government also controls the only radio station on the tiny island, *Radio Free Grenada*.

Shortly after midnight June 18, 1981, hours before People's Law No. 18 went into effect, the Grenadian Voice was shut down. Its publisher, Alister Hughes, had his home searched by police, his printing equipment confiscated, his telephone disconnected and his automobile impounded. He was briefly detained, and upon release was prevented from filing stories with news agencies. Since then, "freedom of the press" has been a meaningless abstraction in Grenada.

Nicaragua—Upon seizing power in July 1979, the new Sandinista government immediately announced a code of conduct for the press. Under the law, it became unlawful "to disseminate in written or verbal form statements which attempt to harm the interests of the majority and the victories won by the people."

Since then, the situation of the press in Nicaragua has worsened. The media, largely privately owned, operated with only episodic governmental interference—with the exception of the opposition daily *La Prensa*—until the announcement in March 1982 of an official state of emergency. Under the state of emergency "all radio newscasts, political party programs or those of any other organization [were] suspended." The most restrictive of the new measures was the establishment of prior censorship of the press by the government's Communication's Media Directorate.

Under the state of emergency, *La Prensa* has been subject to harassment, closures and steady censorship. On several occasions, the editor, Pedro Joaquin Chamorro, has chosen to close *La Prensa* rather than subject copy to government censors. ●

#### TAX SHELTERS AND H.R. 3110

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. FLORIO. Mr. Speaker, among the more controversial pieces of legislation marked up by the Ways and Means Committee is the bill sponsored by our colleague from Texas, (Mr. PICKLE), H.R. 3110.

This bill, the Government Leasing Act of 1983, is designed to limit the use of leasing plans by tax-exempt organizations and governments that transfer tax breaks they cannot use to private investors.

I have had some misgivings about the appropriate use of leasing techniques and the purposes for which IDRBs are issued, as they result in the

loss of significant amounts of Federal revenue.

I recently requested that my staff study in detail how this area of financing affects Federal revenue. What resulted is a fascinating analysis, which, although lengthy, I would like to share with my colleagues who wish to have a greater understanding of this important issue.

The analysis was prepared by Laura L. McAuliffe, who is a congressional fellow in the LEGIS program sponsored by the U.S. Office of Personnel Management. Ms. McAuliffe is employed by the Comptroller of the Currency, but the analysis does not represent the views of the Comptroller or the Treasury Department.

I commend the following to my colleagues:

#### MEMORANDUM REGARDING TAX SHELTERS

You gave me a copy of a prospectus for a tax shelter investment that had been given you by the chairman of a New Jersey corporation.

You wanted an analysis of the proposal and some general discussion of the impact of tax shelters on productivity. Subsequently, legislation was introduced which would eliminate the same shelter for municipalities and tax-exempt organizations. This memorandum will discuss the private tax shelter proposal and proposed legislation.

#### I. TAX SHELTER PROPOSAL

A. Preliminary Transactions. Company A, a specialty retailer engaged in the retail sale of lumber, building materials, hardware, paint, paneling, tools, garden supplies and other items related to the "do-it-yourself" homeowner market, constructed two stores. One store is located in Baltimore County, Maryland and the other is in Montgomery County, Pennsylvania. Company A sold the stores to Company B, a company owned by Company C and some of its employees. Company B obtained financing for the purchase from the proceeds of tax-exempt Industrial Development Revenue Bonds (IDRB) floated by the two counties. The counties took mortgage liens in exchange. Company B then leased the stores to Company A in a sale-leaseback arrangement. Similar transactions govern the parcels of land which are owned by another Company C affiliate. Company B purchased the properties for \$8.8 million. IDRBs were issued for \$9 million.

B. Subject Proposal. A Limited Partnership is being formed to acquire two stores from Company B that are leased to Company A. The purchase price for the properties is \$10,280,020. Limited Partnership will also reimburse Company B \$650,980 for costs incurred by Company B for the bond issues and will pay \$28,000 for ground lease options. The partnership will assume the obligation to pay the IDRBs, assume the existing property leases and incur additional debt to make the purchases.

The general partner is a general partnership comprised of eight individuals who are employees of Company C or an affiliate. Limited Partnership expects to lose money for at least 14 years, because the income from the leases is inadequate to service the debt structure in that timeframe. Profitability will come about later. The principal assets of the partnership are the properties. The partnership terminates in 2081.



C. The Individual Investor. The individual investor is being offered a Class A Limited Partnership Interest. Each investment unit sells for \$105,449 cash or \$144,502 on terms to the partnership under the Deferred Payment Option. Under the time payment option, notes will be given by the investor to the partnership and the partnership will convert them to cash by pledging them as collateral to a loan from a subsidiary of Company C. (The subsidiary will also finance partnership expenses that cannot be met from normal cash flow.) The minimum investment is one-half unit.

D. Tax Benefits. Tax benefits, deductible items or writeoffs are available to every entity involved in this proposal. Assuming that the Internal Revenue Service finds Limited Partnership a legitimate partnership investment, then the following entities may have certain benefits:

Entity and Deduction. Individual investor; distributed loss of partnership, interest expense for money borrowed to make the investment. Partnership; cost recovery (depreciation), fees and expenses, interest on debt, cost of land estates, capital loss on sale of property. Company A; rent expense, property taxes. Investors in IDR; interest income tax-exempt.

The broker earns an 8 percent sales commission and a 1 percent expense reimbursement fee. Over ten years, Company C affiliates have arranged \$316 million in limited partnership deals, \$111 million of which are of this type. Properties involved have been hotels, one residence, office buildings, warehouses and shopping centers.

E. General Discussion. As can be seen from the foregoing example, once the property owner and user become two different entities, the tax benefits begin to spread. When the benefits become a "shelter" is a critical question. In this instance, the shelter is established with the partnership. (The partners and not the partnership are subject to tax.) Before that, the ownership and leasehold benefits are not extraordinary although the intent of the sale-leaseback arrangement of the stores may be objectionable.

There are two basic methods of establishing lease payments. One is a wash where rental income to the property owner equals the debt expense. The second is a straight or leveraged lease that provides rental income lowered by the tax benefits associated with the property and low enough to attract a renter. Setting the payment terms determines how profitable the transaction will be. The Limited Partnership proposal began with a wash lease, i.e., Company A would pay rent equal to the mortgage payment Company B would pay the municipalities. When Limited Partnership purchases the properties from Company B, however, it will pay a premium and take on additional debt to fund it. This will make the rental income inadequate to service all debt and meet expenses. Then Limited Partnership becomes unprofitable.

A recent article in *Forbes* suggests that \$9 billion in tax shelter were sold in 1982. This figure includes IRAs, Keoghs and a host of other schemes, including the limited partnership investment.

Tax laws are fluid. The purpose of providing tax benefits on investments is to encourage investment in capital goods, i.e. plant and equipment. Tax laws change over time to render different qualifications to investments eligible for benefits. Most notably in 1981, major legislation provided eligibility for tax benefits to be sold from one corpora-

tion to another under a mechanism called safe harbor leasing. The result was that some major, profitable corporations paid no income tax. So, major tax legislation in 1982 amended and placed a sunset on safe harbor leasing for December 31, 1983. Figures are not and probably will not be available to indicate the amount of revenue actually lost by the federal government, because the law changed so quickly. Pre-legislation estimates were that \$3.2 billion would be lost in 1982. Whatever the actual amount, it is clear that government revenue for spending was decreased and the arrangement had no productive purpose.

Even though safe harbor leasing will disappear, other forms of shelters or benefits will be defined and remain.

## II. MUNICIPAL TAX SHELTER

Municipalities, also, are providing tax shelter investments of sorts in an effort to cheaply finance new public projects. The arrangement is essentially the same as occurs on the private side.

A. Example. The Camden County Municipal Utilities Authority needs to construct two sewage treatment plants to comply with requirements of the Clean Water Act. The estimated construction cost is \$200 million. While the county expects to receive \$110 million as its share of EPA grant money, the grants are to be used for other purposes as well. Instead, the county will float tax-exempt IDRBs to finance the projects. Because the interest income to investors is tax-exempt, the county will be able to borrow at lower rates. (Investor motivation to buy the bonds is tax-exemption for interest income rather than the interest rate being paid.) The sewage treatment plants will be sold to a private owner who will operate them for the municipality. The owner is eligible for an investment tax credit and deductions for interest expense and depreciation. This method of tax-sheltering involves a process being referred to as privatization and is a substitute for government support of public projects.

B. Legislative Activity. H.R. 3110 was introduced by Rep. Pickle on May 24 and was referred to the Ways and Means Committee. The bill is known as the "Government Leasing Act of 1983." Its provisions cover property owned or used by tax-exempt entities. It:

1. requires straight-line in lieu of accelerated depreciation
2. extends denial of investment credit for property used by governmental and tax-exempt entities
3. disallows rehabilitation credit for expenditures that are financed by tax-exempt IDRBs
4. applies to property placed in service after May 23, 1983 or up to January 1, 1984 if the arrangement is under contract on May 23, 1983.

Rep. Pickle's purposes are to limit privatization and its related federal revenue losses and additions to the federal deficit, middleman profits, and confusing accounting of how the public's money is being used. Examples of the sheltering he is attempting to curtail include the sale-leaseback of the Miami Orange Bowl with private parties, the leasing of cargo ships by the Navy and private ownership of satellites orbited by NASA. Lease of ships by the Navy will cost at least 11% more than outright purchase.

C. Discussion. One underlying issue of this whole tax shelter discussion is the proper use of IDRBs. The Administration favors curbing their use as "a backdoor means of obtaining federal subsidies, usually without explicit approval and sometimes in direct

contravention of federal budget policies . . ." One-half of the \$87.6 billion in IDRBs outstanding is dedicated to private housing, hospitals and industries. Last year, \$44 billion were issued for private purposes compared to \$10.3 billion for public works projects. Lost federal revenue is estimated to be \$13 billion for each of the next five years due to the tax-exemption for interest earned on IDRBs.

IDRBs were the financing mechanism for both the Limited Partnership and Camden County projects. Proponents of IDRBs claim that their use has been instrumental in creating or saving jobs. Utilities say that IDRBs save the rate-payers the cost of cleanup equipment. On the other hand, increasing use of IDRBs is increasing the cost of projects. An increased number of bond issues competing against one another drives the interest rates up to attract investor funds. This only increases lost federal revenue further. CBO's greatest concern is "In real dollars (adjusted for inflation), the volume of tax-exempt bonds for public projects in 1982 was about 5 percent higher than it had been in 1975, whereas tax-exempt financing for private entities was a whopping 300 percent higher."

## III. IMPACT ON PRODUCTIVITY

A. Definition. Productivity measures the relationship between outputs and inputs. Productivity increases when the same amount of input produces larger quantities of goods and services than before. Inputs are labor, capital and material resources. Public service output is included but difficult to measure, because it has no market value.

B. Influences. The U.S. productivity rate is declining in all major economic sectors except communications and agriculture. Quantitative factors affecting productivity include: investment in research and development, which provides the basis for innovation and technological progress; the rate of capital formation in the form of plant and equipment (as affected by the level of saving and investment); the composition of output (the distribution of GNP between goods and services whose productivity typically grows rapidly and those whose productivity growth is relatively slow); the composition of the labor force in terms of age, race, sex, education and work experience; the availability and cost of natural resources; government activities.

The Committee for Economic Development, in its Productivity Policy statement, indicates additional hypotheses, less quantifiable, affecting productivity. One is a deterioration in the quality of investment decision, partly attributable to investments in inflation hedges rather than in additions to the nation's productive capacity.

The Commerce Department released revised productivity estimates in the wake of delayed economic recovery. In December 1982, the increase in GNP (the total output of the economy) projected for 1983 was 3.7% over 1982. Estimated growth for 1983 now is expected to be 2.5 to 3.0%. Some industries surveyed will still be in a recession. Several industries, including steel and automobiles, "... are likely never again to attain the production and employment levels they achieved in the late 1970s." Only about 100,000 of the 270,000 unemployed in the automobile industry will be rehired. Capacity to manufacture steel is shrinking to the 1930s level.

C. Government Intervention. Government activities affecting productivity include

spending and regulation. Regulations relating to the environment, health, and safety place standards on new construction that increase costs so that business favors old plant and equipment. Capital goods become obsolete and inadequate to absorb an ever-increasing labor force. Additionally, the tax structure provides a disincentive to save and does not provide an incentive to invest.

Tax incentives are inequitable, short-term quick fixes. They go to capital intensive industries, e.g. transportation, and the result is that certain industries pay no taxes. Labor intensive industries such as apparel pay the highest tax rates because of high Social Security levies and few capital goods on which to accrue tax savings.

Companies will seek bank financing as the least costly method of making improvements. But there still needs to be increased saving in order for loan money to be available. Deposits from individuals into Individual Retirement Accounts provide a tax shelter to the individual depositor and commit long term funds, the type of funds institutions should have available to lend for long term purposes.

Some tax shelters, such as the deduction for home mortgage interest, add to productivity, but others do not. Some tax shelters encourage saving, e.g. IRAs, which provide long-term funds for lending elsewhere. Investment in tax-exempt bonds for public purposes is useful to finance government spending which may or may not add to productivity. But investment in a limited partnership strictly to shelter income not only wastes potentially productive resources but also decreases spending. Increased consumer spending creates demand for product and therefore increases productivity. Increased saving leads to increased capital investment and productivity. So it would appear that the appropriate strategy would be to encourage both consumer spending and saving.

#### IV. ALTERNATIVES TO TAX SHELTERS FOR PRODUCTIVITY

Suggestions are being made by private and public factions for ways to increase productivity and growth. The industrial policy issue and its hearings have provided one forum for the advancement of ideas. Suggestions for what the government can do include: Reduce or eliminate the tax on interest income to encourage savings to a level commensurate with other countries (21.0% in Japan vs. 5.6% in the U.S.). Add stimuli for investment, such as adopting a mechanism to adjust capital gains for inflation. Accelerate deregulation. Defer tax on contributions to Social Security and employer benefit plans. Control spending. Change tax code to simplify it, reduce tax preferences and reduce marginal tax rates by broadening the tax base. Modify public policy so that investment incentives are neutral among types of capital assets. Support research.●

#### ANOTHER WAY TO ENFORCE THE DRAFT LAW

**HON. BOB EDGAR**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. EDGAR. Mr. Speaker, for the foreseeable future anyway young men will be required to certify that they have registered for the draft before

they can receive college financial aid. Many of us see a large number of problems with the law.

Aside from the legal questions, there are questions about the need and efficiency of such a law. Do we need such a sweeping law when, according to the Director of the Selective Service in his recent report sent to all Members of Congress, 98.1 percent of the primary draft-eligible group have already registered? I suppose our auto registration compliance is not nearly that high. And I am certain that our income tax compliance is not that high. Even if there were some reason requiring a higher compliance rate, is the most efficient way to achieve that by deputizing colleges, bankers, and others to help the Justice Department do their work?

There is harm in passing such awkward laws. In its effort to instill patriotism, Congress risks alienating the 98 percent of the young American men who have registered but who are presumed guilty and unworthy of aid until they prove otherwise—not to mention antagonizing college and university officials nationwide.

In the spring, the Chronicle of Higher Education published an open letter by Paul Orehovec, a dean at the College of Wooster. Although Dean Orehovec wrote his letter with tongue in cheek, he nonetheless makes a serious point. I submit an edited version of his letter here in the RECORD and ask you to consider it.

DEAR CONGRESSMAN: I'VE A BETTER WAY TO CRACK DOWN ON DRAFT RESISTERS  
(By Paul Orehovec)

DEAR CONGRESSMAN: Recently, the Enforcement of Military Service Act was signed as part of the Defense Authorization Bill. By making one minor adjustment in that act, I am convinced we can curb alcohol abuse and increase the attack on draft resisters.

The act states that institutions of higher education are required to certify that all male recipients of Title IV funds be registered for the draft. My recommendation is to replace the term "institution of higher education" with "bartenders," which would have the following effects:

The current terminology requiring institutions to check on students who receive Title IV funds makes it appear that the law discriminates against students from low-income families. My proposal would eliminate that discrimination. If bartenders checked draft registration before serving any form of alcohol, only those students who refrained from drinking would be exempt from showing evidence of their draft registration.

I contend that more members of academic communities drink than receive Title IV funds. Therefore, we could do the Defense Department a service by checking on young people through taverns rather than financial-aid offices.

Bartenders have always had to verify the ages of those entering a tavern, and the additional duty of certifying registration with the Selective Service should be right up their alley. By contrast, recent government studies have alleged much error, abuse, and

fraud in campus financial-aid offices. It would behoove the Defense Department not to be associated with such mismanagement.

Bartenders would have a much easier time of understanding federal regulations—particularly those in the Federal Register regarding verification of draft registration. For instance, when financial-aid officers are frustrated in their attempts to interpret the Federal Register, all they can do is turn to their calculators. Bartenders, however, can turn around and pour themselves a Scotch-and-water, and soon all things become quite clear.

I appreciate the government's attempt to ease the workload in financial-aid offices by cutting funds. I also understand that this time could be spent running errands for the Department of Defense. However I insist on an annual vacation—nothing approaching the 15 to 20 weeks enjoyed by Members of Congress, but something adequate. I cannot check draft registrations during this time. On the other hand, have you ever known a tavern to shut down?

It is time to get after draft resisters and alcoholics. I should point out that in addition to being a financial-aid officer, I take pride in being a part-time drinker, a past recipient of Title IV funds, and one who registered for the draft, votes, and pays taxes.

I discussed this matter with a bartender friend the other night. After appropriate deliberation, she concluded that she is much more qualified to handle the Department of Defense and their needs than am I.●

#### ASC COUNTY AND COMMUNITY COMMITTEE SYSTEM

**HON. CHARLES ROSE**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. ROSE. Mr. Speaker, today I, along with many of my farm State colleagues, am introducing legislation which will strengthen the ASC County and Community Committee System.

The ASC County and Community Committees are probably the most important farmer network in this country. The individuals who serve on these committees are elected by their peers, their fellow farmers, and these committeemen play a vital role in their local communities with respect to farm programs.

However, it has come to my attention that the U.S. Department of Agriculture is questioning the wisdom and the effectiveness of the farmer-elected committeemen, at the same time our farm economy is in its worst state since the Great Depression.

Under the guise of budgetary constraints, USDA threatened to consolidate or eliminate Community Committees in several States, at the same time that USDA pressured the farmer-elected committeemen to serve without travel and compensation for the services they provide.

Last December I surveyed nearly 100,000 Community and County committeemen in an effort to determine what they were doing, what they could



do, and also to ascertain the quality of the communication which exists between committeemen and the U.S. Department of Agriculture. To date, I have received over 20,000 responses which clearly point out the interest in and the need for a national farmer-elected committee system. At the same time these surveys indicated that the channels of communication between USDA and committeemen warrant improvement.

In addition, the respondents to my survey repeatedly pointed out that they were not meeting frequently enough to be briefed on farm programs, that they were not receiving farm program information in a timely fashion, and that, in many cases, they felt as though they were being ignored. Several agricultural extension agents called my office to express their support and interest in the Committee System, emphasizing the need to utilize committeemen more fully.

With so many changes occurring in existing farm programs daily, and with the implementation of new programs, like the PIK program, it seems vitally important to me that we strengthen the farmer network in this country and listen to those people who are the most closely involved in our farm programs on a daily basis. I have said it before, and I will say it again, I do believe that many of our problems in agriculture today stem from the fact that we do not listen closely enough to our farmers. What we need to do is strengthen our communication with this Nation's farmers, not eliminate those who have a good idea or two.

I am pleased that so many of my colleagues have joined with me in recognizing the importance of this national farmer network; what it says to me is that we are listening, and that we will continue to listen.

At this point, I would like to include a brief summary of the major points of my bill. Thank you, Mr. Speaker, for this opportunity to speak on behalf of my bill:

**SUMMARY OF THE MAJOR PROVISIONS OF THE AGRICULTURAL STABILIZATION AND CONSERVATION COMMITTEE ACT OF 1983**

**COMMUNITY COMMITTEES**

The bill will—

(1) require that the number of local administrative areas (from which agricultural stabilization and conservation (ASC) community committees are elected) in a county cannot be less than the number of administrative areas that the county had on December 31, 1980;

(2) extend the terms of members of ASC community committees from one to three years;

(3) require that ASC community committees meet not less than four times annually;

(4) specify the duties of ASC community committees, as follows:

(a) in counties in which there is more than one ASC community committee, the committees will—

(i) elect, each year, a person to serve on the ASC county committee; and

(ii) serve as consultants and advisors to the ASC county committee; and

(b) all ASC community committees will—

(i) meet periodically with the ASC county and State committees to be briefed on farm program issues;

(ii) communicate with farmers within their communities on issues and concerns regarding farm programs;

(iii) report to the ASC county and State committees, and others, on farm program recommendations of farmers within their communities; and

(iv) perform other duties required by law or assigned by the Secretary of Agriculture;

(5) require the Secretary to ensure that ASC community committees are provided up-to-date information on Federal farm and related programs that might affect farmers within their communities;

(6) make the changes described in items (1) through (5) above effective on January 1, 1984, except that the increase in the length of the terms of members of the ASC community committees will not apply to persons elected prior to January 1, 1984; and

(7) in counties that now have just one ASC community committee, but that (as a result of the bill) will receive additional community committees, provide that each person who is a member of the one county committee as of December 31, 1983, will serve the unexpired portion of his term following the increase in community committees as a member of the community committee for the local area in which he resides.

**COUNTY COMMITTEES**

Under the current law authorizing the creation of ASC county and community committees, the Secretary of Agriculture is directed to use the services of the committees in carrying out portions of the Soil Conservation and Domestic Allotment Act. The bill will amend current law to (1) require the Secretary also to use the services of the county and community committees as directed by law with respect to other programs and functions, and (2) authorize the Secretary to use the services of the committees in carrying out any program or function of the Department of Agriculture.

**SALARY AND TRAVEL EXPENSES**

The bill will—

(1) require the Secretary of Agriculture to provide compensation, on an hourly basis, to members of ASC county and community committees for work actually performed in assisting in the implementation of the Department of Agriculture programs, with—

(a) members of ASC county committees to be paid at the hourly rate applicable to the grade GS-11; and

(b) members of ASC community committees to be paid at the hourly rate applicable to the grade GS-9; and

(2) require the Secretary to pay members of ASC State, county, and community committees for travel expenses (including, for members of county and community committees, expenses for travel between their homes and the local county office of the Agricultural Stabilization and Conservation Service).●

**A TRIBUTE TO GENERAL ROBERT BARROW**

**HON. IKE SKELTON**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. SKELTON. Mr. Speaker, today I have the honor of rising to commend Gen. Robert Barrow and to personally thank him for a job well done. General Barrow has given 41 years of excellent service to the Marine Corps and to the entire United States.

General Barrow enlisted in the Marine Corps in March 1942 and served as an assistant drill instructor. He rose through the ranks, receiving a commission in 1943, and he spent the remainder of World War II fighting behind Japanese lines with a Chinese guerrilla force. He also remained in China for a year after the war ended.

During the Korean conflict, he was instrumental in the Inchon-Seoul offensive and later commanded a rifle company in the Chosin Reservoir campaign. From 1964 to 1967, he was plans officer for the Fleet Marine Force, Pacific, and he later commanded an infantry regiment which fought at Khe Sanh and the A Shau Valley in Vietnam. In all, General Barrow served seven tours of duty in the Far East.

He was commanding general for 3 years at the Marine Corps Base in Okinawa, and then was commanding general at the Marine Corps Recruit Depot, Parris Island, S.C. He served as Deputy Chief of Staff for Manpower at Marine Headquarters before becoming Commanding General of the Fleet Marine Force. General Barrow was the Assistant Commandant of the Marine Corps from July 1978 until he became Commandant a year later.

I have had the pleasure of working with the general several times when he was called before the House Armed Services Committee. By giving superior testimony before the committee, he proved himself to be an indispensable witness.

General Barrow finished his active commitment to the Marine Corps in July. However, the Marine Corps, Congress, and the entire United States will not soon forget such an outstanding leader. I would like to personally wish the general, his wife, Patty, and their five children all of the best for the future.●

RATIONAL APPROACH TO  
GRENADA REQUIRED

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. CONYERS. Mr. Speaker, in the midst of the international crisis now confronting the Central American region, we have almost forgotten about the great impasse which exists between the United States and the small nation of Grenada. As you are aware, our country has refused to officially recognize the Government of Grenada since it came to power on August 13, 1979. There is a mission from Grenada to the Organization of American States and an Ambassador to the United Nations. Any contact which takes place between our two governments is carried on through one of these agencies. Of course, this artificial limitation on relations between Grenada and the United States has resulted in significant confusion and has generally cut short communication. The result has been that foreign policy between Grenada and the United States has been conducted in the media and has been largely based on half-truths.

I have always articulated the position that the United States should officially recognize Grenada and move to improve economic, political, and cultural relations with its government and people. This position is based on my detailed understanding of the domestic programs and foreign policy objectives of the Grenada Government. On June 1, 1983, Prime Minister Maurice Bishop of Grenada spoke at the Protocolary Session of the Organization of American States and outlined some of the goals of Grenada and its people. I think it is appropriate that selected parts of Prime Minister Bishop's speech should be included in the CONGRESSIONAL RECORD so that my colleagues can have the benefit of his thinking. I would hope that his thoughts would be carefully considered because we cannot afford to make decisions that may affect the dreams, aspirations, and independence of a people without the necessary factual information.

Mr. Chairman.

Mr. Secretary General.

Ambassadors and Representatives of the Governments of the Americas.

We meet here at a time when the world, and in particular the developing world which we so amply represent, is faced by an alarming array of social and economic problems which we must collectively confront in an effort to attain genuine progress and development for our peoples. Yet this is also a time when genuine efforts are already emerging from among us to resolve the social, economic, financial and political problems with which we are confronted. These efforts represent a reserve of deter-

## EXTENSIONS OF REMARKS

mination and will which is part of our American heritage.

Today 150 years later, as we seek to attain peace, justice and progress for the people of the Americas, we must respond to those echoes (The echoes to which the Prime Minister refer is that based on his quote from Simon Bolivar, the father of Pan-Americanism, to the effect that "Unity, Unity, must be our motto in all things. The blood of our citizens is varied; let it be mixed for the sake of unity.") Indeed while we speak of the need for unity and the integrated development of our people, we do so with the knowledge that while we have shared historical experiences, the specific character and development of each state is different. Our unity is therefore based on mutual acceptance and understanding of each other's right to develop its own process as it deems best for the progress of its people:

We, in Grenada, place great significance on the signing of a treaty in December 1982 which established formal relations between the Caribbean Community (Caricom) and the Organization of American States. The basis for institutional interaction and exchange is most certainly being strengthened within our region.

Our American continent must not only be united, but we must have peace: a peace which bring economic and social justice, equality, and greater independence and freedom for all those down-trodden and oppressed.

We join international public opinion in supporting initiatives of the people of Latin America to solve the problems of our region. Contadora represents a significant step towards finding a solution to important dimensions of the problems in Central America. It offers concrete for finding negotiated solution to our problems and additionally underscores that it is possible to settle disputes without resorting to the use of force.

We oppose any attempt to give support to those whose objective is to destabilize the Sandinista regime and to promote strife and discord in Central America.

Mr. Chairman, Grenada again calls for peaceful solutions to all the regions border disputes, another legacy of colonialism which continues to adversely affect our peaceful and integrated development.

Because peace, independence and development are necessary for the progress of the peoples of the entire region, Grenada is particularly concerned about our relationship with the United States of America.

My government has consistently sought to establish and to maintain normal and mutually respectful relations with our powerful northern neighbor. It is an unfortunate historical fact that every effort on our part to achieve this has been ignored or rebuffed.

We pursue a foreign policy of non-alignment which for us includes a real and ongoing diversification and expansion of our relations. This includes our active involvement in the concerns of Latin America, seeking solutions to the problems of our small island states, advocating self-determination in a new political and economic framework, and acceptance of the principle of ideological pluralism.

I reaffirm what representatives of our government have said so many times before: that Grenada constitutes no threat to the United States. We repeat that the new International Airport is a civilian project vital to the economic development of our country.

Our particular vision of the Americas is one which recognizes the right of member

states to choose their own destiny and the same vision of ours accepts the possibilities of peaceful co-existence, diversity and variety of political systems. It is in this spirit that we embrace Venezuela, Cuba, Nicaragua, Mexico, Barbados, Martinique, and Suriname as all legitimate sons of the Americas. We can not in principle subscribe to the attempt to isolate any member of our hemispheric family.

Grenada reiterates its commitment to the Charter of our organization (The Organization of American States). Our nations must proceed without confusion believing that we will achieve the goals agreed to in our charter.

Forward to peace, genuine independence and development in a United America—Our America.

Many important elements of the Prime Minister's speech have been deleted because of space limitations. However, it is clear from what is included that Grenada is very interested in becoming an independent and contributing member of the American states. The United States can contribute to this by recognizing the Government of Grenada.●

STUDENT AID AND DRAFT  
REGISTRATION

HON. BOB EDGAR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. EDGAR. Mr. Speaker, in about a month a regulation will take effect requiring young men applying for student financial aid to certify that they have registered for the draft. We passed the law requiring this last year. We know this law as the Solomon amendment. The law has been challenged in the courts, and a Federal district judge in Minnesota declared the law unconstitutional. The Supreme Court will decide next term whether to hear the case. Meanwhile, the Court has let the law take effect. Many of us have questioned whether it is a proper law and, if proper, whether it is a wise law.

There are several features of the law that lead one to question its constitutionality. The law exacts penalties from a specified group of citizens without giving them judicial protection. That makes it a bill of attainder. Furthermore, the law puts an unfair burden on lower income people, and thus on minority people who must have financial aid to attend college. In addition, the law adds a double and unnecessarily severe penalty to the draft law. We should keep in mind that a young man already faces penalties of 5-years imprisonment and \$10,000 fine for failure to comply with selective service law by not disclosing his name and address. That is the same penalty imposed on people who



refused to obey induction orders in the middle of a war.

Each of us has many responsibilities as a citizen of the United States and we should proudly try to fulfill those responsibilities. Each of us also draws many benefits from the United States—FHA loans, VA benefits, use of federally funded highways, not to mention Federal defense and law enforcement. Can you imagine the mess if our Government made every benefit conditional upon satisfying some unrelated responsibility? Registration for the draft is an important responsibility of our young men, but it is unrelated to whether or not a young man should be eligible for student aid. We could just as well deny social security to an older person who fails to prove that he or she has never underpaid on taxes.

Probably the most fundamental question is, Should Congress make people pass tests of good citizenship and take loyalty oaths whenever they want to claim any benefits or privileges that the Government ordinarily extends? I would say, "Certainly not." Several weeks ago an important Pennsylvania paper, the Delaware County Daily Times, published a strong editorial on the subject. This cogent editorial forcefully makes the point that Congress must be very careful how it tries to enforce patriotism. I ask that the editorial be printed here.

The article follows:

[From the Delaware County Times, June 30, 1983]

#### A CRIME AGAINST AMERICA

The U.S. Supreme Court certainly cleared things up yesterday. It is now apparent that education is a right of the rich. For the rest of us, education is a privilege, subject to cancellation at the whim of politicians.

By ruling that the federal government must begin Friday to enforce a new law denying loans and grants to men who fail to register for the draft, the court establishes several novel principles of law.

The government may limit any aid or grant designed for general distribution to those who meet a political truth test—in this case, those who indicate a willingness to go to war.

The government may apply this test to members of one sex only, so that young women opposed to the draft will not be punished, but an estimated 122,000 young men who have not registered now cannot receive federal loans or grants for college education.

The government may force compliance with one law by interfering with an established set of laws in a totally different area. To enforce draft registration, it may abrogate the principle that college loans are to be available to all those demonstrating need and ability.

The government may make punishment contingent on income, depriving poor and middle class students of the opportunity for college education while passing over the rich.

These standards would permit the government to refuse, say, Social Security checks to senior citizens who fail to report all the interest on their savings accounts. They would permit the government to deny loans

to members of any demographic group—white females, for example—who refuse to cooperate with a law applying to them and them only. The middle class could be singled out with a law denying tax credits for mortgage interest to adults convicted of (pick one) illegal gambling, speeding, mail fraud, drunk driving or anything else Congress chooses to make a federal offense.

If draft registration is necessary, then the government should have no trouble enforcing the law. Arrest violators. Convict them. Fine them. Send them to prison.

That's the way we've enforced laws in this country for 200 years and it's worked out pretty well. What will not work is a politically inspired punishment, unrelated to the crime, which affects only citizens of a certain sex and class who hold unpopular beliefs. That totalitarian-style law is itself a crime against our tradition, our constitution and our nation. That the U.S. Supreme Court does not instantly recognize this fact is a disgrace. ●

### THE CASE FOR A GLOBAL STRATEGY

#### HON. MICKEY EDWARDS

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. EDWARDS of Oklahoma. Mr. Speaker, as chairman of the United States Global Strategy Council I was recently asked to address that organization's forum on the need for a new, comprehensive global strategy for the United States. Because of the importance of this issue, I would like to share my remarks with my colleagues:

#### THE CASE FOR A GLOBAL STRATEGY

I appreciate very much the opportunity to be a part of this organization and to work with people who share in common a love for this country, a concern for it and a willingness to come again to its aid in a time of great need.

Washington seems to give birth to new organizations so rapidly and with such a degree of excess, that many of them never get around to doing anything more than assembling an honorary advisory board, accumulating names for a direct mail campaign and raising money to pay for the overhead and the next mailing.

We simply do not need any more instant-solution direct-mail organizations. The problems we have are so great in scope and so complex in nature, and the potential danger so terrible, that this country must assemble in a serious way the finest minds, the best talents, and the greatest energy that can be brought to bear on a simple task: ensuring the survival of the United States and the free institutions it guarantees.

I am amused by people who quote themselves, and I know that everybody in this room could make the case more clearly and more persuasively than I, but as a statement of my own concern, and as a simple description of the goals we must undertake if the Global Strategy Council is to have meaning, let me read to you one paragraph from an article I wrote for the Proceedings of the U.S. Naval Institute nearly three years ago. The article was about the threat which Soviet expansion is now posing to control of the principal sea lanes, and I said that we

must establish as a top priority the strengthening of our Navy, that we must upgrade our intelligence capability, and, finally, I said, "... we must resolve to think in a truly global way. A good chess player knows how important it is to survey the entire board and size up quickly the full range of moves his opponent is capable of making. If he concentrates on only one part of the board his narrowness of focus may well cost him the game. The world is like a chessboard, and we have to be able, given the present geographical and political configurations and alliances, to see new patterns emerging. To be surprised in today's world of global interdependence because we've failed realistically to take into account the geopolitical situation and what it portends, is to invite our own disaster."

I believe that is more true today than it was when I first wrote it. There is a desperate need for a truly comprehensive global strategy that is broadly focused and includes all aspects of the military, economic, industrial, humanitarian and psychological tools at our disposal. The Administrations of any President are necessarily hindered by both political considerations and the transient nature of power. Under President Carter we practiced international politics of selective outrage; under President Reagan we practiced first the politics of confrontation and today the politics of flexible firmness. You are all far more expert than I in determining which policies and strategies will best work, but we will all agree, I think, that success in the international arena requires the building of a trans-Presidential strategy which enjoys a national consensus and which will serve the long-range security interests of the United States. That is a role you in this room can fill better than any other group of citizens in the United States, and how well we fill that role, and how energetically we undertake it, may well be critical to our survival.

Now let me examine some of the aspects of what we must do:

1. We must have a global strategy that is clear and coherent.

Our goals are often foggy. Our actions are often contradictory.

We attempt to interdict the shipment of arms through Nicaragua into El Salvador, while at the same time we contribute millions of dollars to multilateral lending organizations, such as the World Bank, the Inter-American Development Bank and the International Fund for Agricultural Development, which pour millions of dollars into Nicaragua.

We provide military assistance, in the form of training, to Brazil, which sells weapons to Libya, which then uses those weapons against countries friendly to the United States and serves as a conduit for the funneling of weapons through Nicaragua in El Salvador.

In this year's budget requests alone—excluding supplementals and reprogrammings—the Administration is asking for more than \$5 billion for countries which have voted with the United States 50 percent of the time or less in the United Nations, and which consistently oppose U.S. foreign policy in other international forums.

2. We must recognize the interdependence of many aspects of our environment and take a broad range of factors into account in formulating a national global strategy—factors far beyond the military and diplomatic decisions we generally think of in these regards.

For example: the increasingly complex technical nature of military equipment and weaponry parallels the release of reports indicating that the public school system in the United States has deteriorated almost beyond recognition and that the public schools are graduating young men and women who have difficulty communicating in the English language, comprehending written communications, or working simple problems math and science. And that deterioration parallels a frightening increase in the use of drugs among teen-agers and young adults. That that problem reaches into the military has been confirmed again and again, in Vietnam, aboard an aircraft carrier at sea, even among the select members of the White House guard.

What effort do we put into the rebuilding of our public school system and what effort do we put into combatting the increased use of drugs in our society? And given the current situation, what decisions do we make in the design of weapons and military equipment?

We are told that much of the unemployment in the United States is structural in nature—the result of a fundamental change in the American economy which will transform the United States into a high-tech society with microchips replacing smokestacks. In World War II the United States was able to survive because American forces were backed by an unparalleled industrial capacity. Already the United States is endangered by heavy dependence on foreign sources for its crude oil supplies—supplies which will have to be moved through the threatened sea lanes even if they are not cut off at the source. What will it mean if we add to that the increasing dependence of the United States on foreign suppliers for steel and for vehicles? The emergence of a technological society, and the disappearance of smokestack industry, is neither a military factor nor a diplomatic factor, but it is an essential part of the equation in developing a viable global strategy whether we protect our industrial capacity with tariffs or develop new means of ensuring the availability of outside sources.

3. In terms of global strategy, we must not prioritize excessively. Strategies are different from purchases. Strategies must be inclusive, and must take into account all eventualities.

We cannot ignore any part of the globe—not Europe, not Asia, not southwest Asia, not the Asean countries; not the middle east, certainly; not Africa, so important as a supplier of minerals and increasingly a target from one end of the continent to the other; not South and Central America. The world is smaller and the threat is more comprehensively global than ever before, and our strategies must be equally broad.

4. The United States must critically examine the way in which it approaches its relationships with those nations which may be temporarily aligned with our security interests, but in which the governments are authoritarian in nature and do not enjoy the support of the citizenry. I addressed this issue in the summer of 1981 in an article in *World Affairs* in which I said:

"The decisive political conflict in our century is that between totalitarian communism and liberal democracy. To meet the challenge adequately, United States foreign policy must be two-pronged. First, it must be implacably opposed to the expansion of communism. Second, and equally important, U.S. policy must protect and nurture democratic governments where they now exist,

and encourage their emergence where they do not."

That is not, let me add, a proposal based on moral grounds but a consideration of the long-range security interests of the United States, and I add it here only to suggest the need for a careful rethinking of many current "givens", ranging from our policies toward various governments to the narrower scope of the institutional or structural systems, in the White House and in the Congress, through which those decisions are made.

5. Finally, let me address the important problem of building a national consensus in support of whatever global strategy we are able to develop.

Here, there are two "givens":

First, it is a given that the Congress does, and will, play a role in the shaping of a global policy. No matter who devises the strategy or proposes it, the Congress will confirm or refuse to confirm key players in the Administration's decision-making process; the Congress will appropriate or refuse to appropriate funds, for Radio Marti, or the Caribbean Basin Initiative, for weapons systems; the Congress will pass limitations on Administrative discretion—limitations like the Boland amendment—and will bring to bear on issues of national security the narrower interests of particular constituencies. That will happen. It is absolutely futile and senseless to debate the good or bad of it. Congressional participation in the world of global strategy is a part of life.

Second, for the foreseeable future, a large segment of the news media will observe Presidential and Congressional decision-making through a lens which sees more clearly the arguments against increased U.S. capability than the arguments for it, and which sees more clearly the arguments against assisting the Government of El Salvador, for example, than the argument for assistance. Again, that is a fact of life. It is a given. And it is absolutely futile and senseless to debate the good or bad of it.

To recognize these important factors is to define one of the two principal tasks of the Global Strategy Council. The first task is to help formulate a comprehensive global strategy. The second task is to develop a consensus in support of that strategy.

If the Congress is going to play a role, and if the national press is likely to be non-supportive of elements of that strategy, then one must do what one does on a battlefield. One cannot wish a mountain away, or a river, or condemn its presence, one must devise strategies to go over it, around it or through it. That is what we must do.

We can develop means of communicating directly to the public through alternative media, through development of speakers' bureaus, through extensive participation in the national dialogue in articles and debates. We can write letters, make films, stage seminars, prepare books. We can pull into the effort other scholars and community leaders throughout the country. We can, in short, put a major part of our effort into communication, with the Congress and with the electorate to which the Congress is responsive.

This is the challenge to the Global Strategy Council. To develop policy and to sell it. This is not an organization to engage in meaningless meetings and endless discussion. This is an action organization which time and circumstance have combined to place in the forefront of the effort to meet a desperate national need. And I am very proud to be a part of it. ●

## ALLOW EARLY RETIREMENT FOR CUSTOMS AND IMMIGRATION INSPECTORS

HON. AL SWIFT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. SWIFT. Mr. Speaker, as you know, I have long been concerned with the Office of Personnel Management's (OPM) interpretation of the early retirement—6(c)—provision in regard to customs and immigration inspectors.

Two years ago, OPM delegated a special task force to study this situation. Among the duty stations visited by this task force was the port of entry at Blaine, Wash., in my district. I was present for this conference, and the testimony of the customs and immigration personnel and their wives convinced me more than ever that in order to perform their duties, inspectors must act as, and must undergo the same stresses as, other Federal law enforcement officers. Also, the American public is entitled to a young and vigorous work force to protect the integrity of our borders and to insure the vigilant and energetic enforcement of our Nation's laws. Including inspectors under the early retirement provision of civil service retirement will allow this needed recruitment of young and able customs and immigration inspectors.

In a letter to me, OPM Director Donald J. Devine acknowledged the dangers existence of this problem:

The points you have made on the difficulties and dangers faced by our customs inspectors are very well taken. This aspect of their work is, I believe, well documented in our report of last year's onsite tour of several ports-of-entry. Unfortunately, the inspectors do not fit into the rather narrow definition of a law enforcement officer found in the statute.

I believe the facts speak for themselves in this matter: First, customs inspectors make on the order of 3,000 arrests a year, more than half of them on information from the FBI's National Crime Information Center (NCIC). The FBI states that customs inspectors make more NCIC arrests than all other Federal agencies combined. And all of them are felony arrests. Second, immigration inspectors have lead responsibility for screening individuals entering the country. Last year, 533,063 inadmissible aliens were intercepted at ports of entry. Many aliens used fraudulent or counterfeit documents. This is an increasingly volatile situation, and violence and arrest resistance is a constant threat to inspectors.

Today, I am joining with 15 of my colleagues in introducing an amendment to title 5, USC, to include customs and immigration inspectors within the early retirement provisions



of the civil service retirement system. I recommend this legislation to the Members of the House. ●

### THE TRAVELERS COS. AND SMALL BUSINESS

#### HON. ANDY IRELAND

OF FLORIDA  
IN THE HOUSE OF REPRESENTATIVES  
Tuesday, August 2, 1983

● Mr. IRELAND. Mr. Speaker, when I read a story in the newspapers about some big business boondoggle, I often ask myself whether or not anyone cares about the good things done for society by many of our large corporations. That is why I am pleased to include in the RECORD a recent article from the Hartford Courant which explains a new program The Travelers Cos. has developed for small business in the Hartford, Conn. area and also nationwide.

[From the Hartford Courant, July 10, 1983]

#### LOAN TO HELP CREATE JOBS

\$2 MILLION FROM TRAVELERS TO BOOST SMALL  
BUSINESSES

(By Howard Sherman)

The Travelers Cos. will provide \$2 million for below-market-rate loans to help small businesses in Hartford and other cities expand and create jobs, company officials said Saturday.

The loan money is the "largest investment for job creation Travelers has made at any one time," said F. Peter Libassi, senior vice president for corporate communications.

The Travelers will lend \$1 million to the Greater Hartford Business and Development Center during the next two years.

The center is a corporate and government funded non-profit organization that provides loans and technical assistance to small businesses in Hartford so that they can expand and create jobs instead of closing or leaving the city.

It is unclear how many jobs the Travelers' funds might create, but about 200 jobs were created in the Hartford area in the past two years with \$500,000 in development center loans, said center President Melvin Plummer.

The Travelers will use the other \$1 million to buy a limited partnership in the Boston-based Urban National Corp., which invests in minority-owned-and-managed businesses nationally.

The Travelers joins 17 other major corporations either committed to or considering loans to Urban National's \$18 million capital fund.

Libassi said \$200,000 of that money will be earmarked for investment in Hartford, bringing the total loan commitment to the city's small businesses to \$1.2 million.

Travelers' contribution to the development center's loan program will provide about half the \$2 million goal of a corporate fund-raising drive kicked off in December by the Greater Hartford Chamber of Commerce.

That money was designed to aid neighborhood businesses—especially those in Hartford's Urban Enterprise Zone and other depressed areas of the city.

The Travelers will lend the \$1 million to the development center at 8.9 percent over 20 years, Libassi said.

### EXTENSIONS OF REMARKS

The center will then lend the money to businesses at a rate below the prime rate, Plummer said. The prime rate currently is 10.5 percent.

With Travelers contributing \$1 million, Plummer said the fund-raising drive will exceed its goal and might reach as much as \$2.5 million.

"Our interest is small business development in the Hartford area," said Plummer, who is also a Travelers' executive.

"What we hope to do through making loans to the small-businessmen and helping them also through technical assistance . . . is to one, maintain their presence in Hartford and to help them expand and to help create new small businesses in the area and in the course of doing those things we also create jobs," he said.

"It's good social and economic policy to support programs that create jobs," Libassi said. "When people have jobs, they can afford sound nutrition, better housing and other of life's essentials. That's why we see job development as an important corporate priority."

Chamber President Herbert W. Hansen said expanding and improving businesses is a much better way to create jobs and teach Hartford workers new skills than the federal public service job efforts of several years ago.

"The experience of CETA would say that that doesn't work because creating a job for someone that doesn't have a future doesn't help anybody," Hansen said.

Hartford Deputy Mayor Rudolph P. Arnold the new loan money "would be a significant and valued contribution on the part of the Travelers."

The city also has supplied about \$1 million to the center for its loan program, Arnold said.

But he said "there is no panacea for the unemployment situation that we face in Hartford."

The 8-year-old center usually provides 10 percent of the loan and banks, the Small Business Administration, the Connecticut Development Authority and other lending institutions provide the rest.

The Travelers made the final decision to provide its \$2 million in loans Friday and was scheduled to release the details this week before word about the program leaked out Saturday during Hartford Mayor Thirman L. Milner's re-election announcement at the Old State House.

Travelers officials had discussed the loan contribution with both Milner and Arnold before giving it final approval.

Libassi said Travelers will continue to make grants and loans for various projects like housing and education, but the \$2 million loan commitment is making job creation a major priority.

The Travelers recently agreed to provide the Hartford school system with \$500,000 during the next five years for computer training and computer education that will better prepare students for jobs in Hartford corporations.

Libassi said Travelers has "made the decision that this (job creation) is to be our primary area of emphasis." ●

August 2, 1983

### LEGISLATION INTRODUCED TO PROVIDE A MORE EQUITABLE SOCIAL SECURITY LUMP-SUM BENEFIT

#### HON. SOLOMON P. ORTIZ

OF TEXAS  
IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. ORTIZ. Mr. Speaker, today I am introducing a bill which will amend the Social Security Act to provide a final lump sum benefit during the month when any insured individual or beneficiary dies. At this time, I wish to thank my distinguished colleagues, Chairman PEPPER and Chairman ROYBAL for joining with me in offering this most important legislation.

Currently, the Social Security Act does not provide benefits for the month in which an insured individual dies. The bill we are introducing today will revise present law to allow eligible survivors to receive the final month's benefit. This lump sum would be payable to a surviving spouse; children who are below 19 years of age or who are permanently disabled; or, payment would be made to any person responsible for the burial expenses, in the event there is no surviving spouse or children. Funeral homes would no longer receive direct payment.

Beginning in 1939, lump sum benefits were paid to those workers with eligible survivors. The 1981 Omnibus Reconciliation Act changed that and restricted payment to surviving spouses or children of workers who had paid into the system. Consequently, countless numbers of people, without such survivors, are denied the right to die with dignity. Why must these people, who have spent their working lives contributing to the social security system, be denied access to a decent burial? Our bill restores the provision to provide final payment to workers and it extends it to all beneficiaries, including the surviving spouse and children.

When the lump sum payment schedule was originally formulated, approximately 29 years ago, it was determined by multiplying the average monthly benefit by 3. However, that payment cannot exceed \$255. When this method was established, the amount was considered very generous. That is no longer true. Therefore, this bill provides a more humane and realistic method for determining the amount of the lump-sum benefit. The amount will be equal to the average old age security and disability income monthly payment at the time of death, which is currently \$420.

Although \$420 does not come close to covering funeral expenses—the current cost averages over \$3,000, according to the Continental Association of Funeral and Memorial Societies—it

will go a long way toward assuring a respectable burial.

Mr. Speaker, the greatness and power of a nation is measured in large part on the basis of how it treats its youth and its elderly. Today, the population of the United States includes approximately 25 million people over the age of 65. Of that total, 4 million live below the poverty level. An astonishing 26 percent of people aged 65 and over have incomes under \$5,000 a year. There are currently 65,580 older Americans who reside in the 27th District of Texas, which I represent; 14,000 of them live on an income which is below the poverty level.

Too many older Americans work diligently throughout their lives in anticipation of relaxing and enjoying the time of their golden years only to find themselves without enough food and adequate housing. Must they also shoulder the extra burden of worrying about how their estate will pay for a respectable ceremony once they are deceased? It is my belief that President Roosevelt signed the Social Security Act into law in an attempt to relieve some of the financial fears of older Americans. It is time to return to the original intent of that law and restore dignity and respect to the elderly of our Nation.

I am certain that in this time of high government spending and a ballooning budget deficit, people will be reluctant to support provisions calling for added expenditures. Rather than depriving the elderly of additional income, I would urge my colleagues to look to other areas for reducing the deficit.

I would suggest we follow a few of the recommendations proposed by the Grace Commission to cut the deficit. For example, this group of businessmen, under the direction of J. Peter Grace, suggests that \$659 million in defense spending could be saved over 3 years by encouraging more competition in the procurement of spare parts. Additionally according to the Commission, the Federal Government could save \$5.4 billion in construction costs over the next 3 years by following its recommendations. The Commission further suggests that once these facilities are built, shoddy maintenance wastes another \$340 million a year.

I am hopeful that such recommendations and suggestions to ferret out waste and fraud will be closely examined before we deny any additional benefits to our older population.

The time is ripe to reaffirm our commitment to those 26 million Americans, many of whom served our country and fought at home and abroad to maintain the freedom we enjoy today. I ask my colleagues to join with me in continuing the tradition initiated by President Roosevelt 48 years ago when he called upon the Nation to recognize

its responsibility to those who have contributed so much to our society. ●

#### U.S. START PROPOSAL

### HON. BOB EDGAR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. EDGAR. Mr. Speaker, many of us are deeply concerned about the lack of progress at the U.S.-U.S.S.R. strategic arms negotiations in Geneva. President Reagan keeps asking his outspoken critics from Congress and elsewhere to keep quiet and give his negotiators a chance to do their work. I wish we could. Although we would all like to see bipartisan foreign policy, we cannot sit quietly while the administration throws one monkey wrench after another into the negotiation process. The threat of nuclear war is far too serious and too immediate for our Nation not to give it our best thinking and our greatest effort.

Only a few people are privy to what is taking place behind the closed doors in Geneva, but some things are apparent to those of us watching intently from the outside. If we continue the way we are going, we will not achieve an acceptable arms control treaty. If we continue the way we are going, we will have war. The arms race can end only in conciliation or in disaster. In the long run there is no other possibility.

We are building more and more weapons of greater and greater destructive power, and we are deploying them in a world that is not getting any bigger. Indeed, ours is a world with a fragile social structure and a vulnerable ecosystem. Our military planners are working hard to build weapons of more military flexibility so that those weapons could be used to fight a limited or a prolonged nuclear war. Commonsense tells me that if there were a nuclear exchange it would be neither limited nor prolonged. The destruction would be vast, not limited, and although the catastrophic effects might linger, the damage would be inflicted unbelievably fast.

Let me repeat, the arms race can end in conciliation or in disaster. Those are the only outcomes. We must devote greater effort to achieving conciliation now—at the START talks and in all other areas.

Last week Dr. George Rathjens, a distinguished scientist from MIT and chairman of Council for a Livable World, sent to me and to others of my colleagues an analysis of the U.S. START proposals. The analysis was prepared by Ambassador Paul Warnke, one of the world's most esteemed experts on arms control. Ambassador Warnke was Director of the U.S. Arms Control and Disarmament

Agency and Chief U.S. SALT Negotiator in 1977 and 1978. Previously he had been Assistant Secretary of State for International Security Affairs. He has learned well the frustrations of negotiating with the Soviets, and he has learned what leads to fruitful negotiations and what does not.

I urge my colleagues to read and consider Ambassador Warnke's analysis, which I insert in the RECORD at this point.

#### AN ANALYSIS OF THE U.S. START PROPOSALS

Serious arms control negotiations will of course require private discussion between the United States and Soviet teams. It must therefore be hoped that the ideas presented to the Soviets in Geneva will provide some basis for agreement. Certainly no such hope can be held for the U.S. START proposals, either as initially made public or with the recent modifications.

White House explanations and uncritical press comment suggest that the new proposals show flexibility and move in the direction recommended by the Scowcroft Commission. But to the Soviet Union they can only appear as a demand for unilateral concessions and a massive restructuring of its strategic nuclear forces with no comparable restraints on the United States.

In its key respects, the U.S. proposal remains unchanged. It calls for a limit of 5,000 ballistic missile warheads on each side, of which no more than 2,500 could be carried by the land-based intercontinental ballistic missiles. The Soviets would have to eliminate more than one-half of their ICBM warheads while the United States could increase by about 350.

Moreover, the Soviet Union is asked to cut its MIRVed ICBMs—the SS-17s, 18s and 19s—by about 75 percent, from over 800 to 210. Within that aggregate, SS-18s would number no more than 110, as compared with the present 308. In essence, the Soviets would be expected to cut the heart out of their strategic nuclear force, scrapping billions and billions of the dollars it spent to match U.S. deployment of MIRVed missiles.

Moreover, with these limits on its present MIRVed ICBMs the Soviet Union would not be able to reach the 2500 ceiling. Assuming the maximum warheads per ICBM, as must be done for verification purposes, 110 SS-18s with 10 warheads each would total 1,100. If 100 SS-19s are retained, with a maximum of 6 warheads each, this would yield another 600 for a total of 1,700. The Soviets would thus be left with no more than 2,280 warheads on 790 ICBMs—unless they replaced the approximately 580 single warhead SS-11s and 13s with a new small MIRVed ICBM.

Any claim of new flexibility rests on the elimination of the previously proposed ceiling of 850 long range ballistic missiles. But this is cold comfort for the Soviets. Raising the ballistic limit from 850 to 1,200, for example, would neatly accommodate U.S. plans for its strategic forces. It would permit deployment of all 100 planned MX missiles with 10 warheads each, plus 500 of the present Minuteman IIIs with 3 warheads each, within the ICBM warhead ceiling of 2,500. This would leave room to increase the U.S. submarine-launched ballistic missiles from the present 520 to 600. The Soviets, in contrast, would have to cut their 950 SLBMs to 410, in order to keep 2280 ICBM warheads. To avoid a SLBM force with far fewer than the present 1,500 war-



heads, they would have to design and deploy a new more highly MIRVed missile. But the immediate result would be a dramatic increase in the already wide lead of the U.S. in this most survivable element of the strategic arsenal. We could retain 2,500 warheads on our much superior submarines. About 60 percent of these are on station at all times, as compared to the Soviet average of 15 percent.

What has been hailed as movement toward a more negotiable position thus would in fact leave the Soviet Union far short both of the 5,000 ballistic missile warhead ceiling and the 2,500 ICBM warhead subcelling, unless and until their forces are redesigned and rebuilt.

In return for this voluntary attrition of its own strategic arsenal, what is the Soviet Union being offered? The United States would go ahead with MX and the Trident II SLBM, both with unparalleled hard target kill capability. No limits are suggested on U.S. planned sea- and ground-launched cruise missiles or on the on-going air-launched cruise missile program and strategic bombers.

Nothing in the new START position advances the Scowcroft Commission recommendations. Instead it encourages new Soviet MIRVed missiles. Under its terms, neither U.S. nor Soviet military planners can be expected to have much interest in scrapping modern MIRVed ICBMs, at great expense, for a small single-warhead missile. And because of greater Soviet dependence on ICBMs, the fatal flaw here, as with our position in the negotiations on intermediate range nuclear missiles in Europe (the INF talks), is that the Soviet Union is asked to scale way down in those few areas where it has an edge, while we retain and increase our lead in all other elements of nuclear weaponry.

I don't believe we can persuade the Soviet leaders to play under new strategic rules that guarantee an overwhelming American advantage. Logic gives us no reason to think they will take these proposals seriously. Experience should teach us that they won't. ●

TRIBUTE TO JOHN SOBIESKI,  
KING OF POLAND, VICTOR AT  
VIENNA SEPTEMBER 12, 1683

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. ZABLOCKI. Mr. Speaker, September 12, 1983, is the 300th anniversary of the Battle of Vienna, the battle which changed the destiny of Europe. It is a privilege for me to rise to commemorate this historic event and to honor the memory of John III Sobieski, King of Poland, whose triumph over the invading Ottoman forces made him the hero of the Christian world.

Mr. Speaker, just a few weeks ago the world witnessed the historic second pilgrimage of Pope John Paul II, son of Poland, to his native land. Three hundred years ago, another pontiff, Pope Innocent XI, implored the Polish King, John Sobieski, to place himself at the head of an army to turn back the threat that all

Europe faced. John Sobieski had already earned his reputation during the reign of his predecessors, John Casimir and Michael, having repeatedly triumphed over Cossack, Tartar, and Turk against overwhelming odds. It was on the basis of these exploits that Sobieski was acclaimed King by the Polish Diet upon Michael's death.

Answering the pleas of the Holy Father and of Leopold, Emperor of Germany and King of Hungary, King John Sobieski began his march to Vienna on August 15, 1683, at the head of a 16,000-man army which, when combined with the imperial army and the garrison at Vienna, was to total about 70,000 troops.

Vienna had been under siege since early July by a force of several hundred thousand under the Grand Vizier of Turkey, Kara Mustapha. The walls of Vienna had been breached by the enemy in early August and the city would have fallen if the Vizier had pressed his advantage.

Mr. Speaker, 100 hundred years ago, Paul Sobolewski, a Polish emigré who was the founder of the Polish press in America, published a brief biography of John Sobieski as a tribute to his military genius.

Mr. Speaker, I would like to share with our colleagues an excerpt from this monograph which succinctly describes the brief encounter in which Sobieski triumphed over the invaders, as follows:

On the morning of September 11th, 1683, the allied army reached the summit of a chain of mountains, from which the Austrian Capital and the wide spread gilded tents of the Moslems formed a magnificent prospect. Great was the astonishment of Kara Mustapha, the Turkish commander, to behold heights which he had deemed inaccessible, glittering with Polish lances. He did not then know that the "wizard King" was there, but the unwelcome intelligence was soon conveyed to him.

Next day, having heard mass, and communicated—a pious practise which he never neglected when any great struggle was impending—the King descended the mountain to encounter the dense hosts of Moslems in the plains below. The shouts of the Christian army bore to the infidels the dreaded name of *Sobieski*. The latter were driven from their entrenchments after sometime. On contemplating these works, he deemed too-strong and too formidably defended to be forced. Five o'clock p.m. had sounded, and he had given for the day all hope of the grand struggle, when the provoking composition of Mustapha, whom he espied in a splendid tent tranquilly taking coffee with his two sons, roused him to such a pitch, that he instantly gave orders for a general assault. It was made simultaneously on the wing and centre. He himself made toward Mustapha's tent, beating down all opposition, and repeating with a loud voice, "*Non nobis, non nobis Domine exercituum sed nomini tuo da gloriam.*" (Not unto us, not unto us, but to Thy name, o Lord of Hosts, be ascribed the glory.) He was soon recognized by the Tartars and Cossacks, who had so often beheld him blazing in the van of the Polish chivalry; they drew back, while

his name rapidly passed from one extremity to the other of the Ottoman lines who refused to believe him present. At that moment the huzzars, raising their national cry, "God for Poland" cleared the ditch that would long have arrested the infantry, and dashed into the deep ranks of the enemy. They were a gallant band—their appearance almost justified the saying of one of their Kings, "That if the sky itself was to fall, they would bear it upon the points of their lances!" The shock was rude and for some minutes dreadful; but the valor of the Poles, still more the reputation of the leader, and more than all, the finger of God routed these immense hosts; they gave way on every side, the Khan of the Tartars was borne along with the stream of the tent of the now despairing Vizier. "Canst thou not help me?" said Mustapha to brave Tartar, "then I am lost indeed." "The Polish King is there," replied the other, "I know him well! Did I not tell thee that we had to do was to get away as quick as possible." Still the Vizier attempted to make a stand in vain. As well might he have essayed to stem the ocean tide. With tears in his eyes he embraced his sons, and followed the universal example.

So sudden and general was the panic among the Turks, that by six o'clock Sobieski had taken possession of their camp. One of the Vizier's stirrups finely enamelled was brought to him. "Take this stirrup," said the conqueror, "to the Queen, and tell her that the person to whom it belonged, is defeated." Having strictly forbidden his soldiers from plundering, they rested under the Turkish tents. Thus the immense Turkish army was wholly broken up and Vienna was saved!

Mr. Speaker, 300 years after a Polish king won the Battle of Vienna—removing a grave threat to the freedom of all Europe, the people of Poland still yearn for the independence and rights of self-determination which they have been denied.

The tents of the Grand Vizier, taken as trophies of the victory at Vienna, are preserved in Wawel Castle in Cracow, reminders of Poland's glorious past. There, as if by destiny, the present-day successor to Pope Innocent XI met with the head of the Poland's ruling military junta to discuss the nation's future.

Pope John Paul II by his pilgrimage to Jasna Gora strengthened the almost inseparable ties between the Church he heads and the Polish Nation he represents as its most famous son. His deep love for and his understanding of his homeland and its people inspired his every word and his belief that Poland can unite and survive as a free nation only by adherence to the principles which come from God Himself. He raised again the cry of the Polish hussars at Vienna as then charged the ranks of the enemy, "God for Poland."

Mr. Speaker, as we pay tribute to King John III Sobieski, a hero of Poland past, may we also remember the heroes of Poland today, who placed their trust in God and work diligently and patiently to achieve their due reward—the freedom of life, liber-

ty and the pursuit of happiness, which we cherish.●

**BARRY MANILOW IS HONORED  
BY UNITED WAY OF AMERICA**

**HON. HENRY A. WAXMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. WAXMAN. Mr. Speaker, Barry Manilow, television and recording star, has been appointed National Chairman for Youth and Voluntarism for United Way of America.

In announcing his appointment, the United Way said Barry Manilow was chosen for his ability to communicate and focus attention through the mass media on the outstanding accomplishments of youth in volunteer programs.

The announcement was made at a special ceremony at the Beverly Wilshire Hotel in which a young people's choir, including 10 children from the Boys Club of Hollywood, participated.

Marking his concern for community involvement, Manilow contributed his song, "One Voice," from his double-platinum album of the same title, to be used as the national theme song for the United Way of America, in addition to presenting the song's sheet music to the organization. Manilow will go on to film public service announcements for United Way which will focus on voluntary actions by youth and other groups across the country.

Barry Manilow has taken time from his extraordinarily successful music career to be involved actively in a wide variety of community service projects, including kicking off the United Way of Los Angeles campaign with a benefit concert at the Hollywood Bowl which was attended by more than 17,000 people.

In acknowledging his new post, Barry Manilow summed up his views by stating:

Volunteering has always played an important part in the American community—right from young volunteers who start out working in their local hospital, schools and churches, who grow into adults and serve their communities working for local fire departments, or devoting their time to charitable or cultural enterprises. Without volunteers, these groups could not accomplish their goals.

I hope to encourage young people to become involved and stay involved in voluntary community activities, while taking a positive approach in developing ways to address their communities' needs.

I ask the Members to join me in saluting Barry Manilow for his generosity and work on behalf of the young people of America and for his commitment to public service and community concern.●

**EXTENSIONS OF REMARKS**

**COMPETITION AND THE COAL  
PIPELINES THREAT**

**HON. JERRY HUCKABY**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. HUCKABY. Mr. Speaker, on July 29, 1983, Mr. FLORIO of New Jersey inserted into the CONGRESSIONAL RECORD a July 23, 1983, article from the Washington Post regarding the recent signing of a 20-year coal hauling contract between Arkansas Power & Light and two railroads, the Chicago Northwestern and the Union Pacific. Mr. FLORIO stated at the time, "what is significant about this contract is that the two railroads underbid the pipeline." I agree that this was a significant development when one considers that the "proposed coal slurry pipeline" was just that—a proposal. In fact, the ETSI pipeline project had yet to acquire all of its right-of-ways. Mr. FLORIO makes much of the fact that the projected costs of the proposed pipeline have jumped three or four times from original estimates. This may well be, but keep in mind that the ETSI project has been on the drawing boards for nearly 10 years and moving closer to a reality against constant opposition from the railroads. During that time, the coal pipeline remained a viable transportation alternative because railroad coal hauling rates were ever on the rise. It was only when AP&L had a viable alternative to rail transportation—albeit in the form of a proposed pipeline—that it could leverage its rates downward. In this one instance alone, AP&L will save an estimated \$16.5 billion—yes billion—in reduced fuel costs over present rates as projected through the year 2016.

If coal pipelines are no match for railroads in the marketplace then passage of legislation to grant the right of Federal eminent domain to such undertakings should prove no threat to the railroad coal-hauling business. The fact is that the mere threat of competition had a positive impact on the recent negotiations surrounding AP&L contract with the railroads. On July 25, 1983, Mr. Floyd W. Lewis, chairman and president of Middle South Utilities, Inc.—the holding company for AP&L—issued a press release speaking to this very point.

The Middle South Utilities press release follows:

NEW ORLEANS, July 25, 1983.—"Middle South Utilities, Inc. still supports legislation for coal slurry pipelines even though we have recently entered into long-term coal transportation agreements with several railroads," Floyd W. Lewis, chairman and president, said today.

Middle South had considered a proposal by the ETSI coal slurry pipeline before accepting a competing proposal from the railroads.

"We have invested much time and effort in studying the feasibility of coal pipeline transportation and in attempting to create the necessary legislative environment that would permit this mode of transportation to compete on a reasonable basis," Lewis said.

Legislation to provide the right of eminent domain for coal slurry pipelines is expected to be considered by the U.S. Senate in September. After years of railroad opposition, proponents of coal slurry pipeline legislation rate the prospects of passage by this Congress as favorable.

"In deciding to contract with the railroads in this case, we are by no means implying that the pipeline shipment of coal does not have a place in serving the future overall need for coal transportation," Lewis said. "Instead, a combination of unique circumstances had produced a more attractive overall means of meeting our needs than ETSI is able to offer at this time.

"We believe that the presence of competition from the coal slurry pipeline was a contributing factor to the willingness of the railroads to enter into favorable long-term transportation agreements.

"What we saw in Arkansas was an example that the railroads not only can, but will compete when faced with a credible pipeline alternative. This competition will benefit utilities and, in turn, their customers throughout the country.

"We feel that the passage of pending eminent domain legislation is essential to provide the desired competitive situation. Indeed, had eminent domain legislation not been delayed for the 10 years since the Middle South Utilities system first supported it, construction might have already been underway on a Wyoming-to-Arkansas slurry pipeline with even lower rates available for transporting coal."●

**NEW YORK TAKES THE LEAD IN  
UPGRADING EDUCATION PRO-  
GRAMS**

**HON. MARIO BIAGGI**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. BIAGGI. Mr. Speaker, I am pleased to note that my own State of New York has recently moved to upgrade curriculum requirements for students in both public and private schools in response to the growing national cry for tougher academic standards in our Nation's schools.

The New York State Board of Regents, which is the State's governing panel, sets the direction of educational quality in the State. Beginning as early as this coming school year, New York's 3 million elementary, junior high, and high school students will be required to take more math, science, social studies, and the arts. Equally as important is the requirement that they must learn a foreign language. Finally, students would be required to take more tests, do more homework, and spend more time learning about computers in the early grades.

These recommendations come on the heels of the Department of Educa-



tion's task force of excellence in education which recently revealed that our schools are being plagued by mediocrity instead of excellence. The report set forth a rigorous agenda for action to upgrade educational quality in the United States. It also noted that teachers need to be given more support and training by local school districts, as well as be paid a salary that is more competitive with other professional fields.

As a result of these upgraded standards, I believe that New York State will have the highest educational standards of any State in the Nation. This action will set a precedent for other States to follow in a timely fashion. New York's 6,200 public and private schools will receive the benefits of not only tougher standards, but also the requirements which will improve the quality of teaching in the State.

The issue of teacher pay is one which must be examined in great detail. As New York's senior member of the House Education and Labor Committee, I await the recommendations of the task force on merit pay which has been established by our chairman, CARL PERKINS, to examine this issue. The task force is representative of all segments of the educational community and is scheduled to send its recommendations about merit pay to us by this September. At that time, I believe that Congress will then take the appropriate action to reaffirm the Federal role in education. This must include adequate funding for those programs for the disadvantaged that are central to protecting the educational rights of the poor, the handicapped, and the learning-disabled.

The New York plan also would require local school districts to report to parents of the educational progress of students each year. By requiring this reporting in such a fashion, parents will be able to compare test scores of their children's schools with those in other schools. This enhanced accountability to families is clearly essential if we are to maintain an effective and viable educational partnership at all levels of government.

Finally, Mr. Speaker, I want to note my strong concerns regarding Federal funding for education programs in States, such as New York, that set high standards for students and teachers in the system. Federal dollars should be given to States that demonstrate significant financial and programmatic emphasis on quality education. Dollars should reward effort—not penalize States because they are doing a better job in this area than others. I intend to work to make sure that any education legislation adopted by Congress recognizes the fact that we should be rewarding excellence and encouraging its promotion with Federal dollars—otherwise we will be doing

nothing but subsidizing the very mediocrity that we are trying to eradicate.●

ARTHUR M. WIRTZ

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. MICHEL. Mr. Speaker, Arthur M. Wirtz, a man whose name became synonymous with achievement and success, died in Chicago last week.

Those fortunate enough to have shared his friendship will remember Arthur's candid observations and counsel. Those who did not know Arthur personally will also remember him as a giant in every field he touched: real estate, professional hockey, basketball, boxing, entertainment, and business.

On the day following his death, the Chicago newspapers were filled with stories and photos of his life. They heralded his successes and told of his possessions. But all Arthur Wirtz's success and possessions did not matter as much to him as his family.

Following the death of his beloved Virginia, just last December, he became ill and never recovered. He was a great man, who contributed much and who will be missed by so many people beyond his native Chicago and Illinois.

I want his children, Bill, Mike, Cynthia, and Elizabeth, to know I share their sorrow.●

SINO-AMERICAN EARLY CHILDHOOD EDUCATIONAL EXCHANGE

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. MILLER of California. Mr. Speaker, on September 9 through 30, 1983, the California Child Development Educators' Delegation to China will conduct an early childhood educational exchange with its counterpart in the People's Republic of China.

This 16-person delegation, initiated by the California State Department of Education in August 1982, has established an educational tour which includes in-depth presentations by way of conferences from California Child Development Educators to the People's Republic of China Child Development Practitioners.

The invitation is extended to our educators and early childhood education advocates from the Children's Bureau of the All China Women's Federation, a governmental branch of the People's Republic of China.

These educational conferences in four major cities including Beijing,

Chongqing, Wuhan, and Shanghai are the first extensive and comprehensive child development program exchanges between our two countries. California's presentation will be a model for future exchanges, emphasizing quality learning rather than just school visitation and sightseeing.

Under the leadership of Dr. Alexander Yeh, nine program components will be presented by the experts in the following related fields: First, introduction of child development programs in California by Ms. Dorothy Snyder; second, health development by Ms. Erna Barnickol; third, nutrition development by Ms. Eva Vasquez; fourth, cognitive development by Dr. Alexander Yeh; fifth, physical development by Ms. Ivadel Cleveland; sixth, social development by Ms. Aherne Henson; seventh, Parents' Advisory Council by Ms. Betty Boatman; eighth, staff development by Mr. Nona Verloo; and ninth, administration by Ms. Jean Miner.

I am particularly proud that one of those attending these conferences is Bette Boatman of Concord, Calif. Ms. Boatman has long been active in civic and environmental issues, and is an elected director of the Contra Costa Water District. In that capacity, she has been a community leader in the ongoing effort to preserve the Sacramento-San Joaquin Delta and the water quality which is so essential to the economy of Contra Costa County.

Mr. Speaker, I invite all my colleagues to join me in extending our best wishes to our goodwill ambassadors to Asia and high regards to our friends of the All China Women's Federation in China for a successful and fruitful meeting of the mind.●

THE RAILROAD RETIREMENT SYSTEM

HON. DONALD JOSEPH ALBOSTA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. ALBOSTA. Mr. Speaker, on Monday, August 1, I was unavoidably absent from the House Chamber when the vote occurred on H.R. 1646, providing for sufficient resources to pay current and future benefits under the Railroad Retirement Act of 1974.

Had I been present, I would have voted an emphatic "yea."

Many of my constituents in Michigan's 10th Congressional District have expressed their deep concern over the current status of the railroad retirement system and wonder if it will exist in the future. It is clear that the financial problems of the railroad retirement system are caused primarily by the economic recession, and nowhere in this country is that reality

more apparent than in my home State of Michigan.

I want to commend my colleagues in the House for voting overwhelmingly in favor of this bill. This legislation represents a joint agreement between rail labor and management that will insure the fiscal soundness of the retirement trust fund for years to come.

As a cosponsor of H.R. 1646, I share this commitment in maintaining a secure and solvent railroad retirement system for all current and future retirees. ●

#### NUTRITION STATUS AND RESEARCH

### HON. BUDDY MacKAY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. MacKAY. Mr. Speaker, as a member of the Subcommittee on Science, Research and Technology, I had the opportunity to participate in hearings held on July 14 entitled "The Role of the Federal Government in Human Nutrition Research." These hearings were the third in an annual oversight series on nutrition research held jointly by the Subcommittee on Science, Research and Technology chaired by DOUG WALGREN and the Subcommittee on Department Operations, Research and Foreign Agriculture chaired by GEORGE E. BROWN, JR. I wish to congratulate our colleagues for their continued efforts to advance human nutrition research and knowledge.

The American public has justifiably placed increased attention on nutrition, exercise, and environmental health. Thus, the generation of a science base to provide the nutrition knowledge necessary for effective health promotion and disease prevention programs is clearly a proper role of the Federal Government. Yet, important questions are being asked which we are ill equipped to answer. In addition, there appears to be no systematic Federal agenda in place either to guide the necessary human nutrition research nor stimulate a Government-academic-industry partnership to fulfill this public need.

Not only does the Federal Government lack a comprehensive Federal human nutrition research plan, but the hearings pointed out that the infrastructure necessary to support current research missions is rapidly being eroded. For example: USDA Assistant Secretaries responsible for nutrition research appeared to be unaware of the mandate, in the Food and Agriculture Act of 1977, that designated the Department as the lead agency in human nutrition research, except biomedical research; numerous key positions in USDA have remained vacant

for extended periods of time; and the clinical nutrition research units funded by the National Institutes of Health are vulnerable due to an OMB directive to stabilize basic research funding.

In addition, the progress made by DHHS and USDA in implementing the national nutrition monitoring system is less than impressive. Nutrition monitoring is the foundation for expanding our nutrition and health knowledge base. It is essential for insuring the safety and quality of the food supply and for assuring that the nutritional needs of the public are being met. Such information is also needed by Congress and other policymakers for planning nutrition intervention strategies, and for establishing research priorities consistent with budgetary constraints. The Congress and the executive branch alike have sought nutritional status data sporadically or during brief periods of interest prompted by urgent testimonials of "hunger in America." This instability in interest and funding provides for neither the establishment of baseline data for comparison of nutritional status over time nor the opportunity to conduct vital research to improve the methods and technology necessary to enhance the quality and usefulness of the national nutrition monitoring system.

I was amazed to learn, Mr. Speaker, that although a joint USDA/DHHS implementation plan for the national nutrition monitoring system was submitted to the Congress in 1981, the specific components of the system are funded at the will of the USDA and DHHS, rather than through direct appropriations. The components of the national nutrition monitoring system provide a basic epidemiological tool to examine the linkages between food consumption patterns and health. The funding of such an important tool should not be left to chance.

Nutrition scientists from the public and private sectors, and professional organizations which testified before the subcommittees, were in unanimous agreement that health and nutrition monitoring is a proper role for the Federal Government, and that a clear mandate and appropriation is essential. The scientists cautioned, however, that a national nutrition monitoring system should be part of a clearly defined plan and the responsibility for the effort should not be scattered among numerous agencies, as is currently the case. Thus, it is my intention to draft legislation, in cooperation with Congressmen BROWN and WALGREN, to establish a clear mandate for a national nutrition monitoring system. We invite our colleagues to join in this effort. ●

#### CARING FOR SEIZED ASSETS

### HON. LAWRENCE J. SMITH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. SMITH of Florida. Mr. Speaker, last week I brought to the attention of the House several articles on the handling by certain Federal agencies of assets seized from suspected drug smugglers.

Today, I bring to the attention of my colleagues an editorial on the subject from the Fort Lauderdale Sun-Sentinel. The paper sees "no reason the Federal agencies can not be as efficient in handling seized merchandise as Fort Lauderdale," which has put money and effort into caring for seized assets in its possession. As the editorial indicates, "storage and maintenance is expensive, but the money spent yields a healthy return on the investment."

I hope this message is heard by the people in charge of this program.

For the benefit of my colleagues, the editorial follows:

[From the Fort Lauderdale Sun-Sentinel, July 20, 1983]

#### TAKE BETTER CARE OF SEIZED VEHICLES

Selling vehicles seized in smuggling operations is an attractive way for the government to raise funds for law enforcement without raising taxes.

Federal government agencies, however, have demonstrated they are totally incapable of managing the seized merchandise. In fact, their performance has been a disgrace, and an affront to American taxpayers.

The General Accounting Office estimates that U.S. Customs, the Drug Enforcement Administration and the Immigration and Naturalization Service have in their possession more than \$82 million in confiscated airplanes, boats and automobiles. The value of the vehicles could drop as much as \$28 million, the GAO says, because of deterioration and vandalism.

Common sense dictates that if a \$50,000 aircraft is seized, it should be taken care of so it can be sold for \$50,000 at auction. The GAO report, however, stated: "In most cases, very expensive boats, planes and automobiles were left in the open . . . neglected to the weather and vandals." Official estimates put the loss at \$43,000 for each seized airplane, \$37,900 for each boat and \$1,000 for each car.

A good deal of the merchandise is located in South Florida. In conducting their investigation here, GAO officials examined Fort Lauderdale's maintenance practices. The GAO incorporated what it found in its recommendations on how the federal agencies should operate.

Among other things, Fort Lauderdale keeps its seized airplanes in hangars at Fort Lauderdale Executive Airport and its boats at a New River marina boathouse. In one instance, a boat was given a \$25,000 engine overhaul that netted the city an additional \$60,000 at auction. Storage and maintenance is expensive, but the money spent yields a healthy return on the investment.

There's no reason the federal agencies can't be as efficient and effective in han-



dling seized merchandise as Fort Lauderdale. They obviously need a push, however, by organizations like the GAO.●

#### NATIONAL ENTOMOLOGY WEEK

**HON. GEORGE E. BROWN, JR.**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, August 2, 1983*

● Mr. BROWN of California. Mr. Speaker, today I am introducing a resolution, together with 29 of my colleagues, to designate November 27 through December 3, 1983, as "National Entomology Week." On the 13th anniversary of the founding of the Entomological Society of America it is fitting that we recognize the contributions entomologists have made over the years. Entomologists have made sense and order out of the insect world, contributing to a better understanding of the natural systems which surround us. They have made advances possible in insect control, which have allowed us to produce such agricultural bounty. And as the biological sciences increase in importance, entomology will continue to add to our basic biological knowledge and provide many practical methods of biological pest control.

What has prompted me to take the unusual step of introducing this resolution is my respect for the entomological research taking place across the country. One of the finest centers of this research is the University of California at Riverside, recognized internationally for the work being done there. The agricultural experiment station at Riverside, which recently celebrated its 75th anniversary, was an early center of excellence in entomological research, a tradition which continues today. Entomology has become a major area of study, with research being conducted in every State at colleges, universities, and research centers across the country.

I think that it is important to recognize important scientific disciplines as we enter a time of renewed interest in science and the contribution which it can make to our economy and our society. Entomologists have certainly contributed their share and deserved to be singled out for special recognition.

A copy of the resolution follows:

##### JOINT RESOLUTION

Whereas the study of entomology continually yields advances in our knowledge of the ecology, behavior, and dynamics of insects;

Whereas entomologists make significant contributions to the production and protection of food, clothing, and shelter and in the preservation of human health and the environment;

Whereas advancements in entomology contribute substantially to the national welfare and improvements in the daily lives of our Nation's citizens;

Whereas entomological research is being undertaken in all 50 States—in the Federal, State, and private sectors; in colleges, universities, and museums; in government, commercial, and private laboratories; and in experiment stations;

Whereas 1983 marks the thirtieth anniversary of the founding of the Entomological Society of America;

Whereas the Entomological Society of America will hold its annual meeting on November 28 through December 2, 1983, in Detroit, Michigan, and approximately 2,500 leading entomologists from around the world will gather at the meeting to share their research findings and discuss developments in entomology; Now, therefore, be it

*Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled,* That the week of November 27 through December 3, 1983, is designated as "National Entomology Week" and the President is authorized and requested to issue a proclamation calling on the people of the United States to observe such week with appropriate activities.●

#### A GOOD GRAIN DEAL—AND A GOOD DEAL MORE

**HON. DOUGLAS K. BEREUTER**

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, August 2, 1983*

● Mr. BEREUTER. Mr. Speaker, I would like to commend to my colleagues this editorial from the August 1, 1983 edition of the Christian Science Monitor, which goes far beyond its title, "A Good Grain Deal," and discusses the several areas where the Soviets appear to be taking policy initiatives which the U.S. Government should welcome and to which reasonable and favorable responses should be given.

[From the Christian Science Monitor, Aug. 1, 1983]

##### A GOOD GRAIN DEAL

It is heartening to see that the United States and the Soviet Union can do business. Poland, Afghanistan, Central America, and other hot spots notwithstanding, the superpowers are capable of getting together in areas where they have a mutual interest in cooperation. Trade is one of them. A new grain agreement commits the Russians to buying at least nine million metric tons of US grain in each of the next five years. The Russians are happy, American farmers are happy, and—while this does not eliminate all the knotty problems in US-Soviet relations—it is an important positive step.

Domestic considerations seem to have played the overriding role on both sides. President Reagan was faced with American farmers pleading to do something in the face of mounting grain surpluses. His PIK program to reduce production and alleviate government storage costs has had mixed results. Farmers have taken land out of production, to be sure, but it has largely been marginal land. Being the shrewd businessman they are, they kept the best land in use and actually worked it harder than normal. So, overall, grain output has not declined as much as expected. Selling to the Russians has looked better and better as a way out of the dilemma of American farm efficiency.

This of course required some fast footwork on the President's part. Mr. Reagan, as part of his policy of economic sanctions against Poland, had refused to negotiate a new grain agreement with Moscow. He simply renewed the old one—twice. But domestic pressures were building and he bent to a more practical, pragmatic course.

So much for economic sanctions. In the process of reversing course, however, his negotiators managed to strike a good deal—requiring the Russians to purchase 50 percent more each year than under the old accord. The required minimum purchases from the U.S. will now constitute about 30 percent of the USSR's total grain imports.

And what of Yuri Andropov? Let it be said first that Americans are not saving Soviet agriculture. The Russians in fact expect a good grain harvest this year—over 200 million metric tons as compared with 180 million tons in 1982. The imported grain, moreover, is for the purpose of building up their livestock herds, not feeding people. The fact is, the Russians like to cover all bases in such an unpredictable area as agriculture. While they can import plenty of grain from Canada, Australia, and other countries, it clearly is to their advantage to be able to count on a single supplier. Especially given their cumbersome long-term planning system.

Perhaps there is a political nuance in all this as well. There have been a number of signs of late that Mr. Andropov is prepared to improve U.S.-Soviet relations. These signs—release of the Pentacostals, a softer position in the Madrid security conference, and others—seem to be saying that Moscow is willing to deal with the Reagan administration if the latter responds accordingly. Such "reasonableness" has its reverberations on public opinion in Western Europe, where the Russians are trying to stave off the deployment of new NATO missiles. Does Mr. Andropov calculate that, if deployment does go ahead and he is forced to respond in some way, he can escape being blamed for a worsening of East-West relations inasmuch as he tried so visibly to come to terms?

No one can be sure. In general the Russians' basic approach is to keep economic policy separated from politics. The grain agreement is good economics. In any case, the world can always breathe a little more easily when the nuclear giants are trading with each other—not exchanging bullets.●

#### ANIMAL WELFARE GAINS ADVOCATES

**HON. TOM LANTOS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, August 2, 1983*

● Mr. LANTOS. Mr. Speaker, the past week has shown the remarkable power of public opinion, the press, and congressional persistence. We have commended the Secretary of Defense for responding promptly to a letter of protest signed and sent to him by more than 40 Members of the House. We now need to turn our attention to positive proaction rather than reaction. We need to thoughtfully design legislation which makes it unnecessary and unlawful to deliberately destroy animal life without clear and valid jus-

tification. All Americans, not only animal welfare advocates, have been shocked and disgusted by the exposure to the procedures used in military wound laboratories. Public opinion, as expressed through the deluge of mail we are all receiving on this topic, indicates that it is time to strengthen the Animal Welfare Act.

The reauthorization of the National Institutes of Health will be voted in the House this week. Included are the modest but important provisions on animal research recommended by both animal welfare groups and research scientists. These provisions are not as comprehensive as the Dole legislation, but it is very important that we do not allow this modest reform to be further weakened by substitute provisions proposed on the floor.

I am including, for the record, a letter written to the editor of the New York Times, published Sunday, July 31.

It is a reasonable argument for a rational approach to this much needed reform.

[From the New York Times, July 31, 1983]  
WHEN ANIMAL EXPERIMENTS CANNOT BE  
AVOIDED

To the Editor:

Secretary of Defense Weinberger is to be commended for his prompt compliance with demands to stop gunshot-wound experiments on dogs (news story July 27). But would those so indignant over these experiments have been equally outraged were the bullets aimed at pigs, goats, rabbits or monkeys rather than dogs?

Scientific advancement and humaneness toward animals are compatible, and ethical guidelines have been established for the use of laboratory animals. Live animals should be used only when the data are absolutely necessary, no adequate alternatives to the use of animals exist and every effort is made to eliminate suffering.

In the Defense Department's dog-wound experiment, serious questions existed over the need for the study and whether alternatives were available. But, ironically, the experimental model the Defense Department proposed was more humane than the designs that have been approved for many other Government-funded experiments. Animals are often not adequately anesthetized before painful experiments, and are allowed to recover from painful surgery so that they can be "recycled" for additional procedures.

Senator Robert Dole recently introduced legislation (S.657) that would strengthen the Animal Welfare Act by improving laboratory conditions for research animals. This bill would require the use of the lowest number of animals possible in any Government-funded experiment, encourage the use of alternatives, avoid repeated operations on the same animal, curb the use of paralytics and provide improved oversight by requiring each research institution to include on a review committee at least one member from outside the institution who would be responsible for community animal welfare concerns.

Were the bill to become law, some of the horrible practices that now take place in American laboratories would cease. The cancellation of gunshot wound experiments on

80 dogs was a minor victory. Much more significant for the welfare of millions of laboratory animals would be the passage of S.657.

JOHN F. KULLBERG,  
Executive Director, A.S.P.C.A.●

TRIBUTE TO CHARLOTTE  
HAWKINS BROWN

HON. JULIAN C. DIXON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. DIXON. Mr. Speaker, on August 5, 1983, the Palmer Memorial Institute Alumni Association will hold its fourth reunion at the Huntington Sheraton Hotel in Pasadena, Calif.

The Palmer Memorial Institute of Sedalia, N.C., was one of the first private schools to seriously address the educational needs of blacks. Its founder, the late Dr. Charlotte Hawkins Brown, opened the school in October 1902, and graduated its first class in 1905.

Named after Alice Freeman Palmer, a prominent educator who fostered Dr. Brown's own education, the school flourished and over the years grew into an important institution. Throughout this time the moving spirit behind the school was Dr. Brown whose pioneering efforts lead the way for other black institutions. Her untiring efforts on behalf of the school touched the lives of thousands of students.

Beyond sound academic training, Dr. Brown believed that good manners and social graces were indispensable elements of a full education. She vigorously impressed importance of this on all her students.

Dr. Brown received many honors recognizing her great contributions, and was always an outspoken advocate for improved educational and vocational opportunities for blacks. In October 1952 she concluded 50 years of service to the school she founded. Others carried on until 1971 when the Palmer Memorial Institute fell victim to financial troubles.

However human character and spirit transcend bricks and stone, for the graduates of the Palmer Institute have passed the traditions of its founder to their children. Alumni are found in such diverse fields as the arts, education, medicine, law, government, agriculture, and the military.

Throughout her life, Dr. Charlotte Hawkins Brown set an example we would all do well to emulate. I am proud to join the Palmer Memorial Institute Alumni Association in honoring her memory.●

BURBANK-GLENDALE-PASADENA  
AIRPORT

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. BERMAN. Mr. Speaker, the House and Senate Transportation Appropriations Committee Reports contain conflicting language relating to the Burbank-Glendale-Pasadena Airport. Recent action by the local jurisdiction has resolved the problems that originally led me to request the inclusion of this language in the House report.

The impact of an urban airport on surrounding homeowners is not a new issue in my district. I believe that all residents of surrounding communities who benefit from airport services should also share the noise burden associated with the facility. For years, several of the communities that I represent have borne a disproportionate amount of the noise level resulting from daily operations at the airport. Furthermore, these residents have been unrepresented on the Burbank-Glendale-Pasadena Airport Authority which manages the airport.

During full committee consideration of the Transportation appropriations bill, Congressman DIXON introduced on my behalf report language that directed the Federal Aviation Administration to withhold airport improvement funds for the purposes of building a new terminal at the Burbank Airport until the airport developed a noise compatibility program and adopted a master plan.

At the time of the floor debate on the bill, Congressmen ROYBAL, MOORHEAD, and myself agreed in a colloquy that efforts at the local level should begin immediately to resolve these longstanding problems. Since that time, airport officials, representatives of the homeowners' groups, and the Congressmen involved have spent considerable time in drawing up a plan that would make significant progress toward equalizing runway use and therefore dispersing the noise more fairly.

Yesterday, the commission of the Burbank-Glendale-Pasadena Airport Authority adopted a resolution regarding the development and implementation of such a runway utilization program. Based on numerous conversations, I am confident that the authority intends to do everything in its power to implement the policy set forth in this resolution.

Congressmen DIXON, ROYBAL, MOORHEAD, and I all agree that given the actions of the Burbank-Glendale-Pasadena Airport Authority and their commitment to implementing this resolution, that the FAA should disregard



the House Appropriations report language relating to this subject. The authority's acceptance of the goal of equalizing runway use is a major step toward balancing the transportation needs of the traveling public and the quality of life local residents have been striving for years to obtain.●

#### IN HONOR OF JACK NELSON

#### HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. GREEN. Mr. Speaker, I have recently learned of the death on May 27, 1983, of Jack Nelson, the founding president of National Securities Clearing Corp. (NSCC), who led the way in helping solve the "back-office" problems that plagued the securities industry in the sixties and early seventies. In attacking these problems, Mr. Nelson played a major role in automating and centralizing the clearance and settlement of securities transactions both on exchanges and on the over-the-counter markets.

It is widely recognized that Mr. Nelson made a crucial contribution to the achievement of the kind of national clearance and settlement system envisioned by Congress in the Securities Acts Amendments of 1975. This has been an essential step in the evolution to a national market system and continues to enable the securities industry to process higher and higher trading volumes on a routine basis, at a fraction of the former costs.

I have special reason to appreciate Jack Nelson's achievements in solving the back-office problems of the securities industry from my own experience in liquidating an over-the-counter trading firm some years ago. These are not easy problems and require great imagination, patience, and skill.

Jack Nelson's achievements won unanimous praise both within the securities industry and among its regulators. At a public meeting of the Securities and Exchange Commission on June 1, 1983, Chairman John S. R. Shad noted that Mr. Nelson's distinguished leadership provided important continuity to the national clearance and settlement system during critical years, and his ingenuity helped greatly to advance the efficient and financially responsible use of automation in the Nation's securities markets. His dedication and imagination inspired all who have known and worked with him.

Even before joining NSCC in 1976, Mr. Nelson was considered an industry expert in introducing automated procedures for securities clearance. At the Securities Industry Automation Corp. (SIAC), from 1972 to 1976, he had been senior vice president in charge of

operations, planning, development, and marketing for clearance and settlement and direct clearing services. He had also held the position of senior vice president of operations for the New York Stock Exchange's Stock Clearing Corp. and was a director of the American Stock Exchange Clearing Corp.

Previously, Mr. Nelson was senior vice president of the Midwest Stock Exchange (MSE), where he was responsible for planning automation, financial, personnel, and facilities programs for the MSE and its two subsidiaries. Prior to that, he served as president of the Midwest Stock Exchange Service Corp., which provided data-processing services to broker-dealers. Earlier in his career, Mr. Nelson had worked for IBM after serving 5 years as a pilot in the U.S. Marine Corps, where he attained the rank of captain.

Many financial industry leaders joined Mr. Nelson's family and friends at a memorial service in his honor on June 3, 1983, in Wilmette, Ill. He had won many friends with his kind, personable and unaffected manner, as well as for his leadership in advancing the operational capabilities of the industry.

In recognition of Mr. Nelson's leadership and service, the board of directors of NSCC has established the Jack Nelson memorial scholarship fund to provide scholarships to students majoring in business with an interest in computer science at Miami University in Oxford, Ohio. Mr. Nelson, a 1955 Phi Beta Kappa graduate of Miami University, served on the business advisory council of its school of business administration. Many of his friends and admirers joined in contributing to this fund.●

#### IN HONOR OF POLICE CHIEF HOWARD L. RUNYON, SR.

#### HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. COURTER. Mr. Speaker, on October 5, 1983, Mr. Howard L. Runyon, Sr., will become the youngest president ever of the International Association of Chiefs of Police. His many fine accomplishments and tireless work have served our Nation well, and I am proud to join with his friends from New Jersey in honoring Chief Runyon for his efforts.

Chief Runyon has been a police officer for the past 20 years, and, in that time, has served his community with a volunteer spirit. He founded and developed the Passaic Township Youth Center and is national vice chairman of the National Police Explorers Commission.

He is considered a leader not only in the community, but also is highly re-

spected in police training and accreditation. He currently serves as a national commissioner on the Criminal Justice Accreditation Commission and was previously the commissioner of the New Jersey Police Training Commission. He also served for 11 years as director of training for the Morris County Firefighter and Police Academy.

Chief Runyon graduated from the FBI National Academy with honors and received the prestigious J. Edgar Hoover Award. He has authored seven articles on law enforcement issues and has received a dozen awards for his leadership.

I am pleased to share with my colleagues the valuable contributions that Chief Runyon has made to the people of New Jersey and of the United States. I congratulate him on his ascension to the helm of the International Association of Chiefs of Police. My best wishes to Chief Runyon and his wife Lauretta.

And may this new leadership appointment be as satisfying and successful as the past two decades of outstanding service in the police force.●

#### BROOKS CALBERT ROBINSON, JR., THE PRIDE OF BALTIMORE

#### HON. BARBARA A. MIKULSKI

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Ms. MIKULSKI. Mr. Speaker, this past Sunday, July 31, 1983, in Coopers-town, N.Y., a very special event took place. It was a special event for all of baseball, and even more so, for the city of Baltimore, for one of our own was inducted into the Baseball Hall of Fame. Brooks Robinson, the venerable third baseman for the Baltimore Orioles, took his rightful place in the annals of baseball history.

The name Brooks Robinson is synonymous with grace and skill on the field. His miraculous fielding efforts at the "hot corner" are legendary, and his clutch hits won many a ball game. Yet, perhaps what we in Baltimore appreciate the most about Brooks Robinson is the way he endeavored to become a real part of the community. He has a down-to-earth personality, yet he also possesses the class and style we look for in our heroes. He is worthy of our respect and admiration, for he has earned them both.

To fully appreciate the character of Brooks Robinson, I submit a recent column from the News American, which includes the introductory statement by Commissioner of Baseball Bowie Kuhn from Sunday's induction, followed by Brooks Robinson's own statement for the occasion.

**BOWIE KUHN INTRODUCES BROOKS, WHO STILL COUNTS HIS BLESSINGS**

Bob Howsam of the Cincinnati Reds is here with us and he knows what I'm talking about. A truly great Cincinnati team known as the Big Red Machine and fittingly so, drove into a concrete wall named Brooks Robinson.

That unrelenting National Leaguer and my dear friend Warren Giles said to me after the series, "My God, commissioner, he may be as good as Pie Traynor." If you know Warren Giles and the regard in which he held American Leaguers, you would know what a tremendous compliment that was.

Just how good was he?

No one owns more Gold Gloves than the 16 which he earned in consecutive seasons thru 1960 to 1975. He owns nearly every career fielding record for a third baseman including a lifetime fielding percentage of .971.

While his glove frequently stole the show, he was a very tough out, particularly in clutch situations. In that 1970 World Series, he batted .429. He had four seasons of 90 or more runs batted in. He drove in 118 runs in 1964. For his career he was only 152 hits short of the bonded 3,000-hit club. And he hit 268 career home runs. He achieved one of the rarest career triple crowns in record, being, I believe, the only man who accumulated these: Most Valuable Player in the American League in 1964, Most Valuable player in the 1966 All-Star Game and the Most Valuable Player in the 1970 World Series. He surely was one of the most successful and, need I tell you, one of the most popular players in the history of the game.

May I read the language. It says Brooks Calbert Robinson Jr., Baltimore American League 1955-1977, simply that, established modern standard of excellence for third basemen setting Major League records at his position for seasons (23), fielding percentage (.971), games (2,870), putouts (2,697), assists (6,205), double plays (618), hit 268 career home runs, named to 18 consecutive All-Star teams, M.V.P. of the 1970 World Series, American League M.V.P. in 1964, and I as a native of the Old Line State of Maryland am very proud to present to you Brooks Robinson.

Thank you. Thank you very much. Thank you very much ladies and gentleman. You really know how to make it tough on a guy, don't you. Thank you Commissioner Kuhn, honored guests, ladies and gentlemen.

As I stand here before you, I realize I must be the luckiest man in the world. I keep asking myself how could any one man have been so fortunate. And for five minutes or so, I'd like to share with you what I think is the answer to that question.

Playing in the major leagues and being recognized at the Hall of Fame is more than any one human being could ask for, and yet I realize how many other blessings I can count in my life, all of which have contributed to me standing here before you today. I thank God for giving me the talent and the help to reach the top of this profession. Then I think back on the devotions to my welfare by my mother, who is here today, the friendship of my brother Gary who is also here, and the dedication and teachings of my father whom I regret is no longer with us, but who would have loved this event more than anyone else. My parents led me through my childhood and guided me as I grew to become a young ballplayer with high goals for himself.

Then I think about my coaches, my teammates, scouts, managers who discovered me, who encouraged me, who directed me, and who even stuck with me on occasions when others might have given up. My American Legion coach George Haney and my first major league manager Paul Richards. They believed in Brooks Robinson when others were still suspicious of his talent. They among others made my coming into baseball, as well as sticking with it all the better.

And then I found another blessing, one that players in today's game may never appreciate because of baseball's changing structure. That is Baltimore. That is Baltimore and playing in that great city for my entire major league career. I share this day today with my adopted hometown because the people of that town have supported Brooks Robinson not only on the good days, but also on the bad days. My career has been all the more meaningful because of the Oriole fans and friends, many of whom have made this trip to join me here today. I'd like to thank William Donald Schaefer, the greatest mayor that a city could have, and say Baltimore thank you very much, I love you all.

Then there is the Baltimore Oriole organization which over the past 29 years from top to bottom has proven itself to be the best. I might add that this day is extra special for me because I am being inducted with my fellow Arkansan George Kell. George shared with me my first opening day as an Oriole back in 1957. I played third base and George played first base against the Washington Senators in old Griffith Stadium in Washington, D.C.

And then there is what I consider the greatest blessing of them all. Perhaps you will understand this when you recognize that although this is a great day at the Hall of Fame for me, my happiest moment here in Cooperstown occurred during my first visit to play in the Hall of Fame game exactly 22 years ago on July the 24th, 1961. I was playing third base and during the fifth inning of that game the public address announcer interrupted play to announce that my first son had just been born in Detroit, Mich.

For as I count my blessings there is none greater than my family. My wife Connie, who has been by my side throughout my major league career and our four children, Brooks David, Christopher, Michael, and Diana. They have supported their father and although they appreciated and sometimes enjoyed the glory of this game, they also suffered the sacrifice of a father who was seldom home. I have been blessed with their understanding and this induction today is as much theirs as mine. I wish I could have been with them more. And Connie I want to proclaim here today that no man could have come so far in this game for so long without the greatest blessing of them all, a dedicated, supportive, and loving wife. You have celebrated the happy moments with me, but more than that you have been a tower of strength that allowed me to overcome adversities and take advantage of baseball's opportunities. I was there on the field and I am here today because I had the ultimate, the best baseball wife.

Before I close I want to thank the baseball writers of America that have been so kind to me during my playing days and bringing me here today. To thank the commissioner on behalf of baseball and the Hall of Fame for this induction and to thank all of those whom I have not mentioned for their guidance, for their friendship, and for

their support over the years. So you can see this is just not Brooks Robinson's induction into the Hall of Fame, it is a day on which men as fortunate as I am count their blessing of which I have had so many. Throughout my career I was committed to the goodness of this game. In fact I feel my love for the game of baseball overrode everything else. I shall do what I can to continue to make this great game of baseball in this world finer and better. This is a day for my giving thanks and this is a life from which I want to give back. Thank You.●

**SUBCOMMITTEE ON CRIME TO HOLD HEARING ON H.R. 3326 AND 3664**

**HON. WILLIAM J. HUGHES**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. HUGHES. Mr. Speaker, on Thursday, August 4, 1983, at 10 a.m. in room 2237, Rayburn House Office Building, the Subcommittee on Crime of the Committee on the Judiciary will hold a hearing on H.R. 3326 and H.R. 3664, bills to provide executive direction and coordination of drug enforcement and drug abuse and prevention activities.

The witnesses at the hearing will include Adm. James S. Gracey, Commandant, U.S. Coast Guard, U.S. Department of Transportation; Mr. D. Lowell Jensen, Associate Attorney General, U.S. Department of Justice; Mr. Robert E. Powis, Deputy Assistant Secretary of the Treasury (Enforcement), U.S. Department of the Treasury; and Mr. Jerry L. Calhoun, Principal Deputy Assistant Secretary of Defense for Manpower, Reserve Affairs, and Logistics, U.S. Department of Defense.

Those wishing further information or wishing to submit a statement for the record of the hearing can contact the staff of the Subcommittee on Crime at 207 Cannon House Office Building, Washington, D.C. 20515—(202) 225-1695.●

**JACKSON HOLE LEVEES**

**HON. DICK CHENEY**

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. CHENEY. Mr. Speaker, I have today introduced legislation to equalize the annual burden of maintaining a series of flood control levees on the Snake River in Teton County, Wyo. The levees were designed and constructed by the Corps of Engineers, and then Teton County assumed responsibility for their upkeep and maintenance, as is the usual procedure with projects of this kind.



But because the levees were improperly designed and built in the first place, they require an unusual amount of maintenance. The Corps of Engineers has admitted that the levees were not properly designed, but has concluded that it is cheaper to perform annual maintenance than it would be to fix the original design problems. The problem with that conclusion is that the annual maintenance costs must be paid by Teton County, even though it was the corps which designed and built inadequate levees.

The legislation I have introduced would require the corps to share with Teton County the annual cost of maintaining the Snake River levees, which seems only fair and reasonable under the circumstances. Under my bill, the county would pay the first \$35,000 of annual costs, and the corps would pay the balance.

This issue has been addressed before by earlier Congresses. In 1977, the Senate approved a similar bill introduced by former Senator Cliff Hansen in the form of an amendment to the Omnibus Rivers and Harbors Act. That legislation did not make it all the way through the legislative process, however. Then, in 1980, a similar provision was included by the House in H.R. 4788, an omnibus water resources project authorization bill, which also did not make it all the way through the process.

The point is that both the Senate and the House have, at one time or another, approved a provision to require the Corps of Engineers to share the annual maintenance costs for the Snake River levees. I would hope that this time around, Mr. Speaker, we could get this legislation enacted.●

#### WORLD FRIENDSHIP BASEBALL

### HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. MURTHA. Mr. Speaker, in my associations with professional athletes, so many of them mention to me that they remember participating in some amateur event held in Johnstown. And when they mention it, they never fail to add that they particularly remember the hospitality and spirit of the community. Although several years have often passed since the event, that is the image that remains in their minds of Johnstown.

An event very much in that tradition was concluded recently in Johnstown with the playing of the world friendship baseball series.

It was my pleasure to take part in the opening ceremonies of this tournament and to see the first game. While the series gave a strong financial boost

to our recession-hit community, it also gave another boost to the community spirit of the area.

In particular, I wanted to praise the work of three individuals in connection with this tournament: Mr. Dennis Grenell was copromoter of the series and spent countless hours pulling together details of the activity and ironing out last-minute programs; also worthy of recognition was the work of copromoter John Rubal who has worked on many community projects and brought that expertise to this event by smoothing out many difficulties; and finally I wanted to mention the contribution of Connie Mayer who had the task of finding housing in the area for all the ballplayers.

In the years to come, I know many of the athletes from around the world who participated in this tournament will remember the spirit and friendship of Johnstown. It is a credit to all those who helped put this tournament together. I am adding an article from the Johnstown Tribune-Democrat outlining the impact of the series.

#### WORLD FRIENDSHIP BASEBALL

(By Ted Zellem)

Farewell tears, hugs and handshakes swept the Sheraton Inn lobby Monday morning as World Friendship baseball departed the city.

"It was all worth it just to see the good-byes," concluded Wanda Rutledge, a U.S. Baseball Federation staff member.

#### EARLY SKEPTICISM

There were more skeptics than supporters when promoters Dennis Grenell and John Rubal borrowed \$10,000 last August to stage the international event.

But the promoters were smiling Monday. Nearly 75,000 people were attracted to the Point Stadium for nine consecutive days of baseball.

Not all revenues have been tabulated, but the local promoters anticipate the \$10,000-plus production will close in the black. The \$10,000 loan from the Johnstown Oldtimers Association will be satisfied.

The departure of 140 young men to seven foreign lands was emotional for most of the area's 70 volunteer host families.

"So many lives were touched by so many people," Mr. Grenell said.

For two weeks, the players were treated to family picnics, tours, shopping trips and social events.

#### WON'T FORGET JOHNSTOWN

"It was more than just class baseball," Mr. Rubal added. "They (players) may not always remember what they did in the ballpark, but they'll always remember Johnstown, Pa., USA—there's something contagious about this area."

Richard Case, executive director of the U.S. Baseball Federation, said that friendship was a key ingredient to the world games and that Johnstown satisfied the requirement:

"It's a kind of town you always want to come back to—the people are super."

Mr. Grenell maintained that more area people became involved in the community project than any promotion he ever had encountered:

"There even were some who had never been to the Point Stadium."

#### DIFFICULTIES AT BEGINNING

He admitted early difficulties in advance ticket sales and gaining public interest.

"But those were people problems," he explained. "These things happen in all tournaments."

"People got emotionally involved. The host families and Diamond Girls were strong links in making it a success."

A moving ceremony Sunday afternoon at the stadium during which host families received plaques caused many eyes to water. Families from South Fork to Boswell adopted the players.

"Be there and remember it forever," was among Mr. Grenell's promotional slogans.

#### CITY ON MAP

The city was placed on the map.

"Johnstown, Pa." press datelines and radio broadcasts went to Australia, Canada, Colombia, Holland, Korea, Republic of China and Panama.

"It's going to help Johnstown become more than a flood city or a AAABA Tournament city," Mr. Case added.

"Good relationships and friendships were established. Johnstown should capitalize on this, whether it be professional baseball, countries, companies or whatever. It just shouldn't drop the ball."

No economic-impact barometer is available yet, but many area businesses reported increased sales.

A Korean purchased 30 pairs of tennis shoes from a downtown footwear store. A Chinese group bought a suitcase and filled the satchel with purchases ranging from cameras to cosmetics.

Mr. Grenell and Mr. Rubal said the two-week world tournament was the largest promotional project they've ever tackled.

#### MANY UNSUNG HEROES

"There are so many unsung heroes out there who asked for nothing but gave so much," Mr. Grenell concluded.

"We can't tell how many more people were affected by a crazy idea (holding the tournament) that Rubal and Grenell came up with."

They called it a once-in-a-lifetime project. "The citizens of Johnstown should be complimented for their spirit, hospitality and support," added Mayor Herb Pfuhl.

And as "world sport" exited the city Monday, the focus was moving to the state level. The Pennsylvania Coaches Association's Big 33 football classic will be held at 7:30 p.m. Saturday at the Point Stadium.●

#### CORRECTIONS TO THE COMMITTEE REPORT ON H.R. 2969, THE FISCAL YEAR 1984 DEPARTMENT OF DEFENSE AUTHORIZATION

### HON. MELVIN PRICE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. PRICE. Mr. Speaker, there were a number of typographical errors in the Armed Services Committee's Report No. 98-107 on H.R. 2969, the fiscal year 1984 DOD authorization bill. The following is a list of substantive corrections:

Page VI: Titles I and II in the table of contents were transposed inadvertently. Title II entries should follow the last Title I entry on page VIII.

Page 4: Summary Table, Title IV—Operations and Maintenance, entry for Court of Military Appeals should read 3.4, 3.4, 0 (not 3.3, 3.4, +0.1).

Page 4: The portion of the table beginning "Title I—Procurement should be modified as follows:" should be part of the footnote on this page.

Page 10: A line was dropped inadvertently from the page. Under "Soviet Challenge to our Security," line 4, strike "understands" and add "recognized the origins of Soviet power. Then it is understandable. This massive".

Page 90: Under "Committee recommendations, Amount for Other production charges," the figure should be 1,439.1 (not 1,410.9). Under the same entry for "Change from request, Amount," the figure should be +22.5 (not -5.7).

Page 125: The National Security Agency entry in the change column should be -24,232.

Page 130: Under "Basis for Committee Action," the acronym cited should be CSRL.

Page 130: Under "Directed Energy Technology Committee Recommendations," the figure in the third line should be \$67,902.

Page 132: The acronym in the seventh line should be MIRACL.

Page 153: Civilian Pay Raise table, Air Force entry should read +88.0 (not -87.9). The total line should read +432.8 (not 432.7).

Page 154: The word "form" in the last paragraph, fourth line, should be "firm".

Page 164: Refer to chart at top of page; Maintenance and logistics, Reduction column should read 12.0 (not 10.0). Total column should read 62.0 (not 60.0).

Page 180: Operation and Maintenance, Army Reserve table, Mission Forces, the numbers for the entries Fuel Cost Reestimate and Stock Fund Obligation Initiative were transposed. Fuel Cost Reestimate should read -2.7 and Stock Fund Obligation initiative should read -4.5.

Page 205: Under "Explanation of Committee Adjustments," the request in line 5 should be 1,072,174.●

### WILLIE "DEVIL" WELLS: HALL OF FAME OVERSIGHT

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. PICKLE. Mr. Speaker, as the greats of our national pastime gathered last week in Cooperstown, N.Y., to induct the most recent selections into baseball's Hall of Fame, one very deserving name was missing from the list—Austinite Willie "Devil" Wells.

Only one thing has kept Wells, as slick a shortstop as ever lived, from gaining the recognition he is due—he was born too soon. Willie's great feats were performed in the old Negro Baseball League and his career was in its twilight when Jackie Robinson and Branch Rickey broke the color line in 1947.

Several years ago, baseball officials appointed a special committee to con-

sider those luminaries who performed at a hall of fame level in the Negro league. But this committee has seemed to be dormant in recent years. It needs to be rejuvenated and one of the first actions it should take is to recommend that Willie Wells be included in baseball's great shrine.

From personal experience, I can tell you that Willie's abilities may also qualify him for a special hall of fame for domino players, too.

Mr. Speaker, I would like to insert into the RECORD this recent article from the Austin American which provides more detail about the exploits of Willie "Devil" Wells.

[From the Austin American, July 6, 1983]

#### "DEVIL" WELLS WATCHES STARS FROM OUTSIDE

(By Lou Maysel)

Willie "Devil" Wells is in Chicago reliving "some beautiful memories" and looking at a world he never was allowed to experience because of his color.

The 76-year-old Austinite was invited to go to Chicago for the golden anniversary All-Star Game at Comiskey Park. He might have been good enough for the team, but he played before blacks broke baseball's color barrier.

Wells did play in an all-star game back in 1933. He is one of the surviving participants of the first Negro Leagues All-Star Game, staged in Comiskey Park a month after the game by the major leagues. That is why Wells and others were invited to attend Tuesday's Old-Timers' Game and tonight's big game along with 15 survivors of the white man's game.

Wells is being accompanied by Donn Rogosin, who is the director of development for KLRU-TV and also teaches a course in sports history at the University of Texas. Rogosin, an authority on the history of blacks in baseball, wrote a forthcoming book on the subject, titled "Invisible Men."

Two blacks who are also guests for tonight's game, center fielder James "Cool Papa" Bell and third baseman Julius "Judy" Johnson, have been admitted to baseball's Hall of Fame. Rogosin, among others, think that Wells, who was a shortstop and played for around 20 years and managed for almost a decade, deserves to be included when more old-time black players are admitted. So far 10 have been selected and only one in the last six years, although two old-time players are added each year.

Wells, who played in eight East-West Negro all-star games, won't say whether he thinks he belongs in the Hall of Fame. "I can't talk about myself but other people seem to think so," he said.

Wells was playing with the Chicago American Giants in 1933 but originally played with the St. Louis Stars until they disbanded in 1929. Bell, who has been called the greatest base runner of all time in pro baseball, was one of his teammates in St. Louis. They kept in touch after they went to different clubs.

Wells remembers an article describing Bell as being so quick that he could throw a light switch and get in bed before the light went out. And he remembers Johnson for his odd batting style. "He looked like he was looking through (the crook of) his elbow when he hit the ball, but he did the job, though," Wells said.

Wells welcomed the opportunity to attend the Chicago festivities because of the

chance to renew friendships. "I haven't seen some of them in 35 or 40 years. It's a great opportunity to see them," he said before making the trip.●

### DIVIDENDS IN HUMAN TERMS

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. GOODLING. Mr. Speaker, I am pleased that the House passed House Concurrent Resolution 40, expressing the sense of the Congress that the Federal Government should maintain current efforts through the federally assisted nutrition programs to prevent increases in the incidence of domestic hunger.

With specific reference to the various child nutrition programs authorized under the National School Lunch and Child Nutrition Acts, we have taken appropriate, timely and compassionate steps forward in alleviating hunger and malnutrition among millions of our Nation's children who, through no fault of their own, are the innocent victims of deprivation and want which seriously threaten their development into healthy and productive adults.

As I have often stated during committee and floor consideration of child nutrition issues, I believe that the investment which this Nation makes in these programs has been and will continue to be a sound one that pays tremendous dividends in human terms. It is, in short, a wise investment in our children's present and future well-being.

I believe, too, that it is incumbent upon Federal, State, and local policymakers as well as program sponsors and advocates to join hands in continually monitoring and scrutinizing every aspect of child nutrition program activities. This is imperative if we are to insure that quality services to those in greatest need of assistance are provided in the most cost-effective ways possible. We must be willing to ask if there are better ways of continuing to meet the tragically documented and continuing need for child nutrition assistance.

Let me again commend the distinguished chairman of the Agriculture and Education and Labor Committees, Mr. DE LA GARZA and Mr. PERKINS, the gentleman from California, Mr. PANETTA, and my colleague from Vermont, Mr. JEFFORDS, for their untiring efforts to bring before us for consideration a measure that enjoys strong, bipartisan support.●



## PERSONAL EXPLANATION

## HON. EDWIN B. FORSYTHE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. FORSYTHE. Mr. Speaker, on Tuesday evening July 26, 1983, I was unable to be present for the last five recorded votes on H.R. 2969, Defense Department Authorization Act for fiscal year 1984. Had I been present, I would have cast my vote in the following manner:

Rollcall No. 271—Motion to restrict debate on an amendment to require congressional authorization before military units could be deployed in Central America. (Adopted 213 to 195) I would have voted "aye."

Rollcall No. 272—Amendment to require congressional authorization before military units could be deployed in Central America unless certain conditions were met. (Rejected 165 to 259) I would have voted "nay."

Rollcall No. 273—Amendment to delay deployment of Pershing II's and ground-launched Cruise missiles before December 31, 1984. (Rejected 101 to 320) I would have voted "aye."

Rollcall No. 274—Amendment to provide permanent authority to target nonstrategic contracts to firms in high unemployment areas. (Approved 218 to 201) I would have voted "aye."

Rollcall No. 275—Final passage of the Department of Defense Authorization Act, fiscal year 1984. (Adopted 305 to 114) I would have voted "nay."●

## IN HONOR OF THE NEW YORK COUNTY TRICENTENNIAL

## HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. GREEN. Mr. Speaker, I would like to bring to the attention of my colleagues an historic event of national importance: On November 1, 1983, the county of New York, more widely known as Manhattan, will be celebrating its 300th anniversary. It was on this date, in 1683, that the first general provincial assembly, elected according to the instructions of the Duke of York, established by statute the foundation of the county of New York. In commemoration of this historic event, together with my colleagues from Manhattan, Mr. RANGEL and Mr. WEISS, I have introduced a joint resolution, House Joint Resolution 333, which expresses our salutations. May I invite the Members of Congress, on behalf of all of the people of the United States, to congratulate the people of the county of New York on the occasion of the tricentennial.

Earlier, I referred to the tricentennial as an historic event of national

importance. Indeed, the founding of the county of New York played an integral part in the establishment of a system of representative government and common law jurisprudence in the United States. The charter of 1683, granted by Gov. Thomas Dongan, provided for the annual election of aldermen and other officers by the freemen of each ward, included a charter of liberties, and claimed the taxing power for the elected assembly. In fact, the first Common Council, sworn in on February 14, 1684, was given full power to establish laws not contrary to those of England or of the provinces. Throughout American history, the county of New York continued to play a critical role in the struggle for, and the establishment of, democracy. During the month of October 1765, the Stamp Act Congress, composed of delegates from nine colonies, met at city hall in New York, drafted a declaration of rights, and addressed a petition to the House of Commons, protesting taxation without representation. New York City also served as the seat of the National Government beginning in January 1785, when the Congress of the Confederation convened at city hall—now Federal Hall. New York continued to be the National Capital after the ratification of the U.S. Constitution, during the period of the first Congress, March 4, 1789, to August 12, 1790. During that time, in April 1789, George Washington was inaugurated as our first President on the balcony of New York's Federal Hall.

In addition to the important role of the county of New York with regard to the foundation of our democracy, the county was also at the heart of American commerce, finance, and international trade. Prior to the British rule and the founding of the county, New Amsterdam had already become the governmental and commercial center of New Netherland, a province composed of trading posts along the Hudson, Delaware, and Connecticut Rivers. Throughout the years, the county continued its commercial ascendancy. On February 22, 1784, the *Empress of China* left New York for the Orient, the first American vessel to attempt such a voyage. The New York Stock Exchange came into existence in 1792, during a period of phenomenal rise in imports and exports. By 1796, New York had surpassed its principal trading rival, Philadelphia.

The birth of the county of New York also spurred the development of one of America's greatest cultural centers, with the establishment, in 1754, of both King's College, now Columbia University, and the New York Society Library, and the introduction of professional drama in 1732.

I would like to conclude these remarks by emphasizing one of the county's most valuable contributions

to the wealth of the United States, the opportunity extended to the great number of individuals who have immigrated to our country, and who arrived through the gates of New York. In the year of 1900 alone, 145,000 Italian immigrants, 155,000 Russian immigrants, 275,000 Irishmen, and even more Germans landed and settled in the county of New York. Most Americans can trace their foreign heritage without great difficulty; as we all know, New York played a critical role in turning the opportunities of our ancestors into realities.

In every respect, Americans owe a great deal to the county of New York. In commemoration of its tricentennial, I invite all Members to send their salutations to the people of the county of New York, and to support House Joint Resolution 333.●

## "THE SPIRIT OF HELSINKI": 8 YEARS LATER

## HON. SIDNEY R. YATES

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. YATES. Mr. Speaker, August 1 marked the eighth anniversary of the signature of the Helsinki accords, a document which raised much hope in Europe, both East and West, as well as in the United States, that a new era had dawned in which governments would respect the basic human rights and fundamental freedoms of their people. Eight years later we can be more realistic about what Helsinki promised and what it has delivered.

Eight years is perhaps too short a time to expect basic changes in how a government treats its own people and how it relates to its neighboring states. Old cultural patterns cannot be changed in such a short time. In the Soviet Union and many of the countries in Eastern Europe the promises of the Helsinki accords are still unfulfilled. Emigration has been reduced to a trickle. Religious and ethnic groups are still persecuted by acts of governmental policy. Basic human rights are consistently violated. Freedom to travel abroad is severely restricted. Access to information from other countries is tightly controlled. Foreign radio broadcasts are jammed. Partners in binational marriages are separated by heartless governments. And, as in the cases of Afghanistan and Poland, the sovereignty and independence of states are grossly and brutally violated.

All of these represent violations of the Helsinki accords, and yet the Soviet Union and its allies, as well as the Western allies and the neutral and nonaligned states of Europe, seem intent on continuing what is euphemistically referred to as the "spirit of

Helsinki." And agreement has been reached in Madrid on a document which attempts to breathe new life into the Helsinki accords, despite the violations and blatant disregard for their provisions over the past 8 years.

We have good reason to be disappointed in the performance record of the Soviet Union and its East European allies, particularly with regard to the human rights provisions of the Helsinki Final Act. And we should not be overly optimistic about the prospects for performance over the next few years.

Nevertheless, we have no alternative but to continue the Helsinki process and to press for full observance of its provisions. The Helsinki Final Act and the improvements on it reached at Madrid are documents which we in the West can fully support because they reflect basic Western attitudes on the individual and his or her relationship to government. Our task for the future is to constantly remind the Soviet Union and its allies that they have signed these documents and that we in the West will hold them fully accountable for observing their provisions. That is not too much to ask from governments which profess to support these documents.●

#### SOCIAL SECURITY LUMP-SUM DEATH BENEFIT BILL

**HON. EDWARD R. ROYBAL**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, August 2, 1983*

● Mr. ROYBAL. Mr. Speaker, I rise in support of the bill introduced today which would first, insure a more humane and realistic social security lump-sum death benefit, and second, provide final payment of social security benefits during the month when any insured individual or beneficiary dies. I commend my distinguished colleague, Congressman SOLOMON ORTIZ of Texas, for his diligent efforts to bring this legislation to the attention of the House.

Based on hearings I held last year, we learned of the great fear many older Americans have that upon death their survivors will not have sufficient money to pay for a respectful funeral. According to the Continental Association of Funeral & Memorial Societies, current funeral expenses average over \$3,000, including grave and marker costs. Yet, the present lump-sum death benefit is capped at \$255—a level that was set many years ago, and which is obviously very out of date. This bill provides a more humane, cost-sensitive way of determining the lump-sum death benefit. Under our bill, the benefit would be equal to whatever the average OASDI payment is at the time of death—this amount is

presently \$420. Although even this payment would not cover average funeral expenses, it does provide sufficient funds for a basic, respectful interment.

The 1981 Omnibus Reconciliation Act limited the number of people who receive the lump-sum death benefit to only those workers who have eligible survivors. Yet, this leaves millions of Americans who paid into the social security system without any help to cover their funeral expenses. Instead of further limiting the numbers of people who can receive the lump-sum payment as we did in 1981, we should restore the provision that provides payments to all beneficiaries including widows and dependents, as it had been since it became part of the social security system in 1939.

Consequently, this bill would provide a crucial change in the payment schedule so that survivors would receive the final month's benefit up to certain maximum amounts. In the event there is no surviving spouse or younger children, the person who is assuming the responsibility for funeral expenses would receive the benefit. Presently, when an individual insured through social security dies, benefits are not paid for that month, leaving many survivors to wonder how funeral expenses will be met.

Mr. Speaker, it is tragic that in a great country such as ours, so many older Americans who have paid into the social security system have to worry about the financial burden they will impose upon their survivors. Yet, their fears are not unfounded. Not only are there over 4 million persons aged 65 and over who have to try to live with incomes below the poverty line, but social security beneficiaries are not even accorded the respect of having their survivors receive payment during their month of death to help defray the costs of a funeral. This is unconscionable. I urge my colleagues to support this important legislation.●

#### FURTHER EFFORTS TO IMPOSE SECRECY ON SCIENCE?

**HON. GEORGE E. BROWN, JR.**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, August 2, 1983*

● Mr. BROWN of California. Mr. Speaker, the executive branch of the U.S. Government has at its disposal a formidable set of laws and regulations to control the flow of products and ideas to foreign countries. Despite this, the current administration and its allies in Congress have been demanding more and tighter restrictions, including restricting publication of scientific research on so-called militarily sensitive subjects. I would like to offer my colleagues an update on the efforts

of the administration to develop such restrictions. Before I do so, however, I would like to point out three serious objections to these efforts.

First, new laws and regulations are unnecessary. The powers granted by the espionage statutes, the Atomic Energy Act, the Arms Export Control Act, the Invention Secrecy Act, and the Export Control Act, as well as the executive order on classification are so broad as to make criminal the publication of a scientific paper on almost any subject. Needless to say, given the constitutional questions that might be raised against such laws, past administrations have tended to apply them with considerable restraint.

Second, efforts to restrict the flow of basic science are futile. The Corson panel reported to the National Academy of Sciences that it could find no evidence to support the notion that controls on basic research were effective, with only a few specific exceptions. Basic research is not like the advanced applied technology that goes into weapons: It is often derived independently by several workers; it is generally derivable from information already available in the open scientific literature; and it requires free exchange with other scientists in order to thrive. In 1954, Norbert Weiner, the father of cybernetics and of modern information theory, pointed out in his book, "The Human Use of Human Beings," that the most important secret; namely, the possibility of constructing a new type of device, is the very one most difficult to conceal. Once the Russians, in 1942, realized that the top atomic scientists in America were no longer publishing papers in the open literature, they quickly deduced that a new weapon was under development, and began their own program. According to Weiner:

Once a scientist attacks a problem which he knows to have an answer, his entire attitude is changed. He is already some 50 percent of his way toward that answer.

The third objection is that new restrictions will stifle the very research on which our present technological advantages depend. We have as much to gain as any foreign country from the free and open exchange of basic scientific research. This has been pointed out too often to need elaboration here. Weiner said of this:

The idea that information can be stored in a changing world without an overwhelming depreciation in its value is false. It is scarcely less false than the more plausible claim, that after a war we may take our existing weapons, fill their barrels with cylinder oil and let them statically await the next emergency.

At the direction of President Reagan, an interagency panel, coordinated by the Office of Science and Technology Policy, is now conducting a broad study of all aspects of export control, including private scientific re-



search. This was first announced several months ago by Dr. Louis T. Montulli of the Office of Science and Technology Policy, speaking before the American Physical Society. He gave no assurances that controls over private research would not be included in the recommendations of the study group. Earlier versions of a report on scientific communication, which were superseded by the current study, indicated that the criteria suggested by the Corson report had been rejected in favor of much broader criteria, that would permit restriction of almost any scientific information. These ominous suggestions hint that the administration is leaning toward unnecessary, ineffective, and ultimately harmful controls.

In his speech, Dr. Montulli stated that there would be ample opportunity for representatives of scientific societies and individual scientists to contribute to the deliberations on policy and to comment on draft proposals. Since then Dr. Montulli has left the task force, and no effort is being made to bring about the discussions he promised.

Meanwhile, the Department of Defense is continuing its independent efforts, as indicated by recent testimony before the Technology Transfer Subcommittee of the House Armed Services Committee. Dr. Leo Young, Director of Research and Laboratory Management in the Office of the Deputy Under Secretary of Defense for Research and Advanced Technology, told the subcommittee that the steering committee on national security and technology transfer is preparing recommendations on the control of unclassified, but militarily sensitive technology. These will include recommendations on control of scientific conferences and publication of scientific papers. These recommendations will be incorporated into a draft DOD directive (2040.XX) to establish DOD policies on technology transfer and arms control.

The DOD-university forum also presented a draft proposal to the Technology Transfer Subcommittee. Based on the principles set out in the Corson report, this set of guidelines incorporates some important safeguards. First, it is limited to unclassified projects supported by the DOD, which funds virtually all the research likely to produce militarily significant results. Second, it includes making the designation of sensitive projects a matter of positive affirmation, subject to review by a technical committee of scientists, engineers, military officers, and intelligence experts. Present arrangements in DOD allow a single dissenting vote to block the publication or transfer of research or technology. I view the DOD-university forum proposal as a step in the right direction, in that it would tend to insure that

the list of so-called sensitive technologies would not become overly long, and restrictions would be kept to a minimum.

It still concerns me, however, that in placing intelligence experts on such a committee, we are allowing those who define the problem to make decisions about the solutions. It is not the individual facts provided by these people that I question, but rather the context in which they tend to interpret them, and the vested interest they have in decisions about controls.

The issue now is much the same as it was a year ago: The university research community and more moderate members of the administration are urging specific, narrow controls over the dissemination of research results that can be shown to have immediate military value. These controls would be limited to DOD review of publications and some restriction on participation in research projects by certain foreign nationals. The hardliners within DOD and the rest of the administration want virtually unlimited power to control the flow of scientific information. At present the discussion is going on with little public notice.

Moreover, there is no provision in this process for weighing the costs to society of these proposed restrictions. The small amount of valuable information that may reach our enemies via scientific exchanges and publications is focused on, while the larger issues of scientific and civil liberties which proposed controls raise are glossed over or ignored. We should not be too surprised by this; it is just a part of an overall effort by this administration to restrict the free flow of information in society. These efforts extend to the press, our exporting firms, and the public as well. Again, the perceived threats to national interest are focused on; the societal costs of the proposed remedies are ignored. From its efforts to alter the principles governing security classification, to changes in the Freedom of Information Act, to forced withdrawals of scientific papers from meetings, this administration has made a concerted attempt to give those responsible for assessing our security situation the power to determine the solutions to the problems they perceive.

Mr. Speaker, there seem to me to be several principles which ought to govern our thinking about this difficult issue, and I would like to restate them here:

First, those in charge of assessing national security damage ought not to be in charge of deciding on the response;

Second, the concept of national security should be understood as relating to defense proper, not to economic competitiveness generally;

Third, a broad public discussion is needed to arrive at a consensus on the

problem, broad enough to sustain whatever restrictions on civil liberties are deemed necessary;

Fourth, because of the seriousness of the societal implications of restrictions on the free flow of information, a standard of extraordinary degree of certainty and immediacy of harm must be applied; and

Fifth, to prevent bureaucratic excesses stemming from narrowness of perspective and vested interests, mechanisms for administrative, legislative, and judicial review must be an integral part of any adopted restrictive measures.

So far, the efforts of the administration have not adhered to these standards. There have been heavyhanded attempts to impose restrictions, without opportunity for review or appeal. Decisions are being made within a small circle of bureaucrats and advisers, and promises to include the scientific community at large are not being kept. Recent discussions at the annual meeting of the American Association for the Advancement of Science and statements by several members of the DOD-university forum, reported in Science magazine, show that the hardliners are doing little to build a consensus for their position.

These and other developments are chronicled in a recent article in Science magazine, which I have included here. I urge my colleagues to read this article.

[From Science magazines, June 3, 1983]

#### ADMINISTRATION GRAPPLES WITH EXPORT CONTROLS

THE WHITE HOUSE AND DOD ARE FINALLY ATTEMPTING TO DEVELOP A COHERENT POLICY FOR RESTRICTING UNCLASSIFIED BUT MILITARILY SENSITIVE SCIENTIFIC DATA

(By Colin Norman)

In February 1980, in the aftermath of the Soviet invasion of Afghanistan, the Carter Administration abruptly precipitated a debate over whether, and how, the federal government should restrict the communication of unclassified but militarily sensitive scientific information. The Commerce Department and the State Department warned the organizers of two open scientific meetings that some papers scheduled for presentation contained sensitive information whose release to foreigners would infringe export control laws. Soviet scientists were subsequently disinvited to one meeting and prohibited by the State Department from attending the other.

Three years later, the debate is still raging, fueled by the rhetoric and actions of the Reagan Administration, which warns that a "hemorrhage" of technology to the Soviet Union is taking place and that tighter control of sensitive information is required. Attempts have been made to restrict access by scientists from China and Soviet bloc countries to unclassified projects on some university campuses, visas have been denied or restricted, and papers have been withdrawn from scientific meetings after the Department of Defense (DOD) raised objections. In one celebrated case, some 150 unclassified papers were withdrawn from an open meeting at the last minute because

DOD complained that the authors had failed to obtain clearance for their release (*Science*, 24 September 1982, p. 1233).

These actions have been sporadic and largely uncoordinated because, in spite of its rhetoric, the Reagan Administration has yet to come up with a coherent, government-wide policy for the control of sensitive information. But that may soon change, for a high-level interagency committee has recently begun to develop an overall policy for technology transfer. The effort is being quarterbacked by the National Security Council, and the aim is to complete the work this fall. Meanwhile, DOD is also trying to thrash out its own policy and precedures. And Congress has entered the picture with an attempt to rewrite the Export Administration Act—the key piece of legislation governing export of critical technology—which has been used to restrict communication of sensitive information. Over the next few months, the framework for controlling scientific communication in potentially critical areas should therefore emerge. But the process will not be easy.

The debate over scientific communications is only part of a broader battle over controls that has potential military application. This battle is marked by deep divisions within the Administration, by interagency feuding over who should enforce the controls, by rifts between the United States and its allies over attempts to extend U.S. controls to foreign firms, and by concerns over the damage that overly strict controls will do to U.S. exports.

The fight over controls on the export of commercial technology is currently receiving most of the public attention in the debate over technology transfer, but issues raised by controls on scientific communication will be difficult to resolve as the Administration tries to resolve as the Administration tries to put together its policies over the next few months. Nevertheless, interviews with key people in and out of the government suggest that compromises may be emerging in some critical areas. The compromises are likely to center on recommendations in three influential documents: the Corson report, a study published last September by the National Academy of Sciences that was put together by a committee chaired by Dale Corson, president emeritus of Cornell University; a report approved in April by the DOD—University Forum, a group that consists of representatives of DOD and the nation's leading research universities; and an unpublished report submitted to DOD on 15 April by Advanced Technology Systems, Inc., a Virginia-based consulting firm.

Although the three studies differ on many points, they contain elements of agreement in the following key areas.

#### *The need for controls*

"It is impossible to get cooperation on something like this with anything less than fiat unless people believe in the basic premise, and the basic premise is that the threat is real," says Edith Martin, a DOD official who is chairing a department-wide committee developing DOD policy on technology transfer. She believes that there has been a "phenomenal" change of attitude by many in the university community on this point. The Corson panel and the DOD—University Forum did, indeed, acknowledge that there may be a very limited set of unclassified research projects in the universities that should be subject to controls; the Advanced Technology Systems (ATS) study took that as given. All three reports noted,

however, that any restriction on scientific communication bears a potential cost in slowing scientific advancement. The real problem is to determine what should be controlled and how it should be done.

#### *What should be controlled*

The Corson panel recommended that controls be imposed on scientific communication in areas that meet four criteria simultaneously: the technology is developing rapidly; it has "identifiable direct military applications" or dual civilian-military uses; its acquisition by the Soviet Union would confer significant near-term military benefit; and the information cannot be obtained from other friendly nations. Although the criteria have met with broad acceptance, even within DOD, they leave plenty of scope for interpretation. Some in the academic community have complained, for example, that they could be used to restrict more than the panel intended. A recent report by a committee at the Massachusetts Institute of Technology said, for example, that if the Corson panel's own qualifications are ignored, the criteria "could be read as restrictive imperatives."

DOD has compiled a list of sensitive technologies, called the Militarily Critical Technology List (MCTL), whose export it wants to restrict. The list is far too extensive to be used for determining the areas of scientific communication to be restricted, however; according to one DOD official, it is the size of a Manhattan telephone book and is "really a list of modern technology." The DOD—University Forum has proposed that a committee be set up by DOD, consisting of scientists and engineers from government, the universities, and industry, "to review research and development in the universities on the basis of the MCTL, the criteria of the Corson Report, and the burden imposed on the vitality of research and engineering development," and determine which areas are truly sensitive. The forum also recommends that this broad-based committee be an appeals body from which a researcher whose project has been designated sensitive—and thus subject to restriction—can obtain an expeditious review.

Appeals are currently referred to an internal DOD panel chaired by Stephen Bryen, a deputy assistant secretary for security policy and a hard-liner on technology transfer issues. A single veto in the panel can block a proposed transfer.

The ATS report recommends a process likely to be far more unpalatable to the scientific community. It suggests that DOD itself should draw up statements on what unclassified information should be restricted in some 20 areas of technology that the Central Intelligence Agency has already identified as prime Soviet targets. The report suggests, moreover, the DOD should base its determination on criteria that are much broader than those of the Corson panel.

#### *What controls should be imposed*

Because virtually all the research likely to fall in the sensitive category will be funded by the federal government, principally DOD, there is growing consensus that constraints on scientific communication can best be handled by contractual agreements between the researcher and the funding agency. One of the chief problems at present is that researchers are generally unaware of any obligation to restrict access to information, and controls have been imposed—sometimes capriciously—after the work is under way. The DOD—University

Forum is emphatic that all obligations should be negotiated in advance and spelled out in contracts, so that researchers can decide whether to accept a project under the conditions laid down.

The forum statement suggests two controls that could be applied to research deemed sensitive: No national from a designated country (a Soviet bloc nation or China) will be assigned as a direct participant—including as a long-term visiting scholar—in the project without prior approval, and publications should be sent to the funding agency for review 60 days before submission for publication. The review would be advisory. "The right and responsibility for publication rests with the university or the principal investigator," the statement says.

Current procedures, spelled out in a memorandum last September by DOD Under Secretary for Research and Engineering Richard DeLauer, require that all new DOD research contracts contain a clause requiring researchers to submit their papers to DOD when they submit them for publication.

In the past, the federal government has used the Export Administration Act to restrict communication of unclassified information that it deems sensitive. But it is an unwieldy instrument, carrying potential heavy criminal penalties, whose use can have an extremely chilling effect on scientific communication. Several groups have thus been lobbying Congress to exempt scientific research from the act. But such appeals have received little attention so far in the skirmishing over controls on commercial technology. "In the political scheme of things, this issue is like a stray cat or dog, nobody is paying it much attention," says Allan Adler, co-director of the Center for National Security Studies. On 18 May, however, the House Foreign Affairs Committee did agree to add a provision to the act stating simply that "It is the policy of the United States to sustain a vigorous scientific enterprise. To do so requires protecting the ability of scientists and other scholars to communicate freely their research findings by means of publication, teaching, conferences, and other forms of scholarly exchange." The committee's report is likely to be more explicit in stating that the Export Administration Act should not be used to restrict scientific communication.

Whatever controls are finally imposed, they are unlikely to gain universal acceptance. Stanford University president Donald Kennedy, who co-chairs the DOD—University Forum, says, for example, that "Our success [in keeping restrictions to a minimum] depends on whether a few hard-liners in the Administration get their way." Asked, however, whether Stanford would accept a research grant with restrictions on access by foreigners—as the forum suggested—Kennedy replied, "Probably not."

Nevertheless, Kennedy and others are looking forward to some coherent rules so that the universities can at least have a basis on which to decide whether or not to accept the government's money.

#### *A BATTLE ON MANY FRONTS*

According to one count, there are 44 separate groups in the federal government looking into various aspects of technology transfer. The following are the arenas where the main battles over restraints on scientific communication are taking place in the Administration.



*The White House*

After sitting on the sidelines for 2 years, the Office of Science and Technology Policy (OSTP) was thrust into the center of the debate late last year. Under a directive from the President, OSTP was asked to draft a statement of Administration policy on scientific communication and national security, incorporating the recommendations of the Corson panel (see accompanying story). A March deadline was set for the study, but in February a broader investigation of technology transfer policy was launched by the National Security Council (NSC), again under presidential directive, and the OSTP study has become part of that. The deadline for this new effort is late October, but some are predicting that the work will not be completed until the end of the year.

Nominally in charge of this study is a senior interagency group headed by William Schneider, Jr., Under Secretary of State for Security Assistance, Science and Technology, but the work is being done by a steering committee chaired by Gus Weis of the NSC. Scientific communication issues are being handled by a working group headed by Louis Montoulli of OSTP. Montoulli, who is the third OSTP official to be put in charge of these matters since the office first got involved, told a meeting of the American Physical Society last month that his group will look into "written, oral, electronic, and visual data transfer . . . trade fairs, exhibits, air shows, and the patent process." He said he will seek input from the scientific community during the summer.

The White House is meant to be drafting broad policy for the Administration, but in the meantime, several departments are drawing up their own rules.

*Department of Defense*

A directive issued on 29 December last year by then-Deputy Secretary of Defense Frank Carlucci laid out broad guidelines for DOD policy on technology transfer and established two committees to settle intra-departmental disputes on specific issues and cases. The committees are chaired by Richard Perle, Assistant Secretary for International Security Policy, and his deputy, Stephen Bryen. Both are known as hard-liners on technology transfer matters. Bryen's committee meets monthly and Perle's meets quarterly. Together, they form a two-tier appears mechanism, but the arrangement is highly restrictive because a unanimous vote is required to approve any proposed technology transfer. A single vote can therefore restrict release of a technology or of sensitive information.

Carlucci's directive was meant to provide only a stop-gap arrangement, however. More detailed policy and procedures are currently being hammered out by a department-wide committee under the chairmanship of Edith Martin, Deputy Under Secretary for Research and Advanced Technology. Martin says she expects her committee to finish its work by the end of September; it will make its recommendations to Fred Ikle, Under Secretary for Policy.

Martin's committee has five subgroups looking into the following areas: contractual controls on the release of information from DOD-sponsored research; visa controls (DOD wants to ensure that its views are heard in the State Department's deliberations—see below); restrictions on release of information at scientific conferences; restrictions on research publications; and how to identify areas of technology that are militarily sensitive. "What we are looking for," says Martin, "are those things that are

palatable . . . our intent is to find that minimal set of things that will help slow the flow."

It is no secret that there have been conflicts within DOD over technology transfer policy, particularly between Perle's office and the Office of Research and Engineering, of which Martin is a part. This has led to differences in interpreting the policy, and the resulting confusion has been compounded by overzealous enforcement by contract officers in the armed services. Martin says that her committee is trying to cut through the confusion by arriving at a DOD-wide consensus on what should be done. "Perhaps in the past there has been [conflict]," she says, "but I would certainly say that isn't the case today."

*Department of State*

Last month, Under Secretary of State William Schneider announced at a press conference that henceforth visas would be denied or restricted "where there is reason to believe that an alien is seeking to come to the United States to acquire controlled strategic technology illegally." Although the policy is aimed chiefly at visitors from Soviet bloc countries posing as businessmen, Schneider said that it would also apply to scientists on exchange visits. An official in Schneider's office noted, for example, that the State Department might seek to place restrictions on a scientist's access to parts of a university campus. It would not be the first time that such restrictions have been imposed, but the universities have always strongly resisted them. The State Department is essentially serving notice that it does not intend to back off in the face of the opposition.

*Department of Energy*

Early in April, the Department of Energy (DOE) published draft regulations designed to control the release of unclassified nuclear information that might potentially be used to design a nuclear explosive or that could compromise the security of an installation housing critical nuclear materials. The regulations, which are required by legislation that Congress approved last year at DOE's request, identify a broad range of information whose release could subject an offender to a civil fine of up to \$100,000 and criminal prosecution.

The proposed regulations have drawn a heated response from Stanford University. Vice Provost Gerald Lieberman argues that as drafted, they have "unlimited potential to chill research, teaching, and the general interchange of information." Restrictions on dissemination of previously classified material are "so inclusive as to permit application to all those basic and advanced courses in the fields of physics, electrical engineering, materials science, and the like that teach the basic information discovered and classified before the early 1950's and since declassified," he says.

DOE has extended the period for comments on the proposal until 3 June before deciding whether to put the regulations in final form.●

## INVOLVEMENT IN THE ARTS

## HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mrs. JOHNSON. Mr. Speaker, as a freshman Member of Congress, I am

proud to have been able to participate in a program that encourages young people's involvement in the arts. Whether or not they choose a career in the arts, these students know that art is not an experience ancillary to our daily lives, but rather it is a personal reflection of life experience, both for the artist and for the viewer.

I am proud that the 1983 Congressional Art Competition winner from my district in Connecticut, Catherine Gilbert, is here today to participate in the ribbon-cutting ceremonies to open this year's exhibition. Catherine already has several honors to her credit—the Oliver Wolcott Library Award for 1982 and 1983, and the Edward Maybry Award from 1982. Such artistic aptitude does not develop without encouragement however. Teachers, such as Catherine's teacher Mary Lou Hoffman from Litchfield High School, as well as strong parental support, are fundamental to nurturing talent.

Programs such as the Congressional Art Competition demonstrate the value that we as legislators place on encouraging the development of the arts, for as Henry James once wrote:

It is art that makes life, makes interest, makes importance, for our consideration and application of those things, and I know of no substitute whatever for the force and beauty of its process.●

## HELSINKI HUMAN RIGHTS DAY

## HON. RAYMOND J. McGRATH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. McGRATH. Mr. Speaker, today commemorates the eighth anniversary of the signing of the Helsinki accords. Eight years ago, we looked at this historic occasion as a giant step forward for human rights. Finally, an agreement was reached among nations of diverse economic, religious, and philosophical backgrounds which recognized basic human rights for all people.

Or so we thought.

Today we are forced to look back at the time that has elapsed since that August 1, with a great degree of sadness. The progress in the area of human rights has been dwarfed by a growing violation. The hopes expressed at that time, have turned to cynicism. That document has been used by many countries as a bargaining tool in achieving their economic and political goals. In these nations, a facade of human rights compliance is promoted when it is politically beneficial, but at any time, the rights can be quickly revoked at the whim of the Government.

The Eastern European nations that signed the Helsinki accords have

shown an alarming disregard for the rights they pledged to recognize and uphold. Led by the Soviet Union, political and labor unions such as Solidarity have been suppressed, monitors of the accords in Eastern bloc nations have been harassed, and the expression of religion has resulted in persecution and imprisonment for many, such as the Soviet Jews.

Today's anniversary is an important day for all of us who believe in the ideal of human freedom. It should be a day of celebration. This year, as one response to the continuing crackdown in human rights, we should make it a day of action. I urge my colleagues to join with me in challenging the Soviet Union and its Eastern allies to fulfill their commitment. The accords were signed 8 years ago in a spirit of cooperation and progress. We must call on all who participated to allow those principles to operate, so that all people might enjoy the rights and freedom for which every soul thirsts. ●

#### AN EDITOR SPEAKS OUT

### HON. DOUGLAS K. BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. BEREUTER. Mr. Speaker, from time to time, I include in the CONGRESSIONAL RECORD examples of editorials that appear in the newspapers in my congressional district. While my colleagues have easy access to the editorial comments that appear in the national newspapers, I think it is important to see what the editors in our nonmetropolitan areas are writing. They also express a view that is often closer to the pulse of our constituents than what we read in the national press.

With that thought in mind, I request permission to have the following two editorials printed as they appeared in the Norfolk, Nebr., Norfolk Daily News.

[From the Norfolk Daily News, June 28, 1983]

#### A MATTER OF LIMITS

The trustees of the Social Security system have studied the figures and concluded that the bipartisan package of changes agreed to this spring does, indeed, mean a crisis has been averted in the old age and survivors fund. It will, they estimate, "be able to pay benefits on time for the next 75 years under all but the most pessimistic of the various set of assumptions."

Skeptics may conclude they should take those most pessimistic assumptions as the likeliest scenario. Murphy's Law on the way things can go wrong would support such a view. But if the economy fails to perform as well as it should, even a modest amount of political courage would allow for further corrections.

The bipartisan commission did prove that action to trim growth in benefits by modest amounts is possible; it did not prove politi-

cians yet capable of fixing an unalterable limit on taxes and fitting benefits to meet that income. But there was some progress, and America's younger workers apparently must be content for the time being with relatively small favors.

The outlook for Medicare, that part of the system which provides health benefits to Social Security recipients, is not in similarly good shape. Its funds, however, did provide the bailout by which the old age and survivors benefits could continue to be paid. Now the spiraling costs for medical care combine with the projections of income under present payroll tax rates to suggest that Medicare could be in trouble as early as 1988.

Borrowing from experience with the retirement portion of the system, there ought to be early action to resolve what may be a serious problem only five years hence. The administration has taken several sensible steps to try to hold costs down. It wants a little higher contribution from the actual users of these medical benefits, to help provide an incentive to them to be cost-conscious.

Without significant change, and based on present experience, the trustees of the system indicate that in 75 years, Medicare costs alone could require a 9 percent payroll tax. Presently, the rate is 2.6 percent, and it is scheduled to become 2.9 percent under current law.

If future generations are not to find social services demanding ever-higher proportions of their earnings, then today's politicians need to act. They should consider that the limits of fair taxation rates have been reached; and all the public benefits promised retired people in the future must conform to what can be provided under those limits.

[From the Norfolk Daily News, July 26, 1983]

#### MASSIVE ACCOMPLISHMENT

One might conclude that victory over last year's No. 1 enemy would dominate the front pages and the nightly newscasts. There has been publicity about it, but the accomplishment is one that has taken place on a relatively gradual basis. So it has not been a headline-grabbing event.

It is highly significant, nonetheless, that the consumer price index has just now set a 15-year record of stability. For the last 12 months the rate of increase was only 2.6 percent. It is proof that a disastrously high rate of inflation has been brought under better control.

Otto Eckstein, a member of President Lyndon Johnson's Council of Economic Advisers, states unequivocally, "We have licked double-digit inflation. There is no prospect of that for years, perhaps the entire decade. It's a massive accomplishment."

The considerable achievement is encouragement to all Americans that their work, earnings and savings will not be diluted in the future by rampant inflation. They can have confidence in their economic futures.

Now it is up to public policy makers to control their appetites for spending—and taxing—to get budgets under control so inflation does not recur and the recovery put in jeopardy. ●

#### PERSONAL EXPLANATION

### HON. WILLIAM F. CLINGER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. CLINGER. Mr. Speaker, on July 29, 1983, I was absent from the floor of the House of Representatives for the last vote of the day. Had I been present, I would have voted in the following fashion: Rollcall No. 296: House Concurrent Resolution 153, district work period. The House agreed to the concurrent resolution providing for August adjournment of the House and the Senate, "yea". ●

#### WORLD TRADE

### HON. RALPH REGULA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. REGULA. Mr. Speaker, I wish to bring to my colleagues' attention an op ed piece which appeared in the Washington Post on August 2, 1983, entitled "World Trade: What U.S. Firms Are Up Against."

The editorial written, by Chrysler Corp. chairman, Lee Iacocca, highlights the urgency of correcting the inequities in the world trade market.

I share Mr. Iacocca's concern and in a special order yesterday made some of the same points. Clearly, the trade scene is shifting. More players are entering the games, the rules, as well as the stakes are changing.

If we are to remain competitive, we too must change our posture to meet the new challenges of world trade. The United States must clarify its international trade objectives and priorities and improve its trade policy-making.

For some time now the steel industry has been plagued by unfair import competition such as dumping, subsidies, and targeting. These practices have led to declining productivity in the U.S. steel industry, plant closings, and increased unemployment, not to mention their effect on the Nation's overall economic health.

America's open market has come to be expected, but in recent years we have begun to pay a steep price for our generosity. Increasingly, pressure is being brought to bear for us to respond to the competitive threats to our basic industries which are hurting many sectors of the economy, as well as hindering economic recovery.

To respond threatens the stability of free trade. To not act we risk substantial damage to many sectors of our economy, particularly to our basic "smokestack" industries such as steel and autos.



These problems affecting our basic industries are merely symptoms of a much greater, potentially more onerous and pervasive problem. They are symptoms of escalating global trade tensions.

Expansion and international competitiveness must be made principal national goals. Our ability to compete in international trade is central to our future economic growth, our domestic welfare and our national security. If we are to meet the challenges of foreign competition we must take the institutional and legislative steps necessary to meet those challenges.

I commend Mr. Iacocca's piece to my colleagues. It is a thoughtful analysis of the serious problem our domestic industries face in the world trade arena and offers some constructive suggestions for ways in which we can act to equalize the playing field of world trade.

The article follows:

[From the Washington Post, Aug. 2, 1983]

**WORLD TRADE: WHAT U.S. FIRMS ARE UP AGAINST**

(By Lee Iacocca)

The playing field in world trade is not level; it is blatantly tilted against the United States.

And unless that field can be made level, we will rapidly slip from the major leagues to the minors—with small chance of a comeback. In 1982, the U.S. deficit in foreign trade was \$43 billion; for 1984, Martin Feldstein, chairman of the President's Council of Economic Advisers, predicts that this deficit could reach \$100 billion. This widening gap between imports and exports significantly contributes to lost jobs and the erosion of the capital base of many essential industries, including machine tools, steel, electronics and automobiles.

A strong economic recovery—contrary to popular economic folklore—could worsen this deteriorating situation. Since several major competitor nations are expected to lag behind the United States in their rate of recovery, price competition from them could play havoc with our recovery and our trade deficit.

With good reason, government and business leaders are concerned. Unfortunately, this concern has become polarized into an either/or position; protectionism or free trade.

For example, in *The Post*, Wolfgang Hager's defense of protectionism [Outlook, May 15], was followed by Bill Brock's response in defense of free trade [op-ed, June 13]. These essays—a microcosm of what's being played out daily in Washington, in academia and on the 6 o'clock news—are attempts to come to terms with the issue of international competition. But, like most extreme solutions, both are wrong.

For one thing—and this is probably the most important thing—these either/or approaches fail to take into account some very basic realities of the business world in 1983.

It's true that protectionism would provide immediate, temporary help to certain industries—including the auto industry. About 28 percent of the cars sold in America are imported—21 percent are from one nation, Japan. And in June of this year, the Labor Department ruled that an estimated 5,200 workers laid off from Chrysler Corporation

plants in Newark, Del., and Detroit can apply for special aid because imports cost them their jobs.

But rushing in with an across-the-board protectionist quick fix could backfire on American business. America simply can't afford to alienate and lose world markets through protectionism and its backlash. The fastest-growing markets in the world are overseas; Brazil and Mexico combined will probably represent a larger auto market than the United States at the turn of the century. And economies in the Far East are on impressive growth curves.

Like the ill-fated Smoot-Hawley Tariff Act of 1930, protectionist measures carry the potential for lost markets, trade wars and depression. The price of such "relief" is one that American business can't afford.

If protectionism isn't the answer to our trade problems, free trade extremism isn't either. Free trade ignores the historical fact that current trade agreements were formulated at a time when America was the top dog in production and sales in world markets—and especially in domestic markets. It ignores the new reality that, both in terms of production facilities and marketplaces, competition is now global.

There is nothing wrong with the new game; it's really the major leagues. Global competition—the payout of economic Darwinism—has been a potent spur to American business to improve its productivity and quality. What is wrong is that while American companies are playing in a new international trade game, the U.S. government is still expecting them to play by the old rules.

We are up against aggressive, potent competitors, backed by their governments—while experts inside and outside government intone Adam Smith's theories and pretend it's still 1950 in terms of U.S. worldwide economic dominance. Most other governments have realized that the game and its rules have changed—and now assist the "Invisible Hand" through all-too-visible programs and policies that give their industries a better-than-even break in the world.

Because the U.S. government still tries to play by the old free trade rules, America lacks a trade policy that's responsive to the new realities of international competition. For American businessmen and workers—sent out into the global marketplace to compete without help from government—the playing field is not level; it's tilted against them.

To make that playing field level—to allow American business and American labor to be on the same footing with their global competitors—we have to address two major areas immediately.

The first area concerns purchasing power parity. Right now—because of currency exchange rates and the system of value-added taxes—some of our competitors have a substantial pricing advantage; over \$1,500 per car for Japan. This advantage obviously tilts the playing field for the competition.

**Exchange Rates:** With the current strength of the dollar and the intentionally low values of certain other currencies, such as the yen, some of our trading partners have a big edge over American businesses when they compete in the U.S. market. In the auto industry—a prime example—it is estimated that the Japanese have a cost advantage of \$600 to \$800 per car because of an estimated 20 percent undervaluation of the yen.

**Value-Added Taxes:** Most of America's major competitors use value-added taxes, which they rebate to their manufacturers

when goods are exported. For Japan, this tax rebate equals another \$600 to \$800 per car. U.S. import duties come nowhere near equaling the rebated taxes, so the imported goods have a substantial price advantage over American-produced goods. And the American goods have to shoulder the full effect of U.S. federal, state, local, Social Security, and other taxes.

The second major area concerns the lack of a coherent, pragmatic industrial policy to help American businesses to become and/or remain competitive—especially for:

**Riding Out Downturns.** Many of America's competitors have developed programs to help their industries remain solvent during cyclical downturns. America has no such program, and with each economic downturn—even predictable ones in cyclical industries like chemicals and autos—American industries lose ground to foreign competition. Once they lose too much ground and get on to a precarious financial footing, they usually cannot be resurrected. Their jobs disappear overseas forever, by the hundreds of thousands.

**Carving Out and Preserving Market Share.** Some of America's competitors, such as the Japanese, have learned that they can establish market share through a low price/low profit game plan applied over the long term. They can only do this with solid financial backing from their governments and their closely integrated national banking systems, something American industry doesn't have. As a result, American businesses frequently cannot afford to pay the long-term "entry fee" to gain and hold position in desirable markets.

That these two areas—purchasing power parity and industrial policy—demand action is obvious to many Americans, but not to enough of our elected representatives. According to recent polls conducted by Louis Harris Associates and the Los Angeles Times, the percentage of Americans who favor government policies to preserve or expand our industrial base is double the percentage of congressional leaders who are similarly inclined.

What must government and business do, starting today, to deal with the new trade realities and to level out the playing field?

1. Government must negotiate more acceptable exchange rates, rates that reflect the real purchasing power of different currencies and that are indexed over time to changes in relative inflation rates.

2. Government must find ways to compensate for the pricing edge created by VAT rebates. DISCs (Domestic International Sales Corporations) have never been an effective tool for this; and import duties, because they are too low, have been equally ineffective. Our taxation policy should get in step with the rest of the world.

3. Government and business together must find ways to help fundamentally viable American companies absorb the impact of recessions—and to allow American business to compete with foreign industries whose governments and infrastructures support low price/low profit marketing strategies.

This kind of aid could be in the form of loans or of loan guarantees similar to those provided to Chrysler. A new structure to accomplish this program could incorporate the concept of a "domestic IMF"; it could arrange emergency financing to support those businesses that have clear, workable plans to improve productivity and increase operating efficiency. There's no question that the capital for these loans is available;

I've often wondered why the American public and business community have allowed American banks and public institutions to lend \$500 billion to Third World countries and businesses while we have such pressing needs here at home.

In the international trade game, time is not on our side. The next several seasons will determine, irreversibly, whether America stays in the world trade major leagues. We need solid policies now, if we're going to have a chance to play on a level field.

As far as autos are concerned, until we get these policies in place, we must negotiate or legislate an extension on quotas on Japanese imports. Without these quotas as an interim measure, the American auto industry as we know it won't survive long enough to have a chance to play on that level field.

A level field means a fair game—a game in which all players go by equivalent rules. A level playing field in international trade is necessary to put the biggest game in the world back on the level.●

### A WELCOME FOR THE PRESIDENT OF ZAIRE

#### HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. GINGRICH. Mr. Speaker, I want to take this opportunity to welcome to America the President of Zaire, Seseseko Mobutu.

He arrives today with several of his ministers, for meetings with President Reagan and Vice President BUSH.

Zaire under President Mobutu has been a strategic ally of the United States. It has really stuck its neck out to discourage penetration of the African continent by the Soviets and their proxies.

Zaire's diplomatic and military strategies have often put Fidel Castro's troops and their neocolonialism on the defensive. Just recently, Zaire has helped the people of the nation of Chad fend off provocative military action from the radical Government of Libya.

The Government of Zaire has been a target of the international left for its human rights record. Zaire is not a democracy. Most nations in this world are not. But it is making great strides in the human rights field. Some 70 political prisoners have recently been released. Zaire has a good record compared to most of the other nations on the African continent.

It is making moves toward freedom internally, while doing its part to sustain free world interests in Africa and beyond, and that is what really counts.

I join other Americans in welcoming President Mobutu and his entourage to the United States. I hope their talks with our leaders produce a closer and more durable alliance.●

### UNCLE SUGAR, CAUGHT IN THE CLINCH

#### HON. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. COUGHLIN. Mr. Speaker, I would like to take this opportunity to call attention to recent editorials in the Los Angeles Times, the Washington Post, and the Washington Times on the new financing plan for the Clinch River breeder reactor.

Our colleague from New York, Hon. RICHARD OTTINGER, is quoted in the Los Angeles Times article as saying that the so-called cost-sharing plan for Clinch River is a "sham \* \* \* an insult to the intelligence of Congress and the American people." I wholeheartedly concur with his assessment as the plan does not meet any reasonable definition of cost-sharing and contradicts the basic tenets of the administration's free-market philosophy.

I applaud the efforts of our colleague, the Los Angeles Times, the Washington Post, and the Washington Times in defending the interest of the American taxpayer against those of the narrow corporate groups that have profited from the Clinch River boondoggle.

The editorials follow:

[From the Los Angeles Times July 28, 1983]

#### UNCLE SUGAR, CAUGHT IN THE CLINCH

On May 12 the U.S. House of Representatives voted 388 to 1 to kill the Clinch River breeder-reactor program unless private industry agreed to pay a substantial share of the cost. Six weeks later Energy Secretary Donald P. Hodel publicly conceded that the U.S. energy program could make do without the \$4 billion nuclear project.

That should have been that.

But lo and behold, President Reagan let it be known the other day that he not only supports Clinch River but also will campaign vigorously for a special \$1.4 billion appropriation to keep the Tennessee project alive. Not only that, he also favors federal guarantees under which the taxpayer will bail out corporate and private investors if electric power from the breeder reactor cannot be sold.

All this comes at a time when Reagan is wrestling with massive federal budget deficits. Unless the projected deficits can be reduced, it will be very difficult to avoid high interest rates, renewed recession and a situation in which military spending will have to be cut much more deeply than the President himself considers prudent.

Fortunately, chances are very good that common sense will prevail in Congress, where enthusiasm for the Clinch River boondoggle is at a low ebb.

Unlike conventional nuclear-power reactors, which burn uranium, breeders both burn and breed plutonium; in fact, they are designed to produce more plutonium than they consume. This was a very attractive feature at a time when uranium was expected to become scarce and increasingly costly.

But times have changed since Congress first gave tentative approval to construction

of a commercial-scale breeder reactor 13 years ago.

Leaving aside the fact that the United States should not be setting a bad example by embracing a power-reactor technology that can easily be used as a cover for nuclear-bomb production, the economic factors are all wrong.

More uranium reserves have been discovered. The demand for uranium reactor fuel has fallen way below earlier projections for several reasons, including the fact that nuclear-power reactors are neither as safe nor as economically efficient as had been expected. The General Accounting Office has estimated that breeder reactors probably will not be commercially attractive for 40 more years.

Meanwhile, instead of the original cost estimate of \$700 million, the ultimate price tag is now expected to be at least \$4 billion and possibly much more.

Under these circumstances Congress has become more and more reluctant to vote money for Clinch River. This spring it became obvious that the project would die unless the electric utilities and the nuclear industry agreed to pick up a substantial share of the costs. The resulting "cost-sharing" plan that has now received the President's backing was accurately described by Rep. Richard L. Ottinger as a "sham . . . an insult to the intelligence of Congress and the American people."

Under the proposal the federal government would spend \$1.4 billion on top of the \$1.5 billion that it has already sunk in the project. Private industry, which so far is committed to paying only \$257 million of the total cost, would raise \$1 billion more through the sale of bonds and equity shares in the project.

The catch is that these securities would be guaranteed by the federal government. In other words virtually the entire risk would be assumed by good old Uncle Sugar.

It's incredible that a President who has so often lectured on the evils of federal spending in general and subsidies in particular would throw his weight behind such an arrangement. It's up to Congress to save the American taxpayer from the consequences of this particular folly.

[From the Washington Post, July 20, 1983]

#### DOUBLE STANDARD AT CLINCH RIVER?

The Clinch River breeder reactor is the great exception to the Reagan administration's rule against energy subsidies. The White House has never subjected the breeder to the same standards that it has applied elsewhere. Another attempt to rescue the breeder is now taking shape, and once again it requires an exemption to all the Reagan strictures against public spending and lending.

Congress refused any appropriation this year for Clinch River, declaring that there will be no more federal money until and unless somebody comes up with an acceptable plan for a larger share of private money. Part of the electric power industry has now come up with a proposal. The private money would be mainly in the form of loans guaranteed by the federal government. But guaranteed loans are not everybody's idea of a private contribution.

To complete the breeder reactor would, according to the Energy Department, take a further six years and \$2.4 billion. The current financing plan comes from the Breeder Reactor Corp., which represents a group of utilities supporting the Clinch River



project. This plan proposes that the utilities contribute another \$150 million in equity, and the government put up \$1.5 billion. The remainder would be raised by the guaranteed bonds, to be paid off by the breeder's power sales.

One obvious difficulty is in the utilities' contributions. State regulators are not visibly enthusiastic about allowing the utilities to pass them on to customers in their power rates.

As for the bonds, Sen. Gordon Humphrey points out that the arithmetic of repayments depends on some cost estimates that seem low and a predicted price for breeder power sales that looks remarkably high. The idea of the bonds arrives in a season when there seems to be rising concern both in Congress and in the administration over the scale of federal lending, and over the use of loans to circumvent the restrictions of a tight budget. It's a bad practice. Why make an exception for Clinch River?

The breeder reactor has only one justification. It gets more energy out of a uranium atom, by recycling it, than the present commercial reactors do. The Clinch River breeder was conceived at a time when it looked as though a uranium shortage lay ahead. But with new uranium discoveries, the economic case for the Clinch River breeder has evaporated at just about the same rate at which the construction cost estimates have been rising.

The immediate question is whether the White House will support this current financing plan with its \$1.5 billion appropriation and its bond guarantees. If it applies the same standards to the Clinch River breeder that it applies to all the other energy technologies, the question will answer itself.

[From the Washington Times, July 27, 1983]

#### CLINCH RIVER AND CORPORATE WELFAREISM (By Smith Hempstone)

You have to wonder what Senate Majority Leader Howard Baker has in mind with his apparent willingness to endorse a scheme to keep alive the Clinch River breeder reactor. Getting his fingerprints all over this monstrosity won't do him any good in pursuing the GOP presidential candidacy in 1988. By then, it will be all too clear just how much of a fraud on taxpayers Clinch River is.

When the project was first authorized in 1971, it was supposed to cost \$400 million, with the nation's electric utilities signing up to contribute \$257 million. A year later, the projected cost jumped to \$700 million, but the utilities demanded their share be frozen at \$257 million.

Now the Energy Department admits the project will cost at least \$4 billion to complete. Congress hit the roof over this, with the House defeating a funding bill which carried in the Senate by only one vote.

The lawmakers told the Energy Department to look at alternatives, "including re-consideration of the original cost-sharing arrangement, that would reduce federal budget requirements" for Clinch River. The upshot was a recommendation that the government use revenues that might be made from the sale of electricity from Clinch to back guaranteed bonds for the project. But those revenues were originally supposed to go directly into the U.S. Treasury to offset the project's costs.

Reception to this by Congress was cool, with its General Accounting Office noting that "the federal government still appears

to retain most risks if the project fails or if cost overruns occur."

Nevertheless, the plan Baker has to decide to snub or go for now calls for Congress to obligate, in one up or down vote, \$1.5 billion over the next seven years for construction. Just perfect for Clinch backers, since it would remove the issue from further congressional consideration for seven years.

Even lovelier for the nuclear industry, who wouldn't have to kick in another dime of its own. The proposal talks about another \$175 million from the utilities, but this is already what they owe from their original pledge of \$257 million plus interest.

The utilities insist they will not participate unless they're guaranteed tax benefits and a fixed rate of return on the bonds. And for good reason from their viewpoint. Although industry claims it's going to put up risk capital or equity shares worth \$150 million, it wants the money to come from the taxpayers—that is, from the tax benefits the plan hands to industry.

The utilities, further, assume no additional risk for failure, delay or cost overrun. In fact, their plan emphasizes the government (i.e., the taxpayers) must guarantee all the tax benefits and a full return on investment plus interest for the government-guaranteed bonds. Never mind if the project costs more than expected, fails to work as well as expected, or never gets built, or if there's no market for the electricity it may or may not produce. Talk about corporate welfareism!

Energy Secretary Don Hodel has admitted that building Clinch River isn't necessary for maintaining America's position in breeder-reactor technology because our basic breeder research program would do the job. This basic breeder research is funded separately from Clinch and is already costing the government some \$300 million a year. Apparently industry agrees with Hodel, since it doesn't think it should share Clinch River's costs by increasing its share of contributions beyond the measly 9 percent it has pledged—9 percent of \$4 billion!

You want to know how this compares with other nations' cost-sharing on breeder work? Well, West Germany requires private industry to pay—not loan—29 percent, and when costs increase, the German private sector's share must escalate accordingly.

Japan, which supposedly is the world-champion at government-private industry coziness, requires at least 20 percent private-sector direct payments (not loans) to finance its commercial breeder effort. By the way, the U.S. utility industry originally offered to pay for half of Clinch River.

The French breeder program is paid for entirely by utility rate increases and foreign cost sharing: 51 percent by the French national utility, 30 percent from an Italian utility, and the balance by a consortium of German, Belgian and Dutch utilities.

You might put this question to Sen. Baker and to the free-marketters of the Reagan administration, who apparently remain enamored of the project: Will the plan increase the private sector's management stake?

A "yes" would be hard to explain, since it's the Energy Department that would get even more say and less public scrutiny. If you think that's a smart idea, you have forgotten the mess that department made of oil and gas distribution and pricing before President Reagan ended controls on the petroleum industry.

The fact is, this plan continues to insulate industry from risk. So why in the world would Baker even consider pushing a plan

like this on the public? People who know him say when he has a chance to review what this plan is really about, he'll recognize it's not worth the game and that the real issue isn't this project but, as Secretary Hodel points out, keeping the basic breeder program going in order to retain the U.S. lead in this technology, which is what Baker says is his primary concern, too. ●

#### NATIONAL INTEREST, NOT SPECIAL INTEREST: A PERSPECTIVE ON EMINENT DOMAIN

HON. WILLIAM F. CLINGER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. CLINGER. Mr. Speaker, The House is likely to be considering H.R. 1010, the proposed Coal Pipeline Act of 1983, sometime following the Labor Day recess. As many Members are aware, legislation to grant the right of Federal eminent domain to coal slurry pipelines has been considered by the Congress—in one form or another for over two decades. In spite of this fact, there remains a great deal of misunderstanding in the Congress as to just what eminent domain is. Needless to say, opponents of coal pipeline legislation have gone out of their way to characterize the eminent domain provision of H.R. 1010 as something new and monstrous which is special interest legislation of the first magnitude.

I would like to try and bring some perspective to this issue by first pointing out that eminent domain is defined as the right of a government to take private property for public use by virtue of the superior dominion of the sovereign power over all lands within its jurisdiction. This dictionary definition, however, falls short of describing the way this process has been employed in the United States.

Since the early days of the Republic exercise of this power at all levels of government has not been limited to obtaining property for such government facilities as schools and courthouses or such public services as water and sewer systems. It also has been employed to construct highways and waterways, which are then used by private truck and barge companies. This has allowed private enterprises to serve a broad range of public needs, using these public facilities. Some of the cost is recovered through taxes and fees charged the private users.

Eminent domain also has been applied to encourage the private sector to build facilities for its use on Government-controlled property. For example, millions of acres of public lands have been granted to America's privately owned railroads to foster development of a nationwide rail system. And privately owned companies are certificated to use the eminent domain process for acquiring rights-of-way for

certain pipelines—that is natural gas—and electric transmission lines, which they construct and operate. All these transportation modes were deemed to be in the national interest and vital to our economic growth and welfare. The courts have upheld this grant of Federal power to private corporations and have not limited it to the taking of property by the Government itself. The rationale has been that the delegation of this power to corporations and other agencies is proper if it is to be used for the purpose of carrying out any public use within the control of the Federal Government.

Thus, as the Nation's transportation needs have grown and technology has developed, access to eminent domain has been broadened to permit and encourage the private sector to serve the public interest. This has allowed the Government to leave to the private sector the operation of a vast transportation network—much of it constructed with private capital.

A significant addition to America's transportation network is now possible as a result of further advances in technology. Pipelines can be built for the delivery of coal, making this abundant domestic energy resource more available for use in electric generation and industry and helping to ease the Nation's dependence on imported oil. But companies eager to use private capital to construct and operate coal slurry pipelines, to serve the public interest in efficient, reliable, economical energy delivery, are being blocked. They do not have access to the Federal eminent domain process. This means they cannot use the courts to resolve disputes over acquiring easements across private property for construction of interstate coal pipelines.

While a few States have eminent domain for coal pipelines, in most of the Nation today it is possible for any private property owner, for whatever reason, to simply refuse to negotiate—and as a result, frustrate the public interest. Obviously, an operator of an existing coal transportation system such as a railroad can deny an easement—even when that system's right-of-way was acquired through the eminent domain process. Thus, a private interest can bar competition.

The railroad industry lobbies vigorously to exclude coal pipelines from Federal eminent domain. It opposes legislation now pending before Congress to bring this advanced transportation mode under the public interest umbrella.

Consumer organizations, coal producers and users, environmentalists, unions, cooperatives, and others concerned with energy delivery efficiency are allied in seeking congressional approval of Federal eminent domain for coal pipelines. I, therefore, urge my colleagues to support H.R. 1010 when it reaches the House floor.●

## VOTE TO SUPPORT OUR NATION'S SMALL BUSINESSES

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. LENT. Mr. Speaker, we will soon consider H.R. 2867, the Hazardous Waste Control and Enforcement Act of 1983. Mr. SHELBY and I will offer an amendment to provide for fair and enforceable regulations of small generators of hazardous waste.

I wish to print, for the benefit of my colleagues, a bipartisan "Dear Colleague" letter, which went out on July 25, 1983, and the text of the Shelby-Lent amendment.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, D.C., July 25, 1983.

### VOTE TO SUPPORT OUR NATION'S SMALL BUSINESSES

DEAR COLLEAGUE: The House will soon be considering H.R. 2867, the Hazardous Waste Control and Enforcement Act of 1983 which reauthorizes the Resource Conservation and Recovery Act ("RCRA"). RCRA governs the disposal of hazardous waste from the "cradle to the grave" in this country. An amendment will be offered on the House floor, sponsored by Representatives Shelby and Lent, to Section 3 of H.R. 2867 which regulates small generators of hazardous waste. That amendment will protect hundreds of thousands of small businesses from facing a confusing, complex, and costly system of regulation, while ensuring a high level of environmental protection for the American people.

Section 3 now contained in H.R. 2867 will, for the first time, bring hundreds of thousands of small businesses such as dry cleaners and service stations under the RCRA regulatory system. Unfortunately, the way Section 3 is currently drafted, it carries the strong potential to seriously disrupt the ongoing RCRA regulatory program by forcing these small businesses to comply with a confusing and potentially unenforceable system of regulations. It does this in the following way.

Under current regulations, all those who generate in excess of 1000 kilograms per month of hazardous waste (large generators) are subject to the full RCRA regulatory system. Those generating less than 1000 kilograms per month (small generators) are exempted from RCRA regulations (except for acutely hazardous wastes which are regulated to 1 kilogram/month). Section 3 of H.R. 2867 lowers the small generator exemption from 1000 kilograms/month to 100 kilograms/month and directs the Environmental Protection Agency to write regulations tailored to small generators of hazardous waste. However, Section 3 also says that if the EPA fails to act within the prescribed statutory deadline, the small generators are automatically subject to the large generator regulations ("hammer"). Since EPA rarely meets statutory deadlines, we must question whether it is proper for the Congress to hold small businesses hostage against EPA's likely inability to meet arbitrary legislative deadlines.

Another major concern we have with Section 3 is that, within 90 days of enactment, it requires any business that generates more

than 25 kilograms/month of hazardous waste to manifest such waste, for purposes of notification to transporters only each time it is shipped off-site. Section 3 would, therefore, set different compliance levels for notice (down to 25 kilograms/month) and regulations (down to 100 kilogram/month). This dual system of notification at one level and regulation at another level is confusing and will create an unworkable and unenforceable regulatory program.

Balancing proper environmental controls on the hazardous waste from small generators with a reasonable regulatory and financial cost to small business is possible. We believe the Shelby-Lent amendment to Section 3 achieves this result as follows:

It removes the "hammer" from Section 3 but provides that small generator waste be disposed of properly if EPA fails to act in a timely fashion. Thus, it retains the essential environmental protection elements of RCRA but relieves the small generators from many of the burdensome and costly requirements designed for larger, more sophisticated hazardous waste generators.

It raises the notification level from 25 kilograms/month to 100 kilograms/month so that the regulatory requirements on small generators will be more consistent and less confusing. We urge you to oppose any amendments which may be offered on the floor which would lower the notification requirements below 100 kilograms/month.

#### THIS WILL ENSURE A WORKABLE AND ENFORCEABLE PROGRAM

Further, the Shelby-Lent amendment adopts word for word a compromise agreement arrived at earlier this year by major environmental, business and academic organizations such as:

Environmental Defense Fund  
American Council on Education  
American Retail Federation  
Chamber of Commerce of the United States  
Furniture Manufacturers Associations  
Sierra Club  
Nat. Association of Manufacturers  
Nat. Audubon Society  
Nat. Oil Jobbers Council  
Printing Industries of America.

These groups felt the language of the amendment was reasonable and workable; we hope you will agree and vote for the Shelby-Lent Amendment to Section 3 of H.R. 2867 when it is offered on the floor.

Sincerely,

Richard C. Shelby, Charles W. Stenholm, Ralph M. Hall, C. Robin Britt, Norman F. Lent, Thomas J. Tauke, James T. Broyhill, Don Ritter, W. J. (Billy) Tauzin.

[Amendment to H.R. 2867]

Page 5, strike out line 20 and all that follows down through line 11 on page 9 and substitute:

#### SMALL QUANTITY GENERATOR WASTE

SEC. 3. Section 3001 of the Solid Waste Disposal Act is amended by adding the following at the end thereof:

"(d) SMALL QUANTITY GENERATOR WASTE.— (1) Effective 30 months from the date of enactment of the Hazardous Waste Control and Enforcement Act of 1983, unless the Administrator promulgates standards as provided in paragraph (2) of this subsection prior to such date, hazardous waste generated by any generator in a total quantity greater than one-hundred kilograms but less than one-thousand kilograms during a calendar month shall be subject to the follow-



ing requirements until the standards referred to in paragraph (2) of this subsection have become effective:

"(A) in addition to the notice requirements of paragraph (4) of this subsection, the information provided in the form shall include the name of the waste transporters and the name and address of the facility designated to receive the waste;

"(B) except as provided in paragraph (3)(A) of this subsection, the treatment, storage or disposal of such waste shall occur at a facility with interim status or a permit under this subtitle;

"(C) generators of such waste shall file manifest exception reports as required of generators producing greater amounts of hazardous waste per month except that such reports shall be filed by January 31, for any waste shipment occurring in the last half of the preceding calendar year, and by July 31, for any waste shipment occurring in the first half of the calendar year; and

"(D) generators of such waste shall retain for three years a copy of the manifest signed by the designated facility that has received the waste.

Nothing in this paragraph shall be construed as a determination of the standards appropriate under paragraph (2).

"(2) Not later than eighteen months after the date of enactment of the Hazardous Waste Control and Enforcement Act of 1983, the Administrator shall promulgate standards under sections 3002, 3003, and 3004 for hazardous waste generated by a generator in a total quantity of hazardous waste greater than one-hundred kilograms but less than one-thousand kilograms during a calendar month. Except as provided in paragraph (3) of this subsection, such standards, including standards applicable to the legitimate use, reuse, recycling, and reclamation of such wastes, may vary from the standards applicable to larger quantity generators but must be sufficient to protect human health and the environment.

"(3) Standards promulgated under paragraph (2) shall at a minimum provide that:

"(A) on-site storage of hazardous waste generated by a generator generating a total quantity of hazardous waste greater than one-hundred kilograms but less than one-thousand kilograms during a calendar month, may occur for up to 180 days without the requirement of a permit;

"(B) all other treatment, storage, or disposal of hazardous wastes generated by such generators shall occur at a facility with interim status or a permit under this subtitle; and

"(C) any hazardous waste generated by such generators which is shipped off the premises on which such waste is generated, shall be accompanied by a manifest, except that the specific requirements for entries on such manifest may vary from those applicable to the manifest required for larger quantity generators.

"(4) No later than 180 days after the enactment of the Hazardous waste which is part of a total quantity generated by a generator generating greater than 100 kilograms but less than one-thousand kilograms during one calendar month and which is shipped off the premises on which such waste is generated shall be accompanied by a copy of the EPA Uniform Hazardous Waste Manifest form signed by the generator. This form shall contain the following information:

"(A) the name and address of the generator of the waste;

"(B) the Department of Transportation description of the waste, including the proper shipping name, hazard class, and identification number (UN/NA), if applicable;

"(C) the number and type of containers; and

"(D) the quantity of waste being transported.

If subparagraph (B) is not applicable, in lieu of the description referred to in such subparagraph (B), the form shall contain the Environmental Protection Agency identification number, or a generic description of the waste, or a description of the waste by hazardous waste characteristic. Additional requirements related to the manifest form shall apply only if determined necessary by the Administrator to protect human health and the environment.

"(5) Except as provided in paragraphs (1) through (4), nothing in this subsection shall be construed to affect or impair the validity of regulations of the Administrator promulgated prior to the date of enactment of the Hazardous Waste Control and Enforcement Act of 1983 with respect to hazardous waste generated by generators of less than one-thousand kilograms per calendar month.

"(6) The Administrator may promulgate regulations under this subtitle which establish special standards for, or exempt from regulations, hazardous wastes which are generated by any generator who does not generate more than one-hundred kilograms of hazardous waste per calendar month.

"(7) Nothing in this subsection shall be construed to affect or impair the validity of regulations promulgated by the Secretary of Transportation pursuant to the Hazardous Materials Transportation Act.

"(8) The last sentence of section 3010(b) shall not apply to regulations promulgated under this section.

"(9) The Administrator shall undertake activities to inform and educate the waste generators of their responsibilities under this section during the period within thirty months after the enactment of this section to help assure compliance."●

## BAHA'I TRAGEDY FELT IN IOWA

HON. JIM LEACH

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. LEACH of Iowa. Mr. Speaker, in spite of strong protestations from the U.S. Government and the international community, the Iranian Government continues to defy international law and human decency in its hell-bent effort to exterminate the law-abiding and courageous people of the Baha'i faith.

Unfortunately, the massive tragedy confronting the Baha'is in Iran has also become a personal tragedy for a number of individuals living here in the United States, for whom the victims of the Khomeini regime's campaign of arrest, torture, and execution, are family members and friends.

Just recently, the Daily Iowan carried a report on the recent disappearance in Iran of another active member of the Baha'i faith, Ahmad Bashiri, who is the father of a student now at-

tending the University of Iowa. All concerned citizens must be saddened by this report. This body has no choice but to continue to protest these gross violations of human rights and to join with the international community in holding the Government of Iran accountable for its egregious offenses of human decency. A copy of the article follows:

[From the Daily Iowan, July 22, 1983]

### STUDENT FEELS BAHA'I PERSECUTION

(By Elizabeth Turner)

The father of a UI student was "kidnapped" three weeks ago in Tehran because of his active involvement in the Baha'i faith, whose members are being persecuted by the Iranian government.

Ahmad Bashiri, a former administrator at the National University of Iran, was riding in a taxi with one of his relatives when he noticed that he was being "chased," his son, Mehran Bashiri, a UI junior majoring in Biomedical Engineering, said at a press conference Thursday.

"My father asked the relative to get out of the taxi and that's the last we've seen of him."

The Bashiri kidnapping is only one incident in the ongoing persecution of members of the Baha'i faith since the 1979 revolution in Iran.

In the past four years more than 140 Baha'is have been executed or assassinated, hundreds have been imprisoned and 16 prominent Baha'is have disappeared, said J. Michael Cavitt, spokesman for the Iowa City Baha'is.

Friends and relatives search cemeteries and jails for their missing relatives because Baha'is are sometimes executed and then dumped into cemeteries, Cavitt said.

Bashiri's relations have found no sign of him in either the jails or the cemeteries since his abduction, his son said.

"Appeals to the authorities have so far gone unheeded," Cavitt said. "The government is denying any knowledge of the abduction or the whereabouts of Mr. Bashiri."

"All the Baha'is know that they are in constant danger," Mehran Bashiri said. His father didn't escape the country because "he had commitments with the Baha'is."

The 300,000 Baha'is living in Iran are considered "non-people," Cavitt said. Because their religion was formed after Mohammed, they are not included in the constitution, and therefore they have "no basis in the context of law."

The Iranian government considers the Baha'i faith to be heretical to the Islamic faith. The basic principles of the Baha'is include the belief in the "oneness of mankind, equality between men and women and that peace should be the basic policy in the dealings of different nations," Mehran Bashiri said.

Although the Baha'is have been discriminated against since the founding of the religion 140 years ago, "persecutions have been increasing day by day," Bashiri said. Baha'is have been forced out of their jobs, homes have been confiscated or burned, their cemeteries have been bulldozed and Baha'i children are denied education.

The Khomeini regime has confiscated all of the religion's holy shrines. They bulldozed the "most holy Baha'i shrine and made it into a parking lot," Bashiri said.

"We are shocked by the continuing wanton brutality of the persecution," Cavitt

said. "Within two weeks, 17 Baha'is have been hanged in Shiraz. Many of them were young people."

Baha'is are careful to meet only in small groups in Iran because a large group is in danger of being taken away and executed, Bashiri said.

Last summer, President Reagan issued a formal statement appealing to Khomeini to stop the killings. Congress condemned the persecution in a concurrent resolution.

There are approximately 80,000 Baha'is living in the United States, Bashiri said. Baha'is throughout the world have been writing government leaders and members of international organizations like the United Nations in an effort to stop the persecution.●

H.R. 1646

### HON. JOE KOLTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. KOLTER. Mr. Speaker, I would like to take this opportunity to add my voice to those who supported the railroad retirement bill. I know this is by no means a perfect bill and I know that there is less than unanimous agreement on the bill among labor and management and even among labor itself. I must commend the chairman, Mr. ROSTENKOWSKI and the subcommittee chairman, Mr. FLORIO for their hard work and perseverance in seeking a compromise on this important issue.

Pennsylvania has the highest number of railroad retirees in the country and in the Fourth District of Pennsylvania we have thousands of railroaders, over half of which are unemployed.

As we all know, the railroad retirement system is currently in serious financial difficulty in large part due to the tremendous loss of jobs in the rail industry as a result of the recession. I must add at this point that despite headlines throughout the country that the recession is over and the economy is improving, there is no evidence of that in my district. And in fact every weekend that I return to the district I am reminded of that by my constituents who need help, many of them railroaders.

With the railroad retirement system being put in order we must now address an equally important issue concerning the railroad industry. We must now address the terribly inadequate amount of unemployment compensation paid to railroaders. I urge my colleagues to join with me to call for a reasonable increase to the \$25 a day now paid to railroaders. Who can feed their family, pay the mortgage and the utility bills on \$125 a week?

Let us make up our minds that we will not allow those children to go hungry, that we will not allow those people to lose their homes, that we

will not allow those utilities to be cut off. Let us make up our minds to bring railroad unemployment compensation into line with the compensation paid to other workers.

We can no longer allow railroaders to be treated as second class citizens. I know many railroaders in the Fourth District personally and I can assure my colleagues of one thing—they are first class citizens. Let us treat them as such.●

### RAILROAD RETIREMENT

### HON. THOMAS A. DASCHLE

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. DASCHLE. Mr. Speaker, I am very pleased with the action taken now by the House on H.R. 1646, the Railroad Retirement Solvency Act. Presently, the railroad retirement system faces dire financial difficulties, with bankruptcy just around the corner if we do not act now.

I am well aware that this measure has its drawbacks, and thus I have reservations about offering the bill my unqualified support. Though the measure calls for much needed tax increases among railroad employers and employees, I am somewhat concerned that benefit reductions may have been excessive. But in the best interest of preserving the program and avoiding a Draconian 40-percent cut in retiree benefits on October 1, I intend to support the measure. I am hoping that the short-term sacrifices requested of all those affiliated with the system will bring long-term prosperity to the program.

The problems with railroad retirement are similar to those experienced by social security. A declining base of workers contributing to the program coupled with additional retirees and large cost-of-living increases due to inflation all served as a financial drain. I believe H.R. 1646 will better protect railroad retirement in the future by making structural as well as program changes.

The major changes proposed in H.R. 1646 are: Increased employer and employee taxes under tier II, taxing of tier II and dual benefits as regular income, a modification of the 60/30 rule resulting in a 20-percent cut in tier I benefits for early retirement, and a 6-month cost-of-living increase delay from July 1, 1984, to January 1, 1985. Future cost-of-living increases in tier I benefits will be offset by a corresponding reduction in tier II benefits up to 5 percent.

I might point out that I will support two amendments that will mitigate to an extent the aforementioned changes in the program. The Pickle amendment will move up the date of the tier

II employer and employee payroll tax increases from July 1, 1984, to January 1, 1984. The Florio amendment will grandfather the 60/30 rule for those soon to retire. Those who reach age 60 by June 30, 1984, will be allowed to retire under the conditions of the present tier I system, and those who reach age 60 by December 31, 1985, and opt for early retirement, will have their tier I benefits reduced by 10 percent rather than 20 percent. I support both of these amendments which will further improve the program's solvency, yet provide some protection for those soon to retire.

It is my firm hope that H.R. 1646 containing the Pickle and Florio amendments will keep the system solvent for many years to come. Though I am disappointed in the benefit reductions, things could have been much worse had no action been taken and the October 1 deadline requiring a 40-percent reduction in benefits taken effect. I commend the sponsors of this legislation for their expeditious actions.●

### THE AMERICAN CONSERVATIVE UNION REAFFIRMS OPPOSITION TO MARTIN LUTHER KING, JR., HOLIDAY

### HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1983

● Mr. McDONALD. Mr. Speaker, earlier today the American Conservative Union (ACU) issued a press release reaffirming its opposition to legislation to designate the birthday of Martin Luther King, Jr., a legal public holiday.

Contained in the press release were comments made by one of the founders of the American Conservative Union and a former colleague, the late Congressman John Ashbrook. Unfortunately and regrettably, Congressman Ashbrook was not here to take part in the debate which took place on the floor of the House today. And it is equally distressing that those who should have remembered his words either forgot them or chose to ignore them, for the comments made by Representative Ashbrook back in 1967 are as true today as they were when he first spoke them.

I congratulate and applaud the American Conservative Union for standing firm on its principles and commend the ACU press release to the attention of my colleagues.

The press release follows:

ACU ISSUES POLICY STATEMENT ON MARTIN LUTHER KING, JR., HOLIDAY

The American Conservative Union today reaffirmed its opposition to the creation of a national holiday to commemorate Dr. Martin Luther King, Jr.'s birthday.



In doing so, the Policy Committee of the American Conservative Union felt it was timely to recall the words of one of ACU's founders, the late Congressman John Ashbrook, who on October 4, 1967 said:

"By word and deed, he (Martin Luther King, Jr.) has been a potent force for lawlessness in our country. He has been a scoff-law. He has arrogated to himself the right to pick and choose the laws he will obey. He has set a poor example for others to emu-

late. He has countenanced draft evasion. He has been disloyal to his own country.

"In an age when our country needs statesmen and builders, he has been a demagogue and wrecker. Many of his ideas are alien to our way of life. In America, he can constitutionally say virtually anything he wants and command any following that he can muster for legitimate pursuits. It is important, however, that he be understood in his true perspective so honest and well-meaning Americans will not be duped because they did not

fully understand the man, his mission, and his tactics."

To put Martin Luther King, Jr. on a par with George Washington and Abraham Lincoln would be an insult to the many millions of Americans who were and are striving to achieve through peaceful means what Martin Luther King, Jr. could not accomplish with a decade of lawlessness and violence—equality of opportunity and justice under the law.●