

## EXTENSIONS OF REMARKS

RUTH HARDIN

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. HOYER. Mr. Speaker, I rise to pay tribute to a loyal servant of this House.

Ruth Hardin is winding up 23 years of hard work, long hours, and devoted service as an expert transcriber in the Office of Official Reporters.

This followed a career in the private sector where she garnered the skills she brought to bear here for the House.

We wish her well in her richly deserved retirement, in the company of her children, Kathy, Mitzi, and Gary, along with her grandchildren and friends.

All her colleagues here in the House join me in saying to Ruth, "Remember us; come back to see us."

I thank the Speaker.●

## THE BUILDING OF A CROSS

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. PEPPER. Mr. Speaker, one of the most beautiful stories of devotion of a parent to a child is a story of Gen. Sumter L. Lowry about the building of a cross by General and Mrs. Lowry of Tampa, Fla., and Waynesville, N.C. in memory of their daughter Lyn who died at the age of 15. The cross is situated on top of 6,280 foot Mount Lyn Lowry in Waynesville, N.C., and is illuminated so that it can be seen from some 40 miles away.

Major General Lowry, U.S. Army (Retired), holds 14 decorations from the two world wars. In addition, he served for some 14 years in the Florida National Guard, entering as a captain in 1914 and attaining the rank of brigadier general by the time he left the Guard in 1934. This service was interrupted by a period of Federal service in the border patrol and overseas national service.

General Lowry has told the inspiring story of the building of this cross in honor of his and Mrs. Lowry's beautiful daughter Lyn in a little pamphlet, "The Cross of Christ—Mount Lyn Lowry—I Believe in Miracles." That beautiful story of parental devotion and reverence for God and devotion to

Christianity is one of the most moving stories I have ever read. I had the privilege of visiting General Lowry for a second time recently on his 90th birthday with a group of admiring friends at General and Mrs. Lowry's lovely home near Waynesville in the latter part of August of this year and General Lowry, still mentally keenly alert and active at 90, gave me this little pamphlet telling this moving story.

Mr. Speaker, I submit General Lowry's story for the CONGRESSIONAL RECORD to appear immediately following my remarks because all who read it will be better Christians and better parents and will share my esteem and affection for this great American who has done so much for his country, Gen. Sumter L. Lowry.

## I BELIEVE IN MIRACLES

(By Sumter L. Lowry)

## WE BUILD A CROSS ON A MOUNTAIN TOP

I believe in miracles. Yes, I believe in miracles because they have happened to me. This is a story of a series of miracles which occurred before, during and after the building of the Cross on Mt. Lyn Lowry. Each miracle was related to and had a direct bearing on this project.

Some things in life just happen without any reason. Some things happen by accident. But, other things happen by divine purpose and direction. The building of the Cross on Mt. Lyn Lowry in Waynesville, North Carolina was surely done by divine direction.

First, let me tell you why it all started. When the good Lord decided that He needed another angel in heaven and took our little daughter, Lyn, to be with Him, we felt that we had suffered a loss from which we could never recover. For Lyn was truly an unusual girl. She was a dedicated Christian with complete faith. She was beautiful and smart, tender and loving—yet she had a great deal of courage and fire. Lyn was an inspiration to all who knew her. We were so proud of her.

But, as time went on we realized that the only thing we could do was to accept the loss as the Lord's Will and be grateful for the fifteen years we had her. We also felt that she must have been put on this earth for some particular purpose. Because she was such a great Christian, we wanted to do something which would glorify Jesus, our Lord and Savior, perpetuate Lyn's memory and spread joy throughout the land.

After considering a great many projects, we decided that we would put a lighted Cross on top of a high mountain in North Carolina. We would build this Cross large enough to be seen for thirty or forty miles around, both day and night. This Cross would be a symbol of faith and would radiate Christian influence to all who saw it. As the project took shape in our minds we felt that the Lord would bless our efforts and let us complete this difficult task. So Lyn's mother, Ivilyn, and I made plans for the

building of a steel cross on top of this beautiful and majestic mountain.

The record of each miracle as it happened now follows:

## WE GET IN THE STEEL BUSINESS

The story begins in Jacksonville, Florida before Lyn was born in a way that I did not realize at the time would later prove to be a key incident contributing to the erection of the Cross as ninety percent of the material that went into the building of the Cross was steel. In 1940 I was living in that city and my office was in the heart of the downtown area. One day I had to go to the bank which was several blocks away. On my way it was necessary for me to cross one of the crowded streets which had a four-way pedestrian crossing at one of the main intersections. In the middle of the street which was crowded with people coming from four directions I ran into an old friend of mine who was crossing the same street from a different angle. We met in the center of the street. Both of us were surprised. I asked him how he was getting along, to which he replied that he was very unhappy. I said "What's the trouble?" And he answered, "It is too long a story to tell here." I suggested, "Let's go back to the sidewalk and talk about it. Maybe I can help you out." He told me this story.

He was the owner of a steel fabricating company in Jacksonville. Certain interests in Miami were building a twenty-story skyscraper in that city and my friend had the contract to fabricate and erect the steel. It turned out that his plant had made an error in calculation and all the holes bored in the steel beams and columns were  $\frac{1}{8}$ " off line and when the steel was fabricated and shipped down to the building site in Miami, it would not fit together. This error had cost him a lot of money. My friend said he was tired of trying to operate this plant with incompetent personnel. I said to him "Why don't you do something about it?" He answered that he would like to sell the plant and get it off his hands. I asked "How much do you want for it?" He told me and it was a sum much larger than I was capable of handling alone. I had no possible use for a steel plant but I had a strong feeling that I ought to buy the plant anyway. For what reason I did not know.

Without further conversation I told him "All right, I will buy the plant." This decision and my association with the steel industry made it possible to take the first step in the building of this steel cross.

As soon as we had taken over the plant I realized that we needed a competent man with experience in the steel business to operate it. The Lord led me to a friend who at that time was a successful operator of a steel plant in another city. This friend immediately agreed to join forces with me and provide the practical experience necessary for the operation of a steel plant.

I did not realize at that time but this occurrence was certainly the first miracle. Everything fell into place. The Lord provided the meeting place with the man who owned a steel plant. He made the climate right for me to buy it. I did not have the money to

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

buy it yet, God provided me with the instinct to go ahead anyway and made it possible for me to raise the money. He gave me a capable man to operate the plant. A steel mill was the most necessary ingredient in building the Cross and I solved that problem twenty years ahead of time without even knowing it.

#### GOD LEADS ME TO WAYNESVILLE, N.C.

The second miracle concerned the place to put the Cross and how God's Hand was revealed in this problem. This is how it happened.

During the summer of 1953, my wife, Ivilyn, and I wanted to take a short vacation somewhere in North Carolina. We got in the car and headed north. When we reached Waynesville we decided we would spend a few days to look around. As a result of this stop we liked the area so well we bought a small lot and started building a house on it. During the winter while it was being built I made a trip back to North Carolina to check on the progress. I stopped at a motel which belonged to a family who had lived in Waynesville for four generations and owned a great deal of property in the area.

It was very cold and one night as we sat around a big roaring fire I commented to the owner how much we liked this neighborhood. After a few minutes conversation, right out of the blue he said, "General Lowry, why don't you buy one of my mountains?" I replied, "Why in the world would I want to buy a mountain? Living 600 miles away from Waynesville, I would not have the slightest interest in or use for a mountain."

For some unknown reason I asked him how much he wanted for the mountain and where was it located. He quoted me a price and said the mountain was just west of Waynesville. I casually said to him that I would check with some friends of mine who lived here and would talk to him about it tomorrow. The next morning I did talk to my friends. They urged me to go ahead and buy the mountain. I contacted the owner and with very little difficulty made the deal and bought the mountain. This turned out to be the present location of the Cross. At that time I did not understand why I took this action as I certainly did not need a mountain. This was years before Lyn's death and we, of course, did not know what God had in mind. We now realize that it was all part of His plan.

After we lost Lyn, when Ivilyn and I were considering a memorial for her, God put the thought in my mind that this would be the place for a memorial and a cross was the proper symbol. This mountain proved to be the ideal spot. Later, the United States government and the state of North Carolina named this magnificent 6,280 foot peak Mt. Lyn Lowry. We did not realize it then but we had acquired the two major ingredients needed—the land on which to put the Cross and the steel to make it out of. All of this came about by two miracles which the Lord had worked.

#### GRIZZLY BEAR

Up to this time God has selected the material to be used to build the Cross and the mountain on which to put it. One other major ingredient now needed was a man to carry out God's wishes and it was my good fortune to have been selected to do this job for Him. I will tell you the story of the miracle of the encounter with a grizzly bear in the mountains of Canada.

In 1957 Ivilyn and I were taking a trip throughout Canada and stopped at Lake

Louise for a short visit. Lake Louise is at the base of the beautiful Victoria Glacier. It was formed ages ago by glacier action. It is a very deep lake with the mountains coming almost down to the water's edge on three sides. There was, however, a path about four feet wide which circled the lake and followed the stream which led to the glacier cliff.

Ivilyn and I thought we would take a walk down this trail and perhaps get all the way up to the base of the glacier. It was late in the year and very few people were in our hotel and only a few tourists were out on the trails leading from the hotel. After a short walk on the trail we realized that the glacier ahead was too far away so we turned around and started back.

We were about half way around the lake and as I was walking a little bit faster I had gotten about 200 yards ahead of Ivilyn on the narrow path with the lake on one side and the steep incline of the mountain on the other. I looked up and about 100 yards ahead of me coming down the trail was a huge grizzly bear standing on its hind legs. I didn't know what to do but I hollered to Ivilyn "Come up here quickly. There is a bear on the trail." I started back to meet her. I didn't want to run because I knew that this was the wrong thing to do.

In a short time I met her about half way. I looked around to see what we could do to get off the trail. The mountain side was too steep to climb but fortunately there was a large rock in the lake which was separated from the trail by about 3 feet of water. I jumped out on this rock and told her to jump to me. She did and I caught her and pulled her up on the rock.

We looked down the trail again and instead of one bear there were three bears on it. There was the huge Papa bear, the big Mama bear, and a baby bear behind her. The bears came right up to us within ten feet of the rock. The big bear was swaying backwards and forwards with his mouth wide open and his tongue hanging out—a fearsome looking thing. I didn't know what to do. I had a little light walking stick in my hand which, of course, would not have been of any value at all. We were practically frozen with fear.

To show you how the good Lord takes care of people whether they deserve it or not, just at the crucial moment the little bear came up behind the Papa bear and bit him on the leg. With that, the Papa bear swiped at him with his paw and knocked him head over heels down the path. The cub yelped and bellowed then picked himself up and ran up the steep side of the mountain. The Mama and Papa bears turned around and followed him and we were saved from disaster by the Lord and our friend, the little bear cub. It was really a close call.

To me this story was without a doubt a miracle performed here to save Ivilyn and me from harm and make it possible for us to carry out God's wishes. There is no question whatsoever that God instructed that baby grizzly bear to bite his papa on the leg. For it was the only thing that stopped the big bear and turned him away from us. This was truly a miracle, for 3 foot baby bears don't usually bite 7 papa bears unless motivated by God to do so.

This miracle together with the purchase of the steel plant and the selection of the mountain happened before Lyn's death and was all part of God's long term Plan to put a cross on the mountain. Of course, Ivilyn and I knew nothing about it at the time.

#### GOD GIVES US A SIGN FROM HEAVEN

The Cross was actually built at the Jacksonville, Florida steel plant which God had made available for our use. It was constructed laying flat on the ground and after completion cut up into five parts, loaded on trucks and carried to the base of the mountain where it was then dragged by bulldozer to the top of the mountain for assembly. During this stage of the operation the exact spot on which to place the Cross had to be determined. I made a very careful study of the terrain and the viewing area and after deciding on a general area on the mountain where it would be placed, I took a group of five men up there for a ground reconnaissance.

In this group was the construction foreman and other key men who had to do with the actual erection of the Cross. It was a long and tough struggle to reach the top of the mountain, especially the last 2 or 3 hundred feet which meant virtually climbing the face of a cliff. We finally made it and after careful ground review I decided just where we would put the Cross so that it would be seen by as many people as possible from Waynesville and surrounding valleys.

The top of the mountain was covered with a thin layer of humus from 12 to 24 inches deep. When I was ready to give the word as to the exact spot, I told our construction foreman "Miller, drive a stake right here. This spot will be the center of the Cross."

When the actual building of the Cross began that spot was excavated down to the bare rock and exactly under this stake where the Cross was to be placed—What did we find? A RUSTY HORSE SHOE!! To me, this was a sure sign that God had given his stamp of approval and would make it possible for us to complete the assembly of the Cross on the mountain top. All through the Bible there are references to signs from Heaven. There is no doubt that this was a sign from Heaven which said "Go ahead full steam. The job can be done."

#### MEN AND EQUIPMENT

Another miracle wrought in the building of the Cross is the fact that the job was done without any modern equipment or technical help.

The only equipment we used in this undertaking was; a powerful truck, a bulldozer, a portable concrete mixer, a gin pole, a portable welding machine, four World War II jeeps and plenty of dynamite.

We had no trained engineer or building expert to direct the work and make critical decisions. I was the nearest thing to an engineer we had. It had been the artillery officer of a division in the army and had had experience in moving heavy equipment over difficult ground. Perhaps the Lord felt we would just have to get along the best we could with me to fill the place of an engineer.

We were very fortunate in securing the assistance of a small but dedicated group of mountain men—all from this section of North Carolina. The erection of the Cross soon became a crusade for them and obstacle after obstacle was overcome by the hard work and dedication of this crew of fine mountaineers.

When the Cross was finished our crew was bursting with pride to see the result of their labor in the sight of this beautiful white cross standing where they had put it. It took a little better than a year to build the Cross and not one single injury occurred during that time. Surely, God was watching over His people.



## THE MIRACLE OF THE ROCK

The devil was naturally very much displeased to see this Cross erected on Mt. Lyn Lowry and did everything he could think of to put obstacles in our way. But, God being on our side, took counteraction to offset and thwart the plans of the devil.

To illustrate—the devil threw a rock at me and caused it to land on top of the jeep I was driving. This happened during a dynamite blast while cutting the road out of the rock cliff near the top of the mountain.

When I approached the spot where the blast was to occur one of my men was standing on the path. He stopped me and said there was to be a dynamite explosion in just a few minutes and that I had better get out of the jeep and behind a tree on account of rock fragments which would be flying in the air. I did not think this was necessary but this man insisted. So, I finally got out and stood behind a big balsam tree. Just at that moment the blast was ignited and a huge rock was thrown into the air. It landed on the top of my jeep going through the canvas cover knocking a hole entirely through the seat where I had just been sitting.

There is no doubt in my mind that the Lord was watching over me so that I could complete this job which He had appointed me to do. This was surely a divine miracle. No doubt about it.

## WE LIGHT THE CROSS

While the details of the Cross were being worked out, the problems of lighting was a very important one and one that was difficult to understand because there were no experts on outdoor lighting in this small rural community. I had made considerable effort to find the right man to help me with this problem but had had no success. About that time, the Lord stepped in and made the job easy.

I suddenly remembered that fifty years before I had a classmate during my college days who became head of the lighting department of one of the largest electrical companies in the United States. I immediately contacted him and asked if he would help us. He was glad to do so, putting at our disposal one of his lighting engineers. This man designed a lighting system so that the Cross could be seen from forty miles away.

This may not have been a miracle but it sure was a big help in solving our lighting problem. God had me firmly by the hand and led me every step of the way. With His Help, nothing could stop us and nothing did.

## LIGHTNING STRIKES THE CROSS

After the Cross was completed the devil took out after us in the form of lightning bolts. Over and over again lightning struck all around the Cross and actually struck the Cross on one or two occasions. But, no damage was ever done. The ground where the lead off lightning wires are located was torn up but no damage has been done to the Cross. Dozens of electrical storms have passed over the Cross during the last twenty years but under God's loving care the Cross still stands unharmed.

## GEORGE WASHINGTON'S SPIRIT STANDS GUARD

After we had completed the Cross on top of Mt. Lyn Lowry, I was roaming around up there one day and just at a certain point I was able to see a large rock lying on the ground between two trees. I happened to glance at it at just the right angle and to my astonishment there was the head of George Washington looking like it had been formed in stone. I was so amazed that I thought maybe it really was a carving but when I

went over and looked at it from another angle, it did not have the likeness at all. But, viewed at a particular point it is really a good profile of Washington.

It so happens that this rock is located on the old Indian trail joining Balsam Gap to Soco Gap. History tells us that before the Revolutionary War, George Washington was commissioned to survey parts of the unsettled territory of the Colonies; and, it is entirely possible that he could have visited this area and seen this rock himself.

Everyone knows that George Washington was a true Christian and our number one patriot. Perhaps the Lord put that rock there as a sign that our country's great national hero is there in spirit to stand guard over the Cross.

I am sure that this rock has some significance but we will just have to be patient about God revealing the meaning.

## BILLY GRAHAM DEDICATES THE CROSS

When the Cross on top of Mt. Lyn Lowry was completed Ivelyn and I were so pleased with the results that we wanted to have a dedication ceremony which would be in keeping with the great importance of the Cross and its spiritual meaning. We felt that the one man we would particularly like to dedicate the Cross would be the famous evangelist, Billy Graham.

He is one of the most consecrated Christians in the world and it would be an honor and give it great spiritual prestige and dignity if we could persuade him to come. I had known Dr. Graham casually for several years but we felt that for the invitation to be accepted it would have to come from some person close to Dr. Graham. This problem was quickly solved when the Lord led me to talk to a friend of mine in Waynesville who, as it turned out, was a very close friend of Billy Graham's. The invitation was extended personally by this man and without hesitation Billy said he would be glad to come as he felt it was of sufficient religious importance for him to give of his busy time. The speedy acceptance of this invitation was in itself a miracle directed by God for, as you know, Billy Graham is one of the most sought after speakers in the world and we were so fortunate to have him agree to come to the mountain.

## DEDICATION CEREMONY

August 9, 1965 was the date set for the dedication. Let me tell you of the miracle which happened at the actual ceremony. We did not care to make the dedication a public affair. But, together with our family and close friends we did want to include all the men who actually took part in the building of the Cross. Also, we wanted to invite those state and county officials who had been kind, and helpful in the building of the Cross along with the religious leaders who had been interested in the project.

On the day of the dedication Billy Graham and the rest of the party, about 75 people, assembled at the base of the mountain and were transported in 4-wheel drive vehicles which were necessary to get them to the top of the mountain. I drove Billy in my personal jeep and had an opportunity to talk to him about the importance of the project. He expressed the opinion that it would be one of the great Christian memorials anywhere in the United States.

Now when we left the base of the mountain, the weather was very threatening. In fact, there was a black cloud all over the mountain; and, by the time we reached the half-way point the clouds were so thick that

we could hardly see to drive. But, we were determined that we would go on through with the dedication no matter what the weather held. When all of the people were in place and the introductory speeches had been made, the beautiful hymn, "How Great Thou Art" was sung and prayers offered. It was now time to introduce Billy Graham to make the dedication.

The huge black cloud still hovered over the top of the mountain and it looked like it was going to rain any minute. Then a miracle took place! Just as Dr. Graham got up to speak the clouds overhead parted and a shaft of sunlight came through the opening in the clouds and rested on Billy's head. It was just as if the Lord had opened the clouds and sent this ray of light as a beacon of hope for all to see and to let us know that he was pleased and happy that we had erected this Cross to His Glory on this high mountain.

I am sure everyone has seen the famous picture of Christ kneeling with the shaft of light coming through the clouds and resting on his head. Well, this was just like it—certainly an inspiring spectacle which will never be forgotten by those who saw it. When Billy Graham's speech was over, the clouds came back together. There was no sunlight. The mountain was dark again. But, there was the beautiful Cross pure white and shining even in the dark clouds which covered the mountain.

## EVERY CHRISTIAN CAN DO HIS PART

By hard work, with a series of related miracles and with God's help the job was done.

The Cross now stands on Mt. Lyn Lowry in all its glory. But, it is going to require continued effort and attention to keep the road open, the Cross standing and the light burning. I quote from the closing lines of my book OLE 93:

"A special message to my children and grandchildren. I want you children to remember one thing. The Cross that we erected on Mt. Lyn Lowry is the living symbol of our Christian faith. I charge each of you to make it one of the first duties of your life to keep the road open and the light burning on the Cross that stands at the summit of Mt. Lyn Lowry. This light as it shines over the mountains and valleys of this beautiful country must never go out."

My hope is that every Christian in this community who loves this Cross will share the responsibility with my family and join in the love and care necessary to keep the lights on the Cross burning.

It has given me great joy personally to know that I had a part in carrying out God's directive in the building of the Cross. I shall be ever grateful to God for allowing me to do so. I am sure that in the future it will give each person who helps to keep the light shining great joy and happiness.●

## CREATION OF THE INTER-AMERICAN INVESTMENT CORPORATION

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. FASCELL. Mr. Speaker, it gives me great pleasure to advise our colleagues of the creation of a new investment corporation aimed at promoting

growth and prosperity in Latin America and the Caribbean. The United States and other member nations of the Inter-American Development Bank [IADB] have established the Inter-American Investment Corporation which will focus on providing assistance to small- and medium-sized enterprises in the region.

The initial investment fund totals \$200 million, with 55 percent of the corporate shares to be held by Latin American nations. The United States and other industrialized member nations of the IADB will hold the remainder of the shares. Although the new corporation will work with the Inter-American Development Bank when necessary, it will operate as an independent institution promoting the establishment, expansion, and modernization of private and market-oriented, mixed enterprises through equity investments and other financial support and specialized services.

The creation of this new institution is an encouraging step toward international cooperation and economic integration among nations. It is efforts such as this that will assist in the peaceful development of the Latin American and Caribbean economies and in the establishment of stable, democratic institutions in the region. I know that all of our colleagues will join me in wishing all of those involved in the Inter-American Investment Corporation a great deal of success and a prosperous future.●

#### BRINGING RECOGNITION TO MENTAL HEALTH COUNSELORS

##### HON. DOUG WALGREN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. WALGREN. Mr. Speaker, I am honored today to introduce a resolution on behalf of the American Mental Health Counselors Association, a professional division of the American Association for Counseling and Development. These thousands of mental health counselors assist individuals in communities throughout our country in dealing with a variety of personal and adjustment problems. As part of the health care team, mental health counselors provide direct services to clients in a variety of public and private settings. For too long we have neglected the contribution of these trained professionals, in spite of the fact that they provide up to 50 percent of all direct counseling services. Through their national association and 37 State branches, mental health counselors are striving to improve the quality of mental health counseling in the Nation. They are advocates of certification for clinical mental health counselors and licensure by the States.

Designating April 8, 1984, through April 14, 1984, as "National Mental Health Counselors Week" is a fitting way to bring attention to the contributions of mental health counselors across the country. The text of the resolution follows:

DESIGNATING THE WEEK BEGINNING APRIL 8, 1984, AS "NATIONAL MENTAL HEALTH COUNSELORS WEEK"

Whereas mental health counselors work in a specialized field of counseling which emphasizes the developmental and adaptive nature of mental health services;

Whereas mental health counselors utilize individual and group counseling techniques oriented toward assisting individuals, with methods of problem solving, personal and social development decision-making, and the complex process of developing self-understanding and making life decisions;

Whereas mental health counselors work in conjunction with other helping professionals, such as psychiatrists, psychologists and social worker to determine the most appropriate counseling for each client;

Whereas mental health counselors work in psychiatric hospitals, community mental health agencies, private clinics, college campuses, rehabilitation centers, and private practice providing almost 50 per centum of direct delivery of mental health services;

Whereas mental health counselors are individuals upon whom, by virtue of their education and extensive training, have been conferred masters or doctor of philosophy degrees in mental health counseling or community mental health counseling, or similar degree titles having a focus on mental health; and

Whereas mental health counselors, after having earned such degrees, have performed at least two years of supervised clinical counseling, and are licensed or certified as such in the State of their residence, or are certified by the National Academy of Certified Clinical Mental Health Counselors: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week beginning April 8, 1984, is designated "National Mental Health Counselors Week". The President is requested to issue a proclamation calling upon all Government agencies and the people of the United States to observe that week with appropriate ceremonies and activities.●*

#### TO HONOR VETERANS

##### HON. LAWRENCE J. SMITH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. SMITH of Florida. Mr. Speaker, this year's Veterans Day comes at a time when many families are just beginning to mourn the loss of our brave young servicemen. Recent events should serve to remind us of our debt to the men and women who serve in our Nation's Armed Forces.

Whether or not a person agrees on the correctness of specific military conflict in which our Nation has engaged, we should not forget that the brave men and women who joined in the Armed Forces did so that you and

I and our children may enjoy our freedoms. Because they have served us, we must serve them.

This Congress has set about an excellent legislative program of services and benefits for veterans and their families. We must remain vigilant and insure that this effort does not dissipate as we move on to other issues.

Many issues concern veterans. One of the primary issues is health care. This is an issue we have addressed, but we will need to review continually veterans health care as the veteran population ages, and as their needs change and increase.

On this Veterans Day, I hope that all of us will take time to remember and honor those who have served and are now serving in our Nation's Armed Forces.●

#### NEW YORK BIGHT APEX RESTORATION

##### HON. EDWIN B. FORSYTHE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. FORSYTHE. Mr. Speaker, I am pleased to join with the Honorable WILLIAM J. HUGHES in introducing, along with other cosponsors, amendments to the Marine Protection Research and Sanctuaries Act, which will address the severe problems of pollution in the New York Bight Apex.

The New York Bight Apex is a 1,100-square-nautical-mile area of the Atlantic Ocean adjacent to the entrance to New York Harbor and bordered on the north by Long Island, and on the west by New Jersey. The apex is recognized as one of the most heavily contaminated coastal areas of the United States due to multiple sources, including municipal and industrial waste water discharges, combined sewer overflows, ocean dumping, and urban and rural nonpoint source runoff. The land adjacent to the New York Bight Apex contains not only New York City, but the heavily populated urban centers of northern New Jersey and western Long Island. This area serves as a major center of commercial and recreational activity. In addition to providing a major path of access for international trade, the waters of the New York Bight support an important fisheries industry and provide a focal point for some of our Nation's most beautiful and widely used beaches.

The Committee on Merchant Marine and Fisheries has held a number of hearings over the 11-year period since the passage of the Marine Protection Research and Sanctuaries Act, all of which addressed the specific problem of contamination of the existing municipal sludge dumpsite located in the New York Bight Apex—commonly known as the 12-mile site. The most



recent hearing which expressly addressed this problem was held on May 25, 1983. At that hearing, Federal officials from EPA and NOAA confirmed that the 12-mile site is heavily contaminated and that a deepwater dumpsite would provide a number of important advantages as follows:

First, the 12-mile site is located in the heavily trafficked entrance to New York Harbor. Maritime interests have expressed serious concern over potential hazards to navigation resulting from dumping activities in these busy traffic lanes. A deepwater dumpsite could be located away from major shipping lanes.

Second, valuable living marine resources are associated with the 12-mile site and nearby areas. These resources are utilized by commercial and recreational fishing industries and the public. Living marine resources associated with a deepwater dumpsite are reported by NOAA to be far less valuable.

Third, the 12-mile site is less dispersed than are sites located further offshore, resulting in elevated levels of bacteria and viruses in the water column and bottom sediments, and increases in normal ambient levels of toxic metals and organohalogenes in the bottom sediments. Changes in relative abundance and diversity of species in areas effected by the existing sludge discharges have been observed. The much greater depth of a deepwater dumpsite would provide for more dispersion and dilution of the wastes, and present low probabilities of any permanent harm to marine resources, including bottom organisms.

Fourth, the Marine Protection Research and Sanctuaries Act expresses a preference for sites located off of the Continental Shelf where feasible.

Fifth, the 12-mile site is located considerably closer to coastal beaches and resorts of New Jersey and Long Island. While monitoring of beach quality has not shown any degradation which can be directly attributable to sludge dumping, identifiable waste constituents have been observed at above-normal levels in bottom sediments within 5 nautical miles of the Long Island coastline. Therefore, concern for potential future impacts remains. Available technical information indicates that no waste would be transported from a deepwater dumpsite to impact upon the coastal beaches of New York, New Jersey, Delaware, Maryland, or Virginia.

The cumulative effects of current and previous discharges and dumping in the New York Bight Apex have resulted in increases in the occurrence of fish and shellfish disease, decreases in catches of bony fish, increases in the prevalence of phytoplankton blooms, periods of depressed oxygen levels, and fish and shellfish kills. Similar cu-

mulative impacts are not expected at a deepwater dumpsite.

EPA witnesses also indicated that had the 12-mile site not been historically used for ocean disposal, it probably would never have been designated as an ocean disposal site—based on the criteria in the Ocean Dumping Act.

The bill which we introduced today takes a number of steps in addressing the problems of the New York Bight Apex.

First, we have included several general provisions which will improve the operation of the Environmental Protection Agency's ocean dumping permit program. Hazardous wastes, which have been identified and listed by the administration in accordance with the listing procedures of the Resource Conservation and Recovery Act of 1976, will be banned from ocean disposal, unless those wastes will be incinerated at sea in an acceptable manner, or neutralized rapidly in the marine environment. There is ample evidence to demonstrate that incineration of hazardous materials in ocean-going vessels, when properly regulated, can be a prudent and feasible alternative to similar disposal techniques on land. Certain hazardous wastes which are composed of acid or alkaline solutions with low toxicity have, likewise, been demonstrated to be effectively neutralized in the marine environment and cause little or no permanent harm to the ecosystem.

Anyone wishing to use the ocean to dispose of municipal sludge after December 31, 1986, will be required to be in compliance with the Clean Water Act regarding effective and comprehensive pretreatment programs for industrial waste discharged into the municipal waste treatment facility. Applicants will also be required to obtain certification that suitable land-based alternatives to ocean disposal are not currently available from the Governor of the State in which their treatment works are located. This requirement will encourage the States to become more actively involved in the review and development of alternative technologies.

In order to support the Environmental Protection Agency's (EPA) ocean dumping program in a fair and equitable manner, the Administrator will be required to collect fees at levels sufficient to recover the reasonable costs that the Agency will incur for the processing activities directly associated with the issuance of the permits, designating a site, surveillance and compliance monitoring, and the assessment of the direct effects of the ocean dumping on the marine environment. We believe that those who take advantage of the availability of the ocean for disposal of their waste should at least pay for the reasonable costs associated with regulating that activity.

There are three major provisions which deal directly with the problems of contamination of the New York Bight Apex.

First, municipal sludge dumping in the apex is foreclosed after December 31, 1986, at the latest, unless the Administrator makes a conclusive finding that the use of that site is less harmful to human health, welfare, and the marine environment than the use of any other site which is either designated or being considered for designation.

Second, until closure, those who continue to use the 12-mile site will be assessed a special disposal fee based on the amount of sludge to be dumped. Up to 75 percent of the special fees could be used by the dumpers to identify, develop, and implement long-term alternatives, and for improvements in pretreatment, treatment, and storage techniques for municipal sludge. EPA may also use 25 percent of these fees to carry out a comprehensive assessment of the feasibility, costs, environmental impacts, human health risks, and other important factors relating to the development of alternatives—both land-based and ocean to the disposal of municipal sludge within the apex. The assessment would be prepared in consultation with the Governors of New Jersey and New York, and the sewage authorities in the New York metropolitan region.

Testimony at our hearings has also made it absolutely clear that the problems of the apex cannot be laid entirely at the feet of ocean dumping. Estimates of the contribution of marine pollutants introduced by ocean dumping indicate that this source of contamination accounts for between 3 and 15 percent of the contaminants of concern. While ocean dumping is a significant source of contamination, especially in the areas immediately impacted by such ocean activities, it is readily apparent that the apex cannot be restored to anywhere near its former levels of water and marine resource quality unless the other sources of contaminants are also addressed. Unfortunately, the various sources of pollutant inputs which end up, either directly or indirectly, in the apex are controlled by a number of different environmental statutes, making a coordinated effort to address the overall problem difficult to implement.

Therefore, the legislation which we have introduced today requires the Administrator to prepare, within 3 years, a "New York Bight Apex Restoration Plan." The purpose of this plan will be to:

First, identify and assess the impact of all pollutant inputs—such as treated and untreated sewage discharges, industrial outfalls, agricultural and urban runoff, storm sewer overflow, upstream contaminant sources, and ocean dumping—that are affecting the

water quality and marine resources of the apex;

Second, identify those uses in the apex that are being inhibited because of the multiple contaminant inputs;

Third, determine the fate of the contaminants and their effects on the marine environment;

Fourth, identify technologies and management practices, and determine the costs necessary, to control these inputs;

Fifth, identify impediments—technical, fiscal, and administrative—to the cleanup of these inputs;

Sixth, devise a schedule of economically feasible projects to implement the controls identified under the plan and to remove the impediments; and

Seventh, develop recommendations for funding and coordinating the various Federal, State, and local government programs necessary to implement the projects.

The legislation authorizes \$2 million for each of fiscal years 1985 and 1986, and \$1 million for fiscal year 1987 to accomplish this ambitious planning program.

The Hughes-Forsythe bill offers a reasonable but ambitious path for our country to take in solving the pollution problems of this highly stressed portion of the Atlantic Ocean's marine environment. The scientific data supporting a move of existing ocean dumping of municipal sludge to a deepwater dumpsite is conclusive. A complete and comprehensive review of all alternatives for the disposal of municipal sludge generated in the New York metropolitan region is necessary and long overdue. I believe that the technologies are available to make a comprehensive assessment of the causes of the high levels of marine contamination in the New York Bight Apex, and to develop reasoned solutions which can be efficiently implemented. We can no longer afford to wait before taking action. I would urge my colleagues to carefully review the legislation which we have introduced today and to support the passage of these much needed programs.●

A TRIBUTE TO MR. WAYNE D. FLOREA

HON. BOB McEWEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. McEWEN. Mr. Speaker, I would like to commend Mr. Wayne D. Florea of Milford, Ohio, for his outstanding achievements that merited his recent nomination as the Ohio Association of Realtors 1983 Salesman of the Year. Mr. Florea received this award on the basis of his professional achievements, his contribution to the local board of realtors and the National Association

of Realtors, his service to Ohio, his business and educational background, and his activity.

A member of the Clermont County Board of Realtors since 1961, Mr. Florea received the board's Associate of the Year Award in 1967. From 1975 to 1982, he served on the arbitration committee and acted as its chairman, treasurer, president and director of the board. On the State level, Mr. Florea is presently a district vice president, serving on the executive committee for 2 years. In addition, he was the chairman of the State land use committee in 1980 and 1981 and was appointed by the leadership of the Farm and Land Institute to discuss financial and farm land opportunities with the Ohio Farm Bureau this year.

Nationally, Mr. Florea has been a member of the land used committee, legislative committee, political action committee, and a voting delegate at the national convention in Miami in 1981. His sincere dedication to civic service has been demonstrated for 20 years. He has served as president of the Milford Area Chamber of Commerce and has been a member since 1963. He has served on numerous committees including the East Fork Reservoir Committee, the board business management committee for Clermont College, the economic development committee of the chamber of commerce, the transportation committee, the Milford Miami Township Bicentennial, and the Miami Township Milford Community task force. Furthermore, he was chairman of the Red Cross Business Group and supports the Boy Scouts of America, the Milford B and Boosters, the Northeastern Band Boosters and the Milford and Goshen Athletic Association.

I congratulate Mr. Florea for his sustained effort to be of service to his community, district, State, and Nation.●

#### IMPEACHMENT RESOLUTION STATEMENT OF INTRODUCTION

HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. WEISS. Mr. Speaker, the deployment of American troops in Grenada was a deliberate act of war undertaken by President Reagan without the advance approval of Congress as required by the Constitution of the United States. It is because of the President's abuse of power—and his violation of the Constitution—that I am introducing today a House resolution calling for the impeachment of the President of the United States. Joining me in introducing the resolution are Congressmen, JOHN CONYERS, JULIAN DIXON, MERVYN DYMALLY,

HENRY GONZALEZ, MICKEY LELAND, and PARREN MITCHELL.

The power to initiate war, which the framers of the Constitution gave Congress—and Congress alone—was violated on October 25, 1983, when U.S. Armed Forces invaded Grenada at the instruction of President Ronald Reagan. It is that violation which today I and my colleagues are attempting to redress.

The framers of the Constitution provided for impeachment, according to James Madison, in order to defend the country "against the incapacity, negligence, or perfidy" of the Executive. This argument was made by James Madison during debates before the Constitutional Convention. They were well aware of the abuses of power resulting from too much authority concentrated in the hands of a single person; the American colonists, after all, had just lived through the injustices perpetrated by the King of England. By including the charge "high crimes and misdemeanors" among the grounds for impeachment, the framers intended to include gross abuses of power and violations of the Constitution as impeachable offenses. Alexander Hamilton clarified this interpretation in The Federalist Papers when he defined as impeachable actions:

Those offenses which proceed from the misconduct of public men, or, in other words, from the abuse or violation of some public trust. They are of a nature which may with peculiar propriety be denominated *political*, as they relate chiefly to injuries done immediately to the society itself.

The President's invasion of Grenada is immoral, illegal, unconstitutional, and, I am convinced, an impeachable offense. By ordering the invasion of Grenada on October 25, Mr. Reagan violated article I, section 8 of the Constitution of the United States. He also violated article VI of the Constitution by breaching treaty obligations of this country, under the charters of the United Nations and the Organization of American States, which prohibit the use of force against any other sovereign state. Further, he abrogated the constitutional rights of the American public and press provided for in the first amendment by preventing members of the news media from covering the war in Grenada.

This resolution is being introduced only after serious research and deliberation and after Congress has exhausted other remedies. I have concluded that impeachment is the only option with which we are left. By his actions in Grenada, the President has usurped the warmaking powers of Congress, contrary to the very constitutional framework of our Government. It is now left to Congress to resort to the one option provided for in the Constitution which can truly rein in the actions of President Reagan: Impeachment.



As Members of Congress, we took the same oath as did the President to "preserve, protect, and defend the Constitution of the United States." Because the President has chosen to ignore his oath of office makes it all that much more urgent that we keep faith with ours.

Perhaps as distressing as the constitutional violations engaged in by Mr. Reagan is the seeming acceptance of his actions by so many Americans. I hope that introduction of the impeachment resolution will help to stir a broad public debate on the constitutional principles on which America is founded. We urge students, scholars, and all citizens to take up these issues in the elementary and secondary schools, colleges, universities and law schools, in newspapers, magazines, on radio and television, in our homes and community meetings.

Nothing less than the constitutional framework of our Nation has been placed in jeopardy by the invasion of Grenada. If the Constitution can be violated with impunity, the very survival of our democracy comes under threat. It has been said that the price of liberty is eternal vigilance. That vigilance must be exercised not only against would-be external aggressors but also against those elected to high office who recklessly trample the Constitution.

A copy of the resolution follows:

H. RES. —

Resolution Impeaching Ronald Reagan, President of the United States, of the high crime or misdemeanor of ordering the invasion of Grenada in violation of the Constitution of the United States, and other high crimes and misdemeanors ancillary thereto

*Resolved*, That Ronald Reagan, President of the United States, is impeached of the high crime or misdemeanor of ordering the invasion on October 25, 1983, of Grenada, a foreign state at peace with the United States, in violation of that portion of section 8 of article I of the Constitution of the United States which confers war powers on the Congress, and in violation of treaty obligations of the United States, including obligations under the Charter of the United Nations and the Charter of the Organization of American States, and the said Ronald Reagan, President of the United States, is further impeached of the high crime or misdemeanor of preventing news coverage of that invasion, thereby impairing the first amendment rights of those seeking to provide news coverage and of the American public in general.

#### RECOGNIZING CLEARY COLLEGE'S 100 YEARS OF EXISTENCE

HON. CARL D. PURSELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

• Mr. PURSELL. Mr. Speaker, I rise today to salute an institution that

celebrated its 100th year of existence this year. Cleary College is an independent 4-year college of business administration organized and recognized as a nonprofit educational corporation in the State of Michigan.

It was founded in 1883 by Patrick R. Cleary, an Irish immigrant, as a school of penmanship, in a room over a shoe-store in downtown Ypsilanti, Mich. The initial enrollment was two students. The school was moved 2 years later to an upper storefront suite on Ypsilanti's Old Union block, to accommodate increased enrollment.

In its early years, Cleary offered a curriculum consisting of typing, shorthand, bookkeeping, business arithmetic, penmanship, and English. The first graduate, William Beach of Howell, earned a business diploma in 1885 and went on to teach business in the public school system, the first Michigan teacher trained to do so.

In 1981, a new building was completed for P. R. Cleary's growing college, then named the Cleary Business College. Two years later, a tornado inflicted massive damage to the building, but the Ypsilanti business community rallied together to finance its reconstruction. The college remained at that location, at the corner of Michigan and Adams, until 1960.

The Cleary family turned over all the physical assets in the college to a board of trustees in 1933, establishing a nonprofit trustee institution of class A standing. At that time, the name was changed to the present Cleary College.

P. R. Cleary died in 1948 at the age of 90, and his son, Owen Cleary, took over his role at the college. Owen Cleary was president of the college until 1960, and served as the Michigan secretary of state from 1953-54. He was responsible for the planning and construction of the present Ypsilanti campus building at the corner of Hewitt and Washtenaw.

Cleary was accredited as a senior college of business by the Association of Independent Colleges and Schools (AICS) in 1970, and retains that accreditation today. Also in that year, the Donald M. Silkworth Center, which contains a 1,200-seat auditorium was added to the campus. The addition was named after the college's third president, Donald M. Ellsworth, who served as Cleary's trustee from 1935 to 1970.

In 1979, Cleary expanded into Livingston County, when classes were offered out of Brighton High School while the search began for a branch campus site. One year later, classes began in a new building on the present Livingston campus just east of Howell.

Cleary College is now celebrating its centennial year. Enrollment has been increasing steadily since 1979 and the college boasts of a well-rounded and experienced faculty. Although student

numbers are up, the student/faculty ratio remains high, enabling Cleary to continue its tradition of individual attention and guidance for each student. The college has a good reason to celebrate—100 years of excellence in business education. Cleary has maintained its fine reputation in an area where competition from large State universities and community colleges is keen.

The college values its heritage of 100 years of expertise for business education and service as a foundation for progress in reaching 21st century goals. Cleary's primary mission is to educate men and women for careers in business, including related opportunities in government, health care, and other professions, with emphasis on the importance of the free enterprise system.

I offer my heartfelt congratulations to Cleary College, its president, Harry Howard; president-emeritus, Gilbert Bursley; students, faculty, alumni, and friends on reaching this milestone, and wish you all continued success in the next 100 years.

#### PERSONAL EXPLANATION

HON. THOMAS J. TAUKE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

• Mr. TAUKE. Mr. Speaker, yesterday I voted to support the dairy compromise plan and to oppose the Conable substitute to H.R. 4196, the Dairy Production Stabilization Act. This was not an easy decision, nor do I believe the dairy compromise is the best solution to the milk surplus problems which face us. I do know, however, that given the choice between the compromise plan and the Conable substitute, the compromise is clearly the preferable approach.

Congress must act to deal with the surplus of milk production. Federal taxpayers are now buying up excess milk and milk products to the tune of \$425,000 an hour. The dairy price support program will cost us nearly \$2.5 billion this year alone, with millions more to store the goods we have purchased. At the same time, we have imposed an unfair assessment on our dairy producers which is forcing many of them to increase their production levels. Obviously, we cannot go on this way.

After months of bipartisan negotiations between Members of the House and Senate, with representatives of the Department of Agriculture, the dairy compromise plan was formulated. By slowly reducing the price support subsidy level, while assessing a small amount to be used to encourage producers to reduce their production levels, the plan would reduce Federal expenditures on the price support pro-

gram, while decreasing the amount of milk being produced. The Federal Government could then buy less surplus milk and save us all some money. The plan is carefully crafted, and seems to be a comprehensive and reasoned approach designed to benefit taxpayers, consumers, and producers.

Representative CONABLE's substitute plan was to simply cut the price support level by \$1.50 per hundredweight. The simplicity of this approach is appealing, but misleading.

Independent studies by the Congressional Budget Office, and further analysis by the Department of Agriculture, indicate that the compromise plan will do a far better job of reducing the surplus, at a lower cost to the taxpayer than the Conable substitute. In fact, the compromise plan will cost \$800 million less than the more expensive Conable substitute. Moreover, while the Government inventories of surplus milk now totals the equivalent of 20 billion pounds of milk, the compromise plan will reduce that level to just 0.6 billion pounds.

In addition, the Conable substitute would endanger most of America's dairy families, creating even greater supply problems down the road. In fact, it has been estimated that the Conable approach could eliminate up to 80 percent of Iowa's family owned and operated dairy farms.

The dairy compromise plan, besides affecting production levels, will also deal with the consumption side of the equation. By imposing up to a 15-cent assessment per hundredweight, dairy farmers will be paying to promote and commercially market more of their product. This marketing effort alone is expected to increase commercial demand and reduce Government purchases by 0.5 to 2.5 billion pounds of milk.

The House also approved an amendment to the compromise plan to give the Secretary of Agriculture the opportunity to promote an orderly flow of cull cows to slaughter during the diversion period in order to minimize the impact of the program on the red meat markets.

This plan is not a perfect solution; it is a compromise. While being the least costly of all the alternatives, it is by no means cheap. It was, however, the best option presented to the House. My vote was not enthusiastically cast for the compromise plan, but I am confident that it was correctly cast. I now look forward to working with all the involved parties in implementing the dairy compromise plan.●

## THE REALITY OF UNEMPLOYMENT

HON. DOUG WALGREN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. WALGREN. Mr. Speaker, every once in a while we all receive an especially telling letter from a constituent. I urge all in the Congress to consider the following letter in that view.

The economic recovery structured by the policies of this administration is extremely selective, leaving many people behind. People like Mr. Bush will not just go away. If this is all the opportunity present high interest rate policies are providing for people who are obviously good and sincere workers, then those policies should be changed.

DEAR DOUG OR WHOEVER FILES THIS UNDER GARBAGE: It is true that all elected officials try to open their eyes and realize that there is a real problem in this country that was caused by all of them and their decisions on what they think is best for me and really know is best for them and their rich buddies. I have been laid off for one year, during that time I have filled out over 100 applications for employment and to date have received not one job offer.

For the year I was laid off I was a statistic that made them look bad, so they decided I could go to hell. If my unemployment compensation was cut off I was no longer a statistic. I just didn't exist so that made them look better immediately.

But if you have read this far you realize that I do exist and am not too happy that, with a stroke of a pen, the government of the people for the people and by the people has just said I am no longer one of the people. . . . If you check the real records you will see that there is a hell of a lot of us.

As of right now my unemployment has been cut off by my friends in Washington. I have just returned from Pittsburgh where I was trying to get welfare and food stamps, so I could get something for my family to eat. I was told to fill out some papers and come back next week to prove I exist and really need help.

Right now I have \$40.00 in the bank and \$.78 in my pocket. . . . I served two years in the army so the government I helped to protect could stick me when I need help. If I was a foreign government I could ask for millions and get it but I am an American and ask for crumbs and am told to go to hell and wait till next week—maybe.

If you took the time to read this far, thank you. I know this letter will fall on deaf ears, but I feel better knowing someone knows how I feel. Thanks, Dallas W. Bush.●

## WHY THE SIMPSON/MAZZOLI BILL DESERVED TO DIE

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. BERMAN. Mr. Speaker, while the recent decision not to bring the Simpson-Mazzoli immigration bill to

the floor aroused a storm of criticism, there are some who maintain the bill deserved to die. The following article takes the position that immigration reform cannot be accomplished solely by changes in domestic policy. We must also take into account the international flow of capital and the impact this has on the movement of labor across our borders. The article also outlines the flaws in the bill which prevented members such as myself from lending it our support. I urge my colleagues to take a moment to consider the arguments raised in this article by Peter Schey, director of the National Center for Immigrants' Rights.

## WHY THE SIMPSON MAZZOLI BILL DESERVED TO DIE<sup>1</sup>

Senator Alan Simpson's Immigration Reform and Control Act, already passed by a 76 to 18 vote in the Senate earlier this year, and on the verge of a vote in the House of Representatives, appears to have met an unexpected death last week. Much to the surprise of supporters and opponents of the bill, House Speaker Thomas P. O'Neill, having heard rumors that President Reagan intended to veto the bill in order to win Hispanic votes, called a press conference and said that the bill had "no constituency," that it would cause "discrimination" against minorities, and that he would fight to keep the bill from coming to the floor of the House for a vote.

While Democrats and Republicans publicly blamed each other for the apparent demise of the bill which would have made the most sweeping changes in the nation's immigration laws in thirty years, privately many joined in a collective sigh of relief. Recognizing the emotional issues raised by illegal immigration and the influx of refugees from Central America and Haiti, and the complexity of coming up with a coherent reform package, most of our representatives in Congress are willing to put their heads in the sand for another year or more. However, as stated by Congressman Leon E. Panetta, who represents growers in California's Carmel Valley where many undocumented workers are employed, "At some point, we'll have to face up to [the problem]."

Senator Simpson, taken completely by surprise at the demise of his two-year effort, quickly called Speaker O'Neill's move a "bum rap." Rushing to the press in a last ditch effort to save what he called his "fragile package," he announced that it had been "bashed around on the shoals of partisan politics." He said that "Latino organizations," which violently opposed the bill, do not speak for the "unfortunate aliens" living in this country.

In fact, the Simpson immigration bill deserved to die. While having a certain superficial appeal, attracting some liberals and some conservatives, a closer examination of the legislative package show it to be one of the most repressive and ill-conceived measures ever considered by the U.S. Congress. As recently stated in a letter to members of Congress signed by religious leaders in Southern California, this legislation would

<sup>1</sup> Peter A. Schey, the author, is the Director of the National Center for Immigrants Rights, Inc. He has travelled throughout the country talking and writing about the Simpson legislation.



have led to "massive increases in the importation and inevitable exploitation of [foreign] temporary workers," "significant increases in the existing back-log of visa applications," "cutbacks in the already minimal due process rights in [deportation and refugee] proceedings," "an ineffective 'amnesty' program which [would] deny legalization to the great majority of undocumented workers . . . [while] threatening thousands of families with mass deportations," "reduction of lawful immigration . . . simply increasing the number of immigrants entering the U.S. without documents," and "discrimination against minorities . . ."

The legislation's radical break with existing law was premised on Senator Simpson's notion that "uncontrolled immigration" is "one of the greatest threats to this country . . ." He often spoke publicly of immigrants and refugees bringing with them "the social, political, and economic problems which exist in [the] countries" from which they come. Using this rhetoric, the bill was portrayed as one aimed at reducing the flow of immigration into the United States. In fact, the bill had nothing to do with stemming the flow of immigrants into this country. Instead, it was an innovative effort at "supply-side" immigration theory: how to continue and institutionalize access to cheap foreign labor.

The bill sought to "streamline" the existing "H-2" foreign temporary worker program. Under this program approximately 30,000 temporary workers are currently imported into the United States each year to perform labor for which, employers claim, no U.S. citizen workers can be found. These "H-2" workers come cheap, they place no upward pressure on wages, they are difficult to unionize, and they have virtually no access to protective labor legislation. In short, they in many ways exemplify a "model" work force for agri-business and urban industries; a supply-side type of workforce guaranteeing high profits and minimal government interference. By "streamlining" the H-2 program, the Simpson legislation sought to make it far easier for employers to establish that U.S. workers were not available to fill jobs. The geographical area in which employers would have to search for available U.S. workers, and the length of time that the search would have to be conducted in, were to be significantly reduced. Some experts estimate that under the bill as many as 500,000 "temporary" workers could be imported into the United States.

The reasons to oppose the bill's proposed "streamlining" of the H-2 program are many. Under the H-2 program, employees are virtually a captive workforce totally subject to the unilateral demands of their employers. Exploitation of these workers is rampant. The Department of Labor has often concluded that the use of "temporary" foreign labor lowers prevailing wage rates. Former Secretary of Labor Raymond Marshall states that expansion of this program "can only lead employees to prefer such workers, to the detriment of low-skilled U.S. workers." In addition to concerns over the impact on the labor market of an increased H-2 program, it should also be known that when the U.S. previously imported large numbers of "temporary" workers under the "bracero" program (1942-1964), millions of the workers developed community and family ties here and never returned home. The national interest would not have been served by enactment of these proposals.

Senator Simpson claims that his legislation responded to "the pleas of 3 to 10 mil-

lion illegal aliens" for an "amnesty." However, even the General Accounting Office and the Immigration Service estimate that at most 300,000 undocumented immigrants would receive permanent immigrant status under the legislation. The so-called "amnesty" provisions of the bill would be better described as a "trap" for undocumented families. The eligibility requirements are draconian in nature. Immigrants who have received government social services, such as pre-natal or childbirth care, would face deportation rather than legalization after surrendering to the Immigration Service. Any person who might become a "public charge" in the future would be deported rather than legalized. Persons previously deported—and many fall within this category—would be ineligible. Assuming the middle estimate that there are approximately 6 million undocumented people in the U.S. today, fewer than 5 percent would qualify for the bill's "amnesty" program. As Senator Simpson recognizes that these workers live in the United States "in a fearful subculture . . . subject to exploitation," why does his legislation only allow about 5 percent to emerge from this underground existence?

The "amnesty" provision passed by the Senate contains a "temporary" resident provision. Immigrants not qualifying for permanent immigrant status, but who have lived in the U.S. since 1980, may qualify for "temporary" resident status. The General Accounting Office estimates that 600,000 people would qualify for this "benefit." In fact, the so-called "amnesty" provisions of this law are no more than a thinly disguised temporary worker program. In the name of granting amnesty, the bill sought to create an additional pool of between 500,000 and 1 million cheap, exploitable workers. After a number of years some of these workers would become eligible for "permanent" status, others would be deported, and the majority likely revert back to an undocumented and underground existence.

Finally, the bill professed to make it illegal to employ immigrant workers not in possession of authorization to work in the United States, the so-called "employer sanctions" provision. Aside from the enormous cost of administering this program, estimated at more than \$100 million per year, it was intentionally or unwittingly designed, under intense pressure from growers, not to work. Twelve states already have employer sanctions laws on their books, many far more stringent than the Simpson bill. They have had no perceptible impact on the hiring practices of employers. The penalties for violation of the Simpson employer sanctions provisions are so light as to insure no voluntary compliance. Even with an appropriation of \$100 million per year, the Immigration Service would only be able to inspect a minuscule number of worksites employing undocumented workers. Employers who have not paid federal taxes for many years because their workforce is undocumented would have a particular interest in joining in pacts with their workers to hide their status from the authorities. The due process protections provided to employers charged under the law are so thorough that few employers would ever receive even a small fine. Those who did, would simply pass these costs of doing business on to their workers in the form of production speed-ups or decreased wages. Finally, Senator Simpson's "employer sanctions" contain "phase-out" program whereby employers who have previously used undocumented workers can automatically obtain certificates from the

Department of Labor allowing them to continue such practices for the next three years, but in decreasing numbers. This provision would simply encourage employers to use easily exploitable "temporary" foreign workers, subject to immediate deportation if they lose their jobs. In short, the so-called "employer sanctions" provision of the law has so many loopholes it seems to have been written by those employers who it is supposed to sanction.

National immigration reform is critically needed. However, we must recognize the task is extraordinarily difficult. International migration is a global phenomena which has characterized the behavior of populations for millennia. There are no easy answers to the influx of undocumented immigrants and refugees into this country. Any realistic and sincere reform efforts must take into account that the United States, as an advanced capitalist country, is experiencing massive movements of capital, assets and labor across international boundaries. For different reasons, multinational corporations have no more respect for our national borders than the migrants crossing the deserts and mountains late at night in Arizona. Comprehensive reform must address not only the movement of labor, but also the movement of capital. U.S. laws concerning the investment practices of multinational corporations in developing nations impact on mechanization and unemployment in those countries and the subsequent migratory streams. The flight of capital likewise results in the loss of jobs for U.S. citizens. U.S. support of repressive and undemocratic regimes abroad often leads to refugee flows ending in this country. Congressional failure to evaluate these difficult issues throws into serious question the assumption that migration into the United States will ever be controlled through domestic policy.

While Congress ponders these global issues, emergency legislation should be enacted to immediately alleviate the social, political and economic problems created by the exploitation of undocumented immigrants living in the United States. Emergency measures could provide the immigrant community with greater access to protective labor legislation without fear of exposure to deportation. Equalizing their status in the work place would obviously decrease employers' preference for undocumented labor. Access to vital government services, such as health care, should be available to all persons regardless of immigration status. The U.S. citizen children of undocumented parents should not be denied services essential to their health, education and well-being. And, Congress should immediately adopt a broad and clearly defined amnesty program to resolve much of the present crisis. ●

#### VOTE ON THE DAIRY BILL

HON. BYRON L. DORGAN

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. DORGAN. Mr. Speaker, the vote I cast yesterday for the dairy compromise bill was not an easy one. I did it because, after studying the two alternatives, I decided that the compromise plan was the best way to solve the enormous problem of our dairy surpluses—costing the U.S. Govern-

ment over \$2½ billion this year—with the least harm to either the dairy or the livestock industries.

One of my biggest questions about the compromise bill was what its impact on livestock markets would be. A number of North Dakota stockmen let me know about their concern on this issue as well. They reminded me that many livestock producers, who are part of no price support system, are already struggling under harsh circumstances over which they have no control—the drought and stubbornly high interest rates being among the worst.

So, I looked at the two alternatives—the compromise bill and the Conable substitute—very carefully. Both have the basic goal of reducing the enormous dairy surpluses that have built up because this country produces 10 percent more milk than it uses each year. There is no doubt that in order to get that production into line, a lot of dairy cows are going to hit the market as hamburger, no matter what plan is used. The question is, will they hit it all at once, or is there a way to provide more orderly marketing of culled dairy cows?

As proponents of the Conable solution admit, its immediate \$1.50 reduction in the milk price support would force thousands of dairy farmers—mostly small, family-sized dairy farms—out of business. In other words, the Conable approach culls whole farms, and therefore whole herds, not just selected dairy cows.

The compromise plan, especially after the addition of the Harkin amendment—which I strongly support—gives livestock producers protection against their markets going bust. It will allow dairy farmers to gradually reduce their production, both by culling and by simply feeding their cows less, over a 15-month period. They will not be forced to cull by putting their farms up for auction.

I do not like making decisions that have been described as setting one farm group against another—a tactic nonfarm interests have tried to foster in this debate. Some livestock spokesmen have said they can live with the bill, now that it contains the Harkin amendment. Those of us in Congress who represent farm States are going to do our best to make sure that the dairy compromise bill is administered fairly, so that no farm group has to shoulder more than its share of the burden in solving the dairy surplus problem.●

## THE SYRIAN REALITY IN LEBANON

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. LANTOS. Mr. Speaker, with his characteristically insightful and accurate perceptions of Middle East realities, George Will has provided an excellent analytical insight into Syria's current role in Lebanon and the surrounding region.

His column, "Syrian Reality," was published in today's Washington Post. I wish to share this fine column with my colleagues in the House.

[From the Washington Post, Nov. 10, 1983]

### SYRIAN REALITY

(By George F. Will)

A tape of a Syrian television broadcast, which I unwisely played while having breakfast in my sun room, shows Syrian ceremonies last month commemorating the tenth anniversary of the Yom Kippur war. Assorted civilian and military officials attended. There is martial music on the tape, but no narration. None is needed.

Girls in uniform stand in a row holding live snakes. Suddenly the girls begin killing the snakes by biting through the snakes' heads. Snakes are sinewy, and the biting is not easy, and the girls, although eager, do not seem to enjoy this. The audience of older men does. Sigmund Freud, call Damascus.

Next, young soldiers tumble out of moving trucks, pounce upon puppies and stab them repeatedly. One soldier seems to drink a puppy's blood, perhaps symbolizing the drinking of an enemy's blood, as the PLO gunman did in Cairo in 1971 after shooting Jordan's prime minister.

Few Americans have seen any of the Syrian tape (a portion of which was shown at an early hour by NBC). Networks should not invariably show such stuff. They certainly should not while many children are awake.

But this glimpse of Syrian reality would be a useful antidote to a liberal society's sentimental belief in the efficacy of split-the-difference negotiations in places like the Middle East. It would drive another stake through the heart of the notion that the world is run by people "just like us" and that the path to peace is through "understanding" them.

It would dash cold water on the recurrent nonsense about Israel's being an impediment to peace because it is insufficiently forthcoming in dealing with neighbors like Syria.

Long after Grenada is just a pleasant memory, Syria will be threatening vital American interests, including Israel's security and a region's stability. Hence, Americans must disenthral themselves. The conjunction of the attack on the Marines in Beirut and the Grenadian invasion could mean that the invasion soon will not be seen as an unambiguous signal of strength.

In Beirut, America suffered a serious military defeat, the significance of which is growing as the weeks pass without an American response. Against the background of Beirut events, the Grenada operation may be construed as evidence that the United

States is just a regional power, prepared to act vigorously only in its front yard.

Now, the perception of the United States as a regional power would be an improvement over the perception of U.S. weakness that spread during the late 1970s. And it might even serve some U.S. interests if Nicaragua were to perceive the United States as ready to act only in this region. But that perception would be disastrous elsewhere, and it is encouraged by the failure of the United States to respond to the attack on the Marines.

Gen. John W. Vessey Jr., chairman of the Joint Chiefs of Staff, says "justice" will be administered to "those who directed" the attack. Senate Majority Leader Howard Baker says there may be retaliation if the persons responsible can be identified "with precision and exactness."

What is this, the Warren Court conducting foreign policy? Who will read the suspects their Miranda rights? This is the scrupulosity and individualism of our criminal justice system misapplied to power relations between collectives—between nations. It would be proper and cathartic to administer retribution to the individuals directly involved in the attack. But catharsis should not be a controlling aim of policy, and great nations are not obsessed with meting out justice to persons who are instruments of other nations' interests.

Israeli aircraft rose on retaliation raids against some of Syria's clients almost before the dust had settled at the site of the attack on Israelis. The aircraft rose before Israel found out who drove or loaded the truck or bought the explosives, because all that is beside the point. The point is that the attack on the Israelis, like the attack on the Marines, serves Syria's interests; such attacks probably could not have occurred without the knowledge of Syria, which controls the road by which the truck had to approach the attack sites; Syrian occupation of Lebanon is a necessary precondition for such attacks.

Syrian President Hafez Assad today resembles Michael Corleone at the moment in "The Godfather" when Michael decides to hit all his rivals simultaneously. Assad is striking at the multinational force, Israel, the Lebanese government and the portion of the Palestine Liberation Organization that is not entirely subservient to Syria. The United States and Israel must make Assad an offer he can't refuse.●

## NATIONAL CONGREGATE AND MOBILE MEALS ON WHEELS WEEK

HON. C. ROBIN BRITT

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. BRITT. Mr. Speaker, I want to thank my colleagues for joining with me in voting to pass House Joint Resolution 386 designating the second week of November 1983, as National Congregate and Mobile Meals on Wheels Week.

The congregate and mobile meals program is an enterprise carried out by devoted and compassionate volunteers, most of them older adults themselves, who provide hot, nutritious meals to millions of senior Americans



throughout the United States. It is indeed fitting that Congress recognize the contribution that these volunteers are making.

Currently, there are more than 195,000 volunteers—90 percent of them over 60 years of age—who provide in excess of more than 570,000 meals per day in congregate settings where senior participants have an opportunity to socialize in addition to having their nutritional needs met.

There are also more than 200,000 volunteers—70 percent of whom are themselves older Americans—who deliver more than 150,000 meals daily to homebound older persons.

Mr. Speaker, beyond the numbers, it is vital that we understand the value of these meals to those who receive them. In many instances, we are talking about the difference between independence and institutionalization for senior citizens.

All of those involved in the congregate and mobile meals program deserve our warmest thanks and our deepest support. ●

#### OLMSTED HISTORIC LANDSCAPES ACT

HON. JOHN F. SEIBERLING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. SEIBERLING. Mr. Speaker, I am pleased to introduce today the Olmsted Historic Landscapes Act, a bill to identify, commemorate, and preserve the legacy of historic landscapes of Frederick Law Olmsted. The premier American landscape architect during the 19th and early 20th centuries, Frederick Law Olmsted, Sr., is considered the father of landscape architecture in the United States and his philosophy and designs influenced the development of landscapes throughout the Nation. His sons, associates, and professional descendants carried out his philosophy and designs well into the 20th century.

The bill, which is also being introduced by Senator MOYNIHAN, would build upon current State, local, and private efforts to identify, commemorate, and preserve the Olmsted legacy by providing needed leadership and support from the Federal Government. Rather than create an entirely new program, the bill would essentially provide a means by which existing Federal programs relating to parks, recreation, and historic preservation can be better coordinated and more effectively utilized.

Before describing the bill itself, I would first like to provide some background on the Olmsted legacy itself and to indicate why it is so important for us to do what we can to protect it.

The material follows:

#### BACKGROUND

Frederick Law Olmsted, the father of landscape architecture in the United States, was a man of many dimensions. Today we think of him, along with his sons and associates, primarily for designing over 2,000 parks, parkways, institutions, planned communities, college campuses, cemeteries, and privately and publicly owned estates in 37 states and the District of Columbia. But to remember Olmsted himself only as an artist and designer is to overlook the breadth of his impact on this country, for he was well known to American historians for his reports on the physical, economic and social conditions in the South before the Civil War. He is also remembered for his tireless efforts as Executive Secretary of the United States Sanitary Commission, which was the forerunner of the American Red Cross, and for being one of the founders of the National Park Service and the Forest Service.

The concepts of environmental planning which were inherent in Olmsted's designs and those of his associates and professional descendants, were the result of certain ideas and attitudes about human relationships to nature and the city. They also reflected the intellectual climate in which they were conceived. Olmsted shared with his contemporaries a belief in the salutary effect of nature upon people, believing that the future health of society and our cities depended on the physical and spiritual health of the residents. This could only be insured by re-establishing the link with nature that had been strained by the nation's rapid growth and industrialization.

Moreover, Olmsted and his followers believed that it was not only desirable, but the obligation of a democratic society to provide the facilities which would encourage the re-establishment of such a link. In this context, parks were seen as vitally necessary, for it was parks that were to bring relief from the worst conditions of the urban environment for the many city dwellers who were unable to escape to the country.

#### OLMSTED'S LEGACY

Frederick Law Olmsted's legacy of public design stretches from one end of this country to the other. There are Olmsted designed and Olmsted influenced landscapes in 37 states and the District of Columbia. In Alabama there is the Alabama State Capitol in Montgomery and 6 parks in Birmingham; in California there are 23 projects, not including the Stanford University campus, and Golden Gate Park, for which a report was written although the park was designed by John McLaren, a Scotsman working with the same design vocabulary. In Colorado, Denver has 18 Olmsted designs, while in Washington state Seattle boasts 33 parks, parkways, and playgrounds designed by the Olmsted firm.

In the Mid-west, Ohio has Olmsted designs in Cleveland, Columbus, Dayton, Lebanon and Youngstown—to mention only those which are considered public properties. The grounds of Stan Hywet Hall in Akron, were planned by Warren C. Manning, a former associate of Olmsted's; the house and its gardens, now a museum, are included on the National Register of Historic Places and designated as a national historic landmark.

In Illinois much of the park system of Chicago was designed by Frederick Law Olmsted, Sr., including Jackson Park (the site of the Columbian Exposition in 1893) and Washington Park, which with Jackson Park and the Midway Pleasance, constituted

the South Park system. Drexel Boulevard, Jackson Boulevard, Grand Boulevard, and Lake Shore Boulevard were all part of the system of parkways which Olmsted used to link his parks to one another.

In Kentucky there are 6 Olmsted designs in Lexington, while Louisville has 21 projects listed. One of these, Cherokee Park, was devastated by a tornado some years ago and restored using the Olmsted plans.

Maine and Maryland have Olmsted parks, as does Louisiana, Minnesota, Missouri and New Hampshire. New Jersey's entire Essex Country Park System is Olmstedian, while Newark's Branch Brook Park retains much of the Olmsted firm's design. There are Olmsted designs in New Mexico, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Utah, Vermont, Virginia, Wisconsin, as well as enormous bodies of work in New York State and Massachusetts.

It should be noted that to date with only one exception, this listing includes only the public properties, and makes no attempt to list the many, many private designs executed by Frederick Law Olmsted, Sr., his sons, or associates. What the list reveals, however, is that Olmsted and his legacy live on. His philosophy and designs influenced the development of a school of landscape architecture which has spread throughout the country. The work done by his sons, partners, associates and professional descendants continues to be used by millions of people every year. It is a legacy which, if lost, can never be replaced. It is essential that we preserve and effectively utilize this legacy for the use and enjoyment of present and future generations. It is a trust we cannot fail to keep.

#### Overview of Legislation

The short title of the bill is the "Olmsted Historic Landscapes Act."

Section 2 provides Congressional findings of the significance of Olmsted's legacy and the need for legislation.

Section 3 defines terms used in the Act; most are identical to those in existing historic preservation and recreation law. "Olmsted" includes Frederick Law Olmsted, Sr., his sons and associates (including such designers as Calvert Vaux and Warren Manning). "Olmsted historic landscape" includes any Olmsted-designed landscape, park, forest, parkway, college campus, planned community, estate, institution, cemetery or recreation area (including, on a case-by-case basis, Olmsted-influenced sites identified by an Olmsted advisory committee established under section 4 of the Act).

Section 4 directs the National Park Service to prepare an inventory of Olmsted historic landscapes, to be done in three stages over a seven year period. The inventory would be done in consultation with the Advisory Council on Historic Preservation and with the participation of state historic preservation and recreation officers and other interested organizations and individuals. The inventory would be done on a state-by-state basis and minimum requirements are outlined. All properties on the inventory would be part of an Olmsted Historic Landscape System, and other directions are provided for nationally and internationally significant properties. The inventory would be updated at least every 10 years.

Section 5 requires the Secretary of the Interior to make general standards for preserving historic landscapes, provide techni-

cal assistance, to submit to Congress a thematic study of other historic landscapes that might qualify as national historic landmarks, to establish a compatible program for the use of the Frederick Law Olmsted National Historic Site, Massachusetts, and to develop appropriate international activities related to Olmsted historic landscapes. The Secretary is also directed to take steps to coordinate applications from existing grant programs to preserve Olmsted historic landscapes and authorizes use of other Federal funds for such preservation where that is possible.

Section 6 requires the Secretary of Interior (and assisted State and local governments) to provide for maximum public participation in all aspects of the program, to assist local initiatives and encourage the use of volunteers and internships, leverage increased private support, and coordinate activities with others. The Secretary is authorized to enter into contracts and cooperative agreements with States, local governments and other entities to carry out the purposes of the Act.

Section 7 directs the Secretary of the Interior, in consultation with certain other federal agencies and participation by other government agencies and private entities, to conduct appropriate activities during the decade of 1985 to 1995—which coincides with the centennial of the decade of Frederick Law Olmsted Sr.'s most productive period. Activities would include a study on the influence of Olmsted's philosophy and designs on American life; development of an exhibit and film on Olmsted's legacy; provision of technical and financial assistance to commemorate Olmsted; and the conduct of appropriate activities at the Frederick Law Olmsted National Historic Site, Mass.

Section 8 establishes an Advisory Committee on Olmsted Historic Landscapes to assist the Advisory Council on Historic Preservation in Olmsted-related activities, including various professional reviews, assistance in developing public participation and information plans and evaluation of Federal undertakings that could affect Olmsted historic landscapes. The Committee would have nine members, appointed by the Chairman of the Advisory Council, from recommendations of various organizations. The Members would serve without pay except for reimbursement for travel expenses; their terms would be for not more than two four-year periods. The Committee would, unless otherwise extended, terminate in 1995.

Section 9 authorizes the appropriation of funds, effective October 1, 1984, to carry out the purposes of the Act. Contract authority would be subject to the general availability of appropriations.●

#### THE TRAGIC EARTHQUAKE IN TURKEY

**HON. TOM LANTOS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. LANTOS. Mr. Speaker, while our attention has been occupied by events in the Middle East and the Caribbean, an unfortunate and tragic situation in Turkey has been overlooked. Last Sunday, the Ezrum and Kars provinces in eastern Turkey were shaken by a major earthquake. More

than 1,200 people were killed, and more than 33,000 were left homeless.

The villages and towns that were struck are high in the mountains near the Soviet border. Temperatures were hovering around freezing, with snow falling, as those who survived struggled to dig out and make a start at putting their lives back together. About 44 villages were destroyed or badly damaged. In Muratbagi, almost half of the 900 residents were killed.

I am pleased to report, Mr. Speaker, that the United States put forth a major contribution to the relief efforts in eastern Turkey. The Agency for International Development (AID) in the State Department is coordinating a U.S. response that includes about \$1 million in U.S. assistance. That total includes tents, blankets, heaters, water purifiers. The U.S. military has been active in transporting the material and supplies to Turkey, and assisting with its distribution.

Other countries and the United Nations are assisting Turkey in coping with the devastating effects of the earthquake.

I hope that we will continue to provide all that we can in this time of crisis for Turkey.●

#### DANGER—UNLABELED INGREDIENTS IN DRUGS

**HON. RICHARD L. OTTINGER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. OTTINGER. Mr. Speaker, on October 6, 1983, I introduced H.R. 4126 which would require that all active and inactive ingredients be listed on the label of all drugs. In most cases, only active now must be labeled.

I believe it is critical that all drug ingredients be labeled so that doctors and patients can make informed choices regarding the drugs they use; patients with known allergies to specific ingredients can avoid them and the additives can be monitored for toxicity, carcinogenicity, and possible birth-defect potential.

Sulfiting agents are among the FDA-approved inactive ingredients now in use. However, the Food and Drug Administration has reported that the use of sulfiting agents in foods and drugs has been a source of growing concern. As of July 1, 1983, the agency had received reports of approximately 90 cases of adverse reactions, including one death. While most of these cases occurred in asthmatics, about 30 percent of the reactions occurred in non-asthmatics with no known allergies.

I would like to include in the RECORD an article from the August 1983 FDA Bulletin, "Sulfites in Food and Drugs." I think it is interesting to note that the last paragraph advises that

"Physicians may want to remind asthmatics and patients who are or may be sensitive to sulfites to read the labels of packaged food to see if the product contains sulfites and to ask before ordering at a restaurant if the establishment has treated the food with sulfiting agents." No mention of drugs is made, because without passage of H.R. 4126, it is impossible to find out if a particular drug contains a sulfiting agent.

Our policy relating to the labeling of pharmaceuticals needs to be corrected. I hope you will join me in supporting this simple drug-labeling legislation.

Text of article follows:

[From FDA Bulletin, August 1983]

#### SULFITES IN FOODS AND DRUGS

The use of sulfiting agents in foods and drugs has been a source of increasing concern due to recent reports of adverse reactions to these substances.<sup>1</sup>

Sulfiting agents are used in a number of drug products and foods as antioxidants. Because the chemicals' antioxidant properties keep fruits and vegetables looking fresh, their use in restaurants has increased in the last few years due to the increasing popularity of salad bars. The chemicals are also used in many other restaurant foods, especially seafood and fried potatoes. In addition, sulfites are used in many processed foods, including fruit drinks, beer, wine, baked goods, dried fruits and vegetables, and in the processing of some food ingredients, including gelatin, beet sugar, corn sweeteners, and food starches.

Since 1959, six sulfiting agents have been listed as Generally Recognized as Safe (GRAS) for use in food: sulfur dioxide, sodium sulfite, sodium and potassium bisulfite, and sodium and potassium metabisulfite. FDA is currently reviewing their GRAS status.

As of July 1, 1983, FDA had received reports of approximately 90 cases of adverse reactions, including one death, reportedly caused by ingestion of sulfites in foods. Reactions have included nausea, diarrhea, anaphylactic shock, acute asthma attacks, or loss of consciousness. They occurred soon after eating restaurant salads or other foods, eating certain processed foods, or drinking wine or other beverages. FDA has also received a few reports of adverse reactions experienced by food service personnel who handle sulfites, and by persons taking prescription medications.

While most of these cases occurred in asthmatics, about 30 percent of these reactions occurred in nonasthmatics with no known allergies. The number of people at risk for reactions is not known but may be large.

#### FDA ACTION

FDA estimates suggest that fresh fruit and vegetable salads are likely to present higher exposure levels of sulfiting agents than other sulfited restaurant foods. FDA has advised companies operating interstate conveyances and catering points that consumers must be notified of the company's use of sulfiting agents on foods intended for raw consumption. The Agency has also notified state officials who supervise restaurants, groceries, and other retail food establishments that users of sulfiting agents

<sup>1</sup> Footnotes at end of article.



should so inform customers by posting conspicuous and easily readable signs, placards, labels, or menu statements. The Agency is also contacting retail food trade associations to tell them that their members should either stop using sulfiting agents or inform consumers of such use by appropriate labeling.

FDA is working with drug manufacturers to explore the feasibility of substituting other antioxidants, and the Agency is considering a requirement for labeling statements on drugs that do contain sulfites. Medications currently containing sulfiting agents include antiemetics, cardiovascular preparations, antibiotics, psychotropic drugs, I.V. solutions, analgesics, anesthetics, steroids, and nebulized bronchodilator solutions. Clinicians should note that although present in the bronchodilator nebulizer solutions, sulfites are not present in the metered dose inhalers.

#### DIAGNOSIS

Symptoms that may represent an adverse reaction to sulfiting agents include: flushing, angioedema, hives, laryngeal edema, hypotension, cyanosis and wheezing, generalized itching, anaphylaxis, and respiratory arrest; loss of consciousness; and contact dermatitis.

Some reactions appear to be dose-dependent and others, which appear similar to the classical IgE-mediated acute allergic reaction, are not dose-related. For the dose-dependent reactions, available data are insufficient to show what doses are likely to produce reactions in sensitive people.

Reactions have been produced by challenges of orally administered sulfites as low as 5 mg, and 1 ppm of sulfur dioxide in inhaled air over a 10-to-30-minute period has caused bronchospasm in asthmatics.<sup>7,8</sup> When exercising, sensitive asthmatics may experience bronchospasm when given 0.1 ppm sulfur dioxide.<sup>9</sup> Nonasthmatic individuals may develop bronchospasm at a level of 6 ppm.<sup>7</sup>

The presence of sulfites in bronchodilator solutions has the potential for posing a problem in the treatment of asthmatics. The clinician could have difficulty determining whether the asthmatic patient is having a paradoxical reaction to the sulfiting agent or is not responding to the medication. It is also possible that the bronchodilator medication may give some protection against the effects of the sulfites, and that asthmatics could be at greater risk from other sulfite-containing drugs.

FDA invites practitioners who know of confirmed or suspected reactions to sulfiting agents to report these reactions to FDA by using the form included on the last page of this *Drug Bulletin*.

Physicians may want to remind asthmatics and patients who are or may be sensitive to sulfites to read the labels of packaged food to see if the product contains sulfites and to ask before ordering at a restaurant if the establishment has treated the food with sulfiting agents.

#### FOOTNOTES

<sup>1</sup> Baker GJ, Collett P, et al: Bronchospasm induced by metabisulfite-containing foods and drugs. *Med J Australia* 1981; 2: 614-616.

<sup>2</sup> Baker GJ, Allen DH: The spectrum of metabisulfite induced asthmatic reactions; their diagnosis and management. *Aust N Z Med J* 1982; 12: 213.

<sup>3</sup> Werth GR: Inhaled metabisulfite sensitivity. *J Allergy Clin Immunol* 1982; 70: 143.

<sup>4</sup> Freedman BJ: Asthma induced by sulphur dioxide, benzoate, and tartrazine contained in orange drinks. *Clin Allergy* 1977; 7: 407-415.

<sup>5</sup> Frenner BM, Stevens JJ: Anaphylaxis after ingestion of sodium bisulfite. *Ann Allergy* 1976; 37: 180-182.

<sup>6</sup> Twarog FJ, Leung DYM: Anaphylaxis to a component of isoetharine (sodium bisulfite). *JAMA* 1982; 248: 2030-2031.

<sup>7</sup> Sheppard D, Wong WS, et al: Lower threshold and greater bronchomotor responsiveness of asthmatic subjects to sulfur dioxide. *Am Rev Res Dis* 1980; 122: 873-878.

<sup>8</sup> Koenig JQ, Pierson WE, et al: Acute effects of inhaled SO<sub>2</sub> plus NaCl droplet aerosol on pulmonary function in asthmatic adolescents. *Environ Res* 1980; 22: 145-153.

<sup>9</sup> Sheppard D et al: Exercise increases sulfur dioxide induced bronchoconstriction in asthmatic subjects. *Amer Rev Res Dis* 1981; 123: 486-491.

#### BREAKING UP AT&T

#### HON. ELWOOD HILLIS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. HILLIS. Mr. Speaker, I would like to bring to the attention of the Members, this letter to the editor which was in the Washington Post this morning. This commentary on H.R. 4102 comes from a respected member of the telephone industry who has been closely involved with the many versions of this legislation.

The letter follows:

[From the Washington Post, Nov. 10, 1983]

#### BREAKING UP AT&T

(By Charles Wohlsetter)

On Oct. 26, Reps. John Dingell and Timothy Wirth published something entitled "The Great Phone Robbery" [op-ed]. I must confess that rarely have I read such a disingenuous and misleading reporting of the facts.

I am accustomed to the many ironies of the political process, but I am overwhelmed by the apparent ease with which the authors characterize the deregulatory actions of the FCC over the last decade. They refer to them as "a course of untested economics embodying a radical reversal of telephone industry pricing practices."

I have sat in congressional hearing rooms testifying before these worthy gentlemen and can tell you that they are the ones who staunchly supported these very deregulatory actions. They did so in the face of clear warnings from every major spokesman in the telephone industry that this would produce considerably higher rates for the residential customer.

The article also chastises AT&T for supporting the FCC policies despite the fact that AT&T, along with other responsible people of the telephone community, fought that policy during the period when Reps. Dingell and Wirth were defending it.

These gentlemen tend to delude the public with their air of innocence in the curiously named legislation that suggests that they are preserving low-cost universal service by their legislative efforts. I direct your attention to the fact that this nation was distinguished by providing the best communications system in the world to 96 percent of the country—it was indeed universal service. The American telephone industry accomplished this at prices that were affordable to businesses and residential customers. I suppose the thing that upset the legislators was that we did this profitably although tightly regulated.

The new legislation purports, then, to recreate that which we had in practice: the best in the world, the most reliable, least-cost telecommunications system.

During the years since the FCC unilaterally decided that competition was desirable, we were unable to make the Congress understand that the consumer would pay. Now that it is evident this was a mistake and billions of dollars have been spent so that the industry can live in a new environment, we are asked to believe that it was all a major plot on the part of American Telephone.

An analysis of the legislation itself is too painful to recount here, but I don't know how many free countries of the world dictate that companies must sell to their competitors a service at a discount of 50 percent from their costs.

What I do know is that if this legislation is passed in anything like its present form, there will be bypass of the networks, higher fixed costs and absurdly different depreciation rates in different states for the same equipment. It will encourage exactly the obverse of what the subcommittee presumably wants. As usual the consumer will "get it in the neck," and these very congressmen will innocently look skyward and say, "Who me?"

#### COMMODITY FUTURES TRADING COMMISSION

#### HON. THOMAS S. FOLEY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. FOLEY. Mr. Speaker, the 1982 authorization bill for the Commodity Futures Trading Commission (CFTC) lifted the ban on the trading of agricultural options—a prohibition that had been in effect since 1936.

The present status of the efforts of CFTC to implement these new provisions was outlined in a speech given yesterday to the Commodity Club of Washington, D.C., by CFTC Commissioner Fowler C. West.

In addition, Commissioner West addressed the question of commodity frauds and the role of the CFTC in addressing this problem stressing his strong conviction "That it is in the best interest of the legitimate commodity futures business to warn the public about scam operators."

Because of the interest in these issues, I insert Commissioner West's remarks in the RECORD at this point:

FOWLER C. WEST, COMMISSIONER, COMMODITY FUTURES TRADING COMMISSION

I am gratified to be here with you today.

Since many of you are very interested in our agency from an agricultural standpoint, let me discuss a subject that I know you have heard a great deal about recently—agricultural options. In the 1982 reauthorization bill, the Congress lifted the ban on the trading of agricultural options, which has been in effect since 1936. In view of the very poor history of the trading of agricultural options back in the 1920's and 1930's and considering the potential importance of agricultural options to American farmers and agribusiness, Congress was aware it was

taking an historical step. The Commission's immediate and appropriate reaction was that we move forward with a pilot program in agricultural options, but with sufficient caution. Accordingly, the Commission plotted what I feel has been a very sound course of action. We have succeeded in getting as much input as possible from all interested parties and have made progress to the point where we now are well on the way to resuming the trading of agricultural options.

The Commission first sought public comment last February, through a Federal Register notice, on general issues involved in agricultural options. Next, in March, the Commission initiated a series of eleven meetings around the country to get comments from the field. Commissioner Kalo Hineman took on the bulk of the responsibility for conducting these meetings on the road, with Commissioner Phillips and me filling in for him at one session in Iowa. As a result of these field meetings and the Federal Register notice we received a great number of comments from which we detected a very strong interest in resuming the trading of agricultural options, particularly among farm and agribusiness organizations as well as individual farmers.

In order to continue to receive as much guidance as possible from the agricultural industry on the scope of the program, the Commission in June of this year authorized the appointment of a special Agricultural Options Advisory Committee and named Commissioner Hineman to chair that group. The Committee's membership represents a wide spectrum of agricultural interests, commodity professionals and bankers. I might add that all these individuals have served without pay or travel reimbursement, which gives you an idea of their dedication. So far there have been three meetings of this Advisory Committee at which the members have reviewed the comments that were collected in the field as well as those that were solicited through the initial Federal Register release.

The results of the many comments the Commission has received and the Committee's hard work were evident in the proposed rules package the Commission adopted on October 4. These rules were put in the Federal Register for a sixty day comment period which began on October 14 and will end on December 13. Some of the high points of this rule proposal are: (1) each exchange would be permitted to trade two agricultural options contracts; (2) in order to trade an agricultural options contract the exchange must trade the underlying future; (3) there only will be options on futures and not options on physical agricultural commodities at this stage of the game; and (4) the options proposal will include only domestic agricultural commodities and not world commodities such as cocoa or coffee.

The Commission will review the comments on these proposed rules upon the close of the comment period and hopefully will approve a final rules package shortly thereafter. These final rules will be sent to the House and Senate Agriculture Committees for thirty days, in accordance with the provisions of the options pilot program, before becoming effective. At that point, the Commission will be free to consider contract applications from the exchanges. The Commission will give each contract careful examination, and, as part of the designation process, the Commission will review the adequacy of the rule enforcement program of each exchange applying for designation before permitting these options to trade. I

personally would not feel comfortable about entrusting an agricultural options contract to an exchange that has not been enforcing its rules.

I don't believe we will be seeing the trading of agricultural options until the second half of next year, which may disappoint some of the exchanges. There has been no trading in agricultural options for over 40 years. It makes very little sense, in my judgment, to try to hobtail the process by a couple of months when implementing a program as important as agricultural options.

Once our Commission approves agricultural options contracts, most of the burden of assuring the success of the program will rest on the exchanges and the National Futures Association, the newly chartered self-regulatory organization.

In general, the Commission has been following the philosophy of self-regulation as much as possible. That simply means that most of the day-to-day regulation of the futures industry rests with the exchanges and more and more with the National Futures Association. Our Commission oversees this self-regulation.

When the Commission, almost two years ago, instituted the options pilot program, of which agricultural options will become an integral part, it placed self-regulatory duties and responsibilities on exchanges that exceed those that apply to regular futures contracts. As a condition of options designation, an exchange must adopt and enforce written rules which require each of its member futures commission merchants to adopt and enforce written procedures. These procedures require the futures commission merchant to supervise each option customer's account; to give immediate notification of any disciplinary action taken against themselves or their employees; and to comply with pilot program's rules on disclosure requirements, promotional literature, discretionary trading, and sales communications. The National Futures Association will be responsible for the same oversight on those FCM's and introducing brokers who sell options and who are not members of an exchange.

These requirements have been in place and enforced by the exchanges and NFA in the existing options pilot program. From the written reports we have received on the pilot program thus far, it appears to be working well. But at present there are a limited number of public customers holding contracts in options on futures. Agricultural options may attract a much larger number of public customers, and the exchanges' role in protecting public customers will be put to the test.

Therefore, as you can see, the success of the program will depend a great deal on how well self-regulation works.

As we move toward approval of agricultural options, it is absolutely essential that those entities that will be involved in the trading and in the solicitation of customers make a maximum effort to comply with the rules. It is my personal view that we cannot afford to have any serious problems develop in the trading of these new instruments if we are to expect them to become a valuable tool for American farmers and American agribusiness. Congress expects this of all of us who will be involved in this project.

Suffice it to say that I have great hopes for agricultural options. I think there is virtually no limit to how these options, if handled properly, can be used as a tool to help American agriculture in the future. This is why we must use every precaution to assure that this program gets off to a good start.

Now having talked probably more than you wanted me to about agricultural options, let me turn to another subject that I have been particularly interested in since I came to the Commission just over a year ago. As many of you know, our agency deals primarily in regulating the trading of futures contracts, but the title of our agency is the Commodity Futures Trading Commission and there is some confusion over what we regulate because of the term "commodity." The CFTC oversees the trading of futures contracts, or as our legislation states, "contracts of sale of a commodity for future delivery." Our act specifically states that this does not include any sale of any cash commodity for deferred delivery (forward contracts) or cash commodity transactions.

Sadly, there is that area just outside the Commission's specific jurisdiction about which all of us need to be concerned. I refer to commodity frauds and scam operations, involving the cash sale of commodities. We have recently read so much about operations that have declared bankruptcy or have gone broke, leaving thousands and thousands of customers without anything to show for the millions they have invested. There was a recent company in Ft. Lauderdale known as the International Gold Bullion Exchange that collapsed, leaving some 20,000 customers stranded. They thought they had purchased gold only to find out that the company vaults were empty except for gold painted blocks of wood. It is estimated that this firm alone cost customers some \$50 million.

More recently there was an operation in the Los Angeles area called Bullion Reserve of North America. It collapsed and its president tragically committed suicide. Again, some 30,000 customers, most of whom had no notice whatsoever that their investment was in danger, were left without anything to show for the millions of dollars they put into that firm. Reports indicate that up to \$60 million is unaccounted for.

For every big operation like these there are scores of small operators that set up shop in a town; put in a large telephone bank; and hire as many characters, often scam veterans, as they can to make cold calls to people all over the country. They often use lists of names purchased from legitimate firms—often Wall Street firms.

The idea is to promise a great return on the investment and collect the money as fast as possible. As soon as the money is accumulated, the scam operator will likely take off, leaving the customers with nothing.

It was estimated last year by the Senate Permanent Subcommittee on Investigations that as much as \$200 million a year is taken from our citizens by this type of operation. Clearly, something has to be done and has to be done soon.

On October 25th, the Senate Permanent Subcommittee on Investigations announced that it was going to conduct a probe into just which Federal Agency, if any, has jurisdiction to deal with the type of operation I have just described. At that press conference a State Attorney General accused our agency and the Securities and Exchange Commission of falling down on the job when it comes to these scam operations. The Federal Trade Commission was also implicated. Senator Roth, the Chairman of that Subcommittee, said he did not want to prejudice whether any Federal Agency has appropriate authority and that one of the purposes of the investigation is to determine if additional authority is needed at the Fed-



eral level. Senator Roth also stated that the states' jurisdiction in this area would be reviewed. Our Commission will cooperate in every way with that Subcommittee as it conducts its inquiry.

I think it is clear that there is enough for all of us to do, and it is essential that the proper roles be sorted out so that we can proceed more effectively against these operations.

During the one year I have been at the Commission I have seen a new spirit of cooperation between the states and the Commission. The Commission worked in good faith with representatives of the states and the staffs of Senators Roth and Rudman to implement changes in our legislation to increase the roles of the states in regulating those entities that are not registered with the CFTC. We have established new CFTC-State information sharing procedures, and we are operating comprehensive state enforcement seminars, one of which was held just last month. All of us at the Federal level have the obligation to keep the lines of communication open between ourselves and the states. We Federal Agencies must work to better communications among ourselves in the areas of cloudy jurisdiction. We can help each other and the states.

Realistically the task of controlling fraud is far too large for any one group be it a Federal Agency, a local municipality, or a State Securities Administrator. United we will have more impact.

While there is great need for a comprehensive State and Federal enforcement program, the best way to wipe out this kind of "commodity" crime through good consumer education programs.

While the CFTC has published several publications to alert citizens about what to watch out for in the area of commodity scams, I think we can do more. I have begun speaking to groups about how to avoid being bilked by these operators. I also will be urging the commodity exchanges, the National Futures Association, the Futures Industry Association, State securities officials, and any other interested group to find ways to alert the public to be wary of the hard sells used by these scam operations. We need more seminars; we need more public service advertisements; and we need more people willing to talk in public forums about ways to detect "commodity" scams.

I strongly believe that it is in the best interest of the legitimate commodity futures business to warn the public about scam operators. The industry should alert the public about what high professional qualities should be expected from those in the legitimate futures business. For the most part, those people who are properly registered with us and who are affiliated with legitimate brokerage firms and exchanges and supervised by them are highly qualified and honest commodity professionals. However, the entire industry is given a black eye by these scam operators.

Some of you represent groups that have a very large membership. I would urge you to consider running your own consumer education program. No one is immune. As a matter of fact, I received a call at the Commission, soon after I became a Commissioner, from someone in New York wanting me to invest in a cash gold deal. I wonder what list they bought that had my name on it!

When I speak to groups on this issue, I distribute a copy of ten guidelines I recently prepared that consumers can follow whenever they are considering putting money into a commodity operation. I have taken

the liberty of bringing with me copies of these guidelines along with appropriate CFTC brochures. I hope you will take a copy of these points and brochures with you and make good use of them.●

## TARGETING AMERICAN STYLE

### HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. FRENZEL. Mr. Speaker, today, the Washington Post printed an excellent editorial which reminds us that our own country targets industries in a similar manner to what occurs in Japan. Our policy of late seems to be to ignore greatly increased Defense Department R&D expenditures to develop the next generation of computers—which I support—while we complain that Japan has unfairly targeted some of its industries, particularly its high tech industry.

A few of our House colleagues are convinced that we need an industrial policy which would incorporate the same targeting concepts that we protest in Japan, to regain our admitted lack of competitiveness.

Along with all of this, the Trade Subcommittee of Ways and Means is considering a trade remedy bill which, among other things, would permit U.S. industries to obtain countervailing duties on products that receive targeting benefits. The subcommittee is moving to provide remedies for the same kinds of policies we are establishing in this country. Our actions are beginning to attract protests from our trading partners, and suggestions are being made that they will pass legislation similar to, or perhaps even tougher than, the Trade Subcommittee proposal.

As the trade remedy bill progresses, I hope that colleagues will be attentive to the warnings of the press and of our trading partners. It will be difficult, and ultimately harmful, to demand both trade remedies, and the same policies the remedies we are supposed to cure.

The Post editorial follows:

#### TARGETING, AMERICAN STYLE

Targeting, according to the Reagan administration and most of the Congress, is what Japan does to promote its exports. The term indicates vigorous government support for certain products aimed at foreign competition. It's unfair, according to the American trade negotiators, because the United States doesn't do it. Of course not.

The Japanese have sometimes observed that the very large American defense budget frequently helps pay for the technology that produces highly competitive American exports. The American negotiators stiffly reply that, as everyone knows, defense spending has nothing whatever to do with civilian industry.

But before you decide that targeting is an exclusively Japanese custom, you might want to take a look at the rising scale of the

Pentagon's support for the development of advanced computers. There's nothing at all wrong with the Pentagon's putting money into computer science. Nor is there anything wrong with its comment that there are large implications for civilian industry, since the point is obvious. What is wrong—and worse, foolish—is the American habit of saying one thing to Congress to justify the appropriations and the opposite to the Japanese in the trade negotiations.

Last spring the Pentagon's Defense Advanced Research Projects Agency announced that it was going to spend about \$50 million in this fiscal year, and nearly twice as much next year, on the development of more intelligent machines. Last week the agency published the report that sets out the full scale of this undertaking. It is to cost about \$600 million over its first five years, through 1988.

"If the United States aggressively competes to develop these systems," the report observes, "it will gain access to enormous new commercial markets. . . . Spinoffs from a successful Strategic Computing Program will surge into our industrial community." Let's hope so. But the Defense Department is proposing to put money into this project at roughly twice the rate at which the Japanese government and industry together apparently will fund the famous fifth-generation project there.

There's a strong case for devoting defense money to computer development. It's a useful and, for that matter, traditional way to support science. But it could also be called targeting, since computers are among this country's largest exports. The important thing to note is that there's not much difference between the American practice and the Japanese—except that government support for the computer industry is now on a substantially larger scale in the United States than in Japan.●

## CONGRESSMAN SISISKY ON FIVE ROLLCALL VOTES

### HON. NORMAN SISISKY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. SISISKY. Mr. Speaker, public service requirements compelled me to be in my district last evening. As a result, I missed the voting on five rollcall votes.

Had I been present on rollcall vote No. 479 to pass H.R. 3222, the Commerce-Justice-State-Judiciary appropriations, fiscal year 1984, I would have voted aye.

Had I been present on rollcall No. 480, on an en bloc technical amendment by Mr. SMITH of Iowa to H.R. 3222, the Commerce-Justice-State-Judiciary appropriations for fiscal year 1984, I would have voted aye.

Had I been present on rollcall vote No. 481 on the Levitas-Broyhill motion to H.R. 3222, the Commerce-Justice-State-Judiciary appropriations for fiscal year 1984, to prohibit the Federal Trade Commission from issuing final regulations until an authorization is enacted, I would have voted aye.

Had I been present on rollcall No. 482 on the Smith motion to recede and concur in the Senate amendment with an amendment that provided \$11.9 million for the Commission on Civil Rights in fiscal year 1984, I would have voted no.

Had I been present on rollcall vote No. 483 on the motion to approve House Resolution 363, the rule providing for the consideration of H.R. 4102, the Universal Telephone Preservation Service Act, I would have voted aye. ●

#### ANALYSIS OF RECENT U.S. MILITARY ACTION

**HON. ANTHONY C. BEILENSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. BEILENSON. Mr. Speaker, I would like to bring to the attention of other Members a thoughtful analysis of recent U.S. military action written by a friend and colleague, the Honorable Tom Downey. This article, which appeared on November 6 in the Washington Post, discusses the limited efficacy of military force in resolving international conflict and points out that we must clearly define our objectives and carefully assess all potential consequences before committing U.S. servicemen to combat. In addition, Congressman Downey stresses the importance of attempting to settle bilateral or multilateral disputes through negotiations before resorting to armed force.

Mr. Speaker, this article presents a point of view that we should all heed, and I hope that Members will take a few minutes to read it.

#### DO WE KNOW WHAT WE'RE DOING WITH MILITARY FORCE?

(By Thomas J. Downey)

Just since 1980, two attempts by the United States to use its military force to achieve delicate objectives have led to disasters. The first came in April 1980 when a rotor blade of a Sea Stallion helicopter sliced through the fuselage of a C-130 at "Desert One" in Iran. Eight American servicemen died in that moment that symbolized the failure of our mission to rescue the Ayatollah Khomeini's 53 American hostages.

The second came as a Mercedes-Benz truck loaded with explosives and driven by a single man swerved around a barbed wire fence and smashed into the entrance of the U.S. Marine headquarters in Beirut, killing 234 American servicemen.

Closer to American shores, the U.S. military now talks of a military success—the invasion of Grenada. But their assessment may be premature. Already, the cost of the invasion is mounting, and there are signs that the military operation did not proceed smoothly. We may have escaped a moment of tragedy, but we may still face a far-less-than-heroic outcome. Civilians have been killed as bombs hit a hospital instead of an army base, our own forces suffered many of their losses from friendly fire, and our closest allies have condemned our actions.

Examining Desert One, Lebanon and Grenada may seem like comparing apples, oranges and pears, but the three are not unrelated. All point out problems with our military system—problems that are unrelated to the money we spend on defense. We now have a defense establishment that seems more interested in procurement of weaponry than in efficient military operations.

But these three incidents have a wider significance than that. All three highlight the tendency to overplay military force and underplay diplomatic initiative. And all three are useful case studies when considering the future use of U.S. military force.

Every potential use of our military force needs to be thoughtfully assessed in realistic terms. We have to make a clear-headed appraisal of objectives, consequences, planning, readiness and military limits of any interventionist use of force. In my view, if we do that, we will usually conclude that the use of force is counterproductive to foreign policy objectives and enormously expensive in human lives and national prestige. This is especially true when the force is strong but not shrewd.

In the Iranian hostage mission, the objective was obvious: rescue the 53 hostages held in the embassy in Tehran to show the world America will not be held hostage. The consequences of the mission were less clear, especially the consequences of failure. If the captives of the Ayatollah had been liberated the result would have been different, but not necessarily better. At the time of the raid, Americans still lived in Iran as did hundreds of Europeans. All would have been targets of an embarrassed, paranoid regime. The results of the failure as it did occur are now, however, clear enough. American prestige was battered. The hostages' release was probably delayed.

In fact, the country and the 53 hostages are more than lucky that the consequences of the failed raid did not also include retribution against the hostages themselves.

Plans for the mission were marked by fantastic intricacy by a notable lack of preparation for the unpredictable. The force was too small. The Sea Stallion helicopters were too few. During the first phase of the assault, pilots failed to maintain radio silence.

The Pentagon itself said afterwards readiness was a problem. And while the limits of our power to send an armed force deep into enemy territory were recognized—each additional mile adding new complications—this recognition did not dissuade the mission's planners from going ahead.

Its failure traumatized the country, and we were soon pouring more money into the defense budget. Spending for weapons alone increased 109 percent from 1980 to 1983—in real dollars.

Three years later, after a real growth in defense spending of 21 percent, it was time once again to show the flag—now financially fortified.

In Lebanon the objective has never been clear. U.S. forces are there as "peacekeepers." To keep the peace they must be visible. But being visible, for American forces, is not in this case an effective way of peacekeeping. It is, however, an effective way of becoming a target. Because the mission is unclear, security is compromised.

As for the consequences, neither the military nor the political impact has been well thought out. Politically, U.S. Marines represent Amin Gemayel, who leads a minority government for a minority religion. It's a risky position and it generates antagonism. Militarily, the situation is tragic. After the

terrorist's bombing, we are left with two unsatisfactory alternatives; increase the force and go on the attack, or withdraw. But whom could we attack, and to what benefit? But if we left, that would create the impression that we had buckled to terrorism.

The presence of American forces elicits strong emotions, especially in the Middle East and Third World. The United States is often identified with imperialism and with backing unpopular governments. Right or wrong, that is the perception and it is not hard to see why our forces are the first target of dissatisfied segments of a population. These segments will strike the U.S. presence in unconventional ways because more formal military avenues of confrontation are closed to them. They will drive car bombs, invade embassies and take hostages.

As for readiness of our force in Lebanon, the Marine Commandant has switched his position. First, he said he was "totally satisfied" that security was "adequate;" now he says security was "not adequate." In any case, we were not ready for a truck loaded with explosives, at least not at the back gate of the compound. The front gate, was, and remains, barricaded. But it seems the Marines themselves rarely use the back gate and considered it less of a priority.

The limit of our power as peacekeepers was not a subject of great debate when we went in, but it should have been. Is it ever a good idea to use U.S. troops as peacekeepers instead of a more neutral force—United Nations troops contributed by smaller powers, for instance? Is it smart to put American troops in situations where they could come up against Soviet surrogates like the Syrians when there is a possibility of broader conflict? The fact is, superpowers make poor peacekeepers because if they fail in that role the consequences can be profound.

So far, the utility of using U.S. force for rescue and peacekeeping work seems limited. What about invading?

In Grenada, the short term objectives seem clear: save American lives, deny the Soviets and Cubans a base for Latin American adventurism. The long term objectives are less obvious. With 3,000 U.S. troops in an area twice the size of Washington, D.C., we face a nagging question: what do we do now? One answer is to face the consequences. We may have violated a host of international laws, including the Principles of Non-Intervention of the United Nations Charter and Article 18 of the Charter of the Organization of American States. Now we face a major credibility problem in the world community. After all, who trusts an individual—or a nation—that operates under law selectively, that breaks a law and says, "just this once"? We gave up the moral high ground we occupied after the Soviets invaded Afghanistan and shot down the South Korean airliner. We have strained the Atlantic Alliance, alienated our closest allies and brought home a condemnation from the U.N. General Assembly.

The planning for the invasion has come under fire. Sen. Sam Nunn (D-Ga.) has charged that we had a foolishly divided command structure atop our invasion force. Journalists report that some of our invading troops had to rely on tourist maps. And chaos, in the face of limited resistance, took a significant toll of U.S. equipment and lives. Moreover, the Grenadians probably knew of the invasion three days beforehand. But because the military restricted observation by the press, we still can't be sure if we have the truth.



I am sure of one thing, though. Our soldiers are professionals and they are brave. I know because I've talked personally to medical students they evacuated. Our men interposed themselves between the students and enemy fire. They could not have been braver.

The very success of the invasion, despite planning problems, raises an interesting point about the limits of military force. Our quick victory is due substantially to the absence of conviction among soldiers of the Grenadian Revolutionary Army. Most Grenadians, in fact, seem pleased that we invaded.

Grenada demonstrates the critical importance of properly assessing the ideological or nationalistic opposition to a potential use of American force. With a strong belief in country or cause, even a small opposing force can be fearsome. Without believers any force is weak. The North Vietnamese were believers. So are the Nicaraguans.

What is the best use of force? Military force functions best as a foundation for diplomacy (as it helped Israelis and Egyptians in the Camp David accords) and to check illegal use of force by another (the British in the Falklands.)

One of the shortcomings of military force is its power to create strong, often opposite reactions. The use of force polarizes situations. And more often than not, destruction in a country puts resolve into her people. That was true during the London Blitz, during the Israeli War of Independence and during our bombardment of North Vietnam.

Today even Third World forces are now well equipped and highly motivated, a fact that presents even greater obstacles and steeper costs to any decision to use force. It is no longer a case of Western guns against primitively armed Third World nations.

The fact that our military forces often don't seem ready to fight effectively cannot be blamed on a lack of money. We were spending a great deal on the military in 1972 when we left Vietnam and even more in 1980 when the rescue mission failed. Now we are spending \$24 million an hour, \$576 million a day, almost \$210 billion a year on our defense. Fully a fourth of that total is spent on procuring weapons, but the problems at Desert One, in Beirut and in Grenada had little to do with weaponry. Shortcomings in readiness, command structure and intelligence are more to blame.

Nevertheless, of the vast increases in defense spending since 1980, five times more has been spent on procuring weapons than on operations and maintenance and personnel—an accurate reflection of Pentagon priorities. Even the \$322 billion the Pentagon would like to be spending by 1985 would not address the real problems. The Pentagon and the Congress are more interested in fighting (or acquiring) systems than in fighting forces—and this has created a cult of procurement.

The cult is based on a military structure that emphasizes the purchase of weapons over effective training for the prosecution of war. Field commanders are still primarily concerned with their unit's fighting effectiveness, but their leadership, the Pentagon brass, with help from a contracts-conscious Congress, has confused the objective of national security with continued procurement of new weapons. The result: America has one of the technologically best-equipped but most haphazardly prepared armies in the world.

The North Vietnamese who faced American armed forces during a decade of war

have a disturbing assessment of our capabilities. According to one North Vietnamese soldier interviewed for the Public Broadcasting Service's series on the war, U.S. forces were deadly from a distance—but not close-up, when advanced weaponry no longer helped. "To fight the Americans you must cling to their belts," he said.

We tend to believe there is a technological solution to every problem. Our military believes that tactical and strategic problems of warfare are also amenable to technological solutions. But weapons alone seem ineffective against political or religious spirit. And no amount of weaponry can substitute for good intelligence, training and commanders.

Yet, in Iran we were told there was a secret weapon to defeat the numerically superior "student" terrorists guarding our hostages at the embassy. In Lebanon, nothing high tech could have stopped that truck as well as an old fashioned cement barricade of "dragon teeth"—what the British use to foil IRA terrorists. In Grenada, we again witnessed the vulnerability of high-priced, high technology. In one week of fighting we lost eight helicopters, including the sophisticated and expensive Blackhawks and Cobras.

The American hostages were returned with agreements worked out over a table, not at the end of a gun. Diplomacy, if given a little more time in 1975, probably would have gotten the 39 crewmen of the Mayaguez out of Cambodia without the loss of 41 U.S. soldiers. Diplomacy, ultimately, gave Egypt the Sinai back. Diplomacy has worked to turn China from an adversary to a trading partner. Diplomacy holds the only hope for resolution of the Lebanon situation. Diplomacy supported by strong military, combined with economic aid, can be an exact and effective tool to protect and improve national interests.

Diplomatic solutions are also a bargain compared to military ones. The Lebanon deployment has already cost more than \$60 million in treasure, plus the 234 lives. The invasion of Grenada, just days old has already cost tens of millions. It turns out to be a lot cheaper to build things like runways than to unleash forces to occupy them.

Grenada was particularly fertile ground for diplomatic initiative and success. It's unfortunate that diplomatic victories don't excite us the way military victories do.

It is equally unfortunate that America has not learned it is unique in this world, that our ideology, our rights and wrongs are frequently different from other people's. We assume instead that others think as we think, are motivated as we are, and dream as we might.

This is a mistake we seem to make again and again. In 1965, President Johnson thought he could avoid war in Vietnam by offering Ho Chi Minh a pork barrel deal that would have made an old-time politician drool. Johnson offered to turn the Mekong Delta into the TVA of Vietnam if Ho would stop his drive South. To Johnson's surprise, the leader of North Vietnam turned him down. Ho was not looking for a political deal. He considered himself a committed nationalist, communist and ideologue. For Johnson, the familiar ways did not work.

We will be more successful at the negotiating table and on the battlefield if we underestimate the capabilities of our technology and overestimate the resourcefulness of other people. By doing so, the price of force becomes clearer, and so does the promise of diplomacy. We have been a lion, blinded both by our own strength and rigid view. If

there were more of the fox in us we would see that intervention in most cases is a trap to avoid.

The costs of military force—socially, politically and economically—are huge. If we can be as shrewd and patient at the bargaining table as we have been on the battlefield, just think how much we can save. ●

## WELCOME TO 1984

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. OTTINGER. Mr. Speaker, public opinion seems to have swung behind the President and his decision to invade Grenada. So strong is this cry of victory that even some of the strongest opponents of this action have decided that the invasion of Grenada is, at worst, the exception that proves the rule. But judging from the information, ever changing, that has been provided about the invasion, I can see it as no more than an example of a new American principle: that the ends justify the means.

As we approach the new year, I wonder how many people will include the invasion and political management of Grenada in their assessment of our proximity to Orwell's prophetic novel. Today's New York Times provides welcomed insight:

GRENADA, BY O'NEILL, BY ORWELL

With the surrender of Speaker O'Neill, President Reagan's triumph in Grenada seems complete. The evacuated students kissed American soil and cheered at the White House. Grenadians express relief, even delight. Most Americans not only approve but feel positively invigorated; they are furious at a press that wanted to witness the action or question its premises. Although 1984 is at hand, hardly anyone dares confront the Orwellian arguments by which this grave action has been justified.

To Save the Students. The testimony that American medical students in Grenada felt endangered comes either from students most frightened by the invasion itself or from officials who need to justify it. Contrary testimony, from the school's management, has been revised under the tutelage of officials who now control the school's assets. No hard evidence has been produced.

But assume, like a delegation of Congressmen did, that the students faced a "potential" risk of being harmed or taken hostage. Why would the Marxists who had just seized power from other Marxists want to threaten Americans? The only reason could be to protect themselves from a feared American invasion. The pretext for the invasion, then, was a presumed danger posed by invasion.

Even so, grant the danger; assume diplomacy failed and a rescue was needed. Could 1,000 troops not have seized the school or brought the students out fast? Rescue did not require occupation.

To Liberate Grenadians. Many Grenadians surely wanted liberation, and for a decade, from dictators of the right as well as left. If this invasion yields them a more legitimate regime, they'll certainly benefit.

But that raises a startling new standard of international conduct. No American Government ever declared a policy of invasion to implant democracy in Grenada, or anywhere else. What other people now qualify for benign invasion?

To Stop the Cubans. The fear that Cubans would help Marxists entrench themselves in Grenada and use the island for Cuban-Soviet purposes was, of course, the real reason. It was denied at first because the extent and purpose of Cuban involvement were not known in Washington. That the Cubans and the weapons finally counted in Grenada were a danger to the United States is far from proved. If they were, then the motive for invasion was a good hunch—and a quest for evidence to justify invasion.

Cuban aggression to promote "the export of terror" would indeed justify a vigorous response. A great power that wants respect for its values as well as its power would have marshaled its diplomatic and economic might to contain the threat. It would look upon force as a desperate last resort. And it would prove its case for military action instead of hiding behind transparent pretexts.

Without such a record of proof and warning, people around the world who do not automatically assume American virtue are left to conclude that the United States is either a bully or a paranoid—quick to attack where it can do so safely or when it feels compelled to demonstrate muscle.

That's why Speaker O'Neill's final judgment may be the most shamefully motivated of all. "Public opinion is what's behind things here," explained Representative Torricelli of New Jersey. "Years of frustration were vented by the Grenada invasion. I hardly get a call in my office about Grenada where people don't mention the Iranian hostage situation. So people feel their frustration relieved, and members of Congress sense that."

So the invasion is finally justified because Americans needed a win, needed to invade someone. Happy 1984.●

#### BREAD VERSUS GUNS

#### HON. BARBARA BOXER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mrs. BOXER. Mr. Speaker, I would like to submit this article from the *Economist* of August 13, 1983.

NOT BY CHEESE ALONE

Is there really hunger in America while government storehouses are bursting with surpluses of food? According to the country's mayors, there is: hunger is "the most prevalent and insidious problem facing the cities", they say. Mr. Reagan himself can look out of his White House windows and see a soup kitchen in Lafayette park. In some other cities the queues at soup kitchens are said to have risen by 400-500%. All occasionally run out of food; some organisers say that they always do. Miss Carol Bellamy, the head of New York's council, says that the city has seen nothing like it since the great depression of the 1930s.

Yet 22 million Americans receive food stamps worth \$12 billion a year and there have been large donations, mainly of dried milk and cheese, from government stores—admittedly a monotonous diet. Mr. John Block, the secretary of agriculture, recently

viewed that he and his family would eat—and eat well—on \$58 for a week; this was the value of food stamps given to the poor, he said. But the effect of his sacrifice was deflated when it was pointed out that only complete down-and-outs receive this much; the top stamp value is usually \$39 a week for a family of four, or 47 cents a meal.

Professing himself saddened and perplexed, President Reagan has announced that he will appoint a task force to find out, and tell him within three months, whether many Americans are really going hungry and why, given so much federal aid. The president says he wants the truth, but the people first chosen by the White House to man the task force seemed almost certain to produce a soothing report. Now there seems to have been a change of its members, who are yet to be announced.

Not one American child should go to bed hungry, declared Mr. Reagan in what was seen as yet one more attempt to erase the view that he is unfair to the poor. And he can point out that spending on food program in 1982 was twice as great as it was in 1972, in constant dollars, in spite of his cuts.

Some of the answers to Mr. Reagan's questions need not cause much trouble to the task force. Despite July's sharp drop in the rate of unemployment, from 10 percent to 9.5 percent, there were still 10.6m people out of work last month; nearly 2.6m of them had been out of work for six months or longer. Nearly 1.7m were too discouraged to look for jobs and are therefore not officially numbered among the unemployed. The unemployment rate for adult men fell only from 9 percent to 8.8 percent; for women, from 8.6 percent to 7.9 percent.

For the 10 months ending in June the rate had stayed above 10 percent; one in five of American workers had some experience of joblessness in 1982. The figures for blacks and hispanics were much higher: 33 and 27 percent respectively. Yet the government has provided less help than in the last severe recession, in 1975-76. According to the Brookings Institution, just over a third of the unemployed have received unemployment benefits, compared with almost two thirds in 1975-76.

Another cause of hunger, which should come as no surprise to Mr. Reagan, is his own reduction in food aid in 1981. Nearly 900,000 people lost their right to receive food stamps, the programme that is credited with ending gross malnutrition in the United States. Mr. Jean Mayer, a well-known nutritionist, commented: "We are seeing hunger reappear in the United States. . . . There is a danger that the one social problem that we had eliminated may be coming back." Only about two thirds of those who are officially poor receive food stamps.

Federal money for child nutrition was also cut, by \$1 billion. Officials at the agriculture department agree that 2m-3m children poor enough to be eligible for free school lunches are not receiving them. This year congress has refused to accept the further cuts in food aid that the administration has requested. Both chambers are moving to demand more generous donations from government stocks when they return next month.

None of this is to say that the states, which distribute food stamps and food donated by the federal government, are peerlessly efficient. Some say they lack the money, or the refrigerated trucks to distribute food. A frightening example comes from Maryland, within a stone's throw of the cap-

ital. The state health department there, which runs a special food programme for women and children, dropped 6,300 recipients from its lists this year, yet returned \$240,000 to the federal government, which provides the money.

The reason, state officials said, was that they did not have enough clerks to make sure that the claimants deserved the help. In 1982 the state had returned \$1 million of the \$15 million provided. In 1980 Maryland provided money to fewer than a third of the eligible women and children. Over the country as a whole the record for this programme is not much better.

According to the census, the number of Americans living in poverty rose in 1982 to 15 percent of the population, over 34 million people and the highest percentage since the mid-1960s. Sadly, children seem the worst affected; in the past three years the numbers of poor children have risen to almost 20 percent of the total as unemployment and the number of single-parent households have increased. Old people, however, are no worse off than the average.

Blacks had the highest proportion of poverty, nearly 36 percent; hispanics came close behind, at 30 percent. A striking consequence of the industrial collapse of the midwest is that blacks living there suffered more poverty—40 percent—than blacks living in the southern states. Still, the south remained the poorest region, with 18 percent of its people living in poverty.

The American definition of poverty is admittedly rather hit-or-miss. Poverty levels are defined as three times the cost of a plain but allegedly sustaining diet. Allowances are made for the size of family, though not for regional variations. Many families outside America would be happy to live on \$10,000 a year—the poverty level for a family of four. But poverty is relative.●

#### GREATER WILKES-BARRE PAYS TRIBUTE TO HORACE E. KRAMER

#### HON. FRANK HARRISON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. HARRISON. Mr. Speaker, on Wednesday evening November 16, the Greater Wilkes-Barre community will pay tribute to an outstanding citizen, Horace E. Kramer.

For the 22 years of its existence, Mr. Kramer has been chairman of the Wilkes-Barre Redevelopment Authority. In that capacity, he has been the driving force behind the renovation of the old city of Wilkes-Barre, replete with vestiges of coal mining, into the "newest old city in America." That process began in the late 1950's and continued, at a steady pace, for better than a decade. Then, in June 1972, Hurricane Agnes struck the city of Wilkes-Barre with devastating force.

The post-Agnes flood recovery marked a turning point in redevelopment. Properties that had been damaged beyond repair were acquired: The parcels on which they stood were



resold to private developers who erected new homes.

Businesses were encouraged to come into the downtown; the whole public square took on a new face. In addition to all of this, redevelopment work continued in the neighborhoods.

Throughout all of this time, Horace E. Kramer gave of himself unselfishly to oversee the multiple aspects of the authority's work. He was reappointed to successive 4-year terms on the authority by every mayor who has served in Wilkes-Barre and under all three forms of municipal government which have existed over the past quarter century. He worked without compensation and, on a daily basis, was actively involved in the authority's affairs.

What he has accomplished stands today as one of the truly remarkable feats of urban redevelopment in American history.

Its work done, the Wilkes-Barre Redevelopment Authority is now going out of business. The few parcels which it still holds will now be turned over to the city to finish the last few details of the mammoth job the redevelopment authority has successfully completed.

And so, Mr. Speaker, it is particularly appropriate that his colleagues on the redevelopment authority and all of us in the city of Wilkes-Barre take this time to pay tribute to a remarkable man, Horace E. Kramer, as he completes a quarter century of public service. And I can think of no better way to do it than in the words with which his colleagues on the redevelopment authority noted his service in a recent resolution: "In deepest appreciation for 22 consecutive years of community service above self, his leadership and dedication to the ideals of urban renewal are the foundation upon which Wilkes-Barre will meet the challenge of the 21st century. Giving of himself for the betterment of his community, Horace E. Kramer's vision in the pursuit of the goals of urban renewal changed the lives of Wilkes-Barreans as well as the face of the city."

It is my pleasure to join in this salute to my friend and associate in so many endeavors and to bring his accomplishments to the attention of my friends and colleagues here in the House. ●

#### LARGEST PRO-LIFE ORGANIZATION IN COUNTRY MAKES POSITION CLEAR ON ABORTION NEUTRAL AMENDMENT TO THE ERA

**HON. VIN WEBER**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. WEBER. Mr. Speaker, the National Right to Life Committee, the

largest pro-life organization in this country, has made its position known on the upcoming debate on the equal rights amendment. I think their recently released fact sheet makes their concerns clear. It should be reviewed by Members concerned with the abortion/ERA connection.

The material follows:

#### ABORTION AND THE EQUAL RIGHTS AMENDMENT—IS THERE A CONNECTION?

There is compelling evidence that the proposed Equal Rights Amendment (ERA), as currently worded, would invalidate the Hyde Amendment and would have other pro-abortion effects. For this reason, NRLC is opposed to passage of ERA unless ERA is rendered neutral with respect to abortion. This can only be accomplished through adoption of an amendment such as that proposed by Rep. F. James Sensenbrenner, Jr. (R-Wis.), which reads:

Section 2. Nothing in this Article [the ERA] shall be construed to grant or secure any right relating to abortion or the funding thereof.

If the Sensenbrenner Amendment is added to ERA, then ERA will have no effect (positive or negative) on law relating to abortion or abortion funding. NRLC would be neutral on passage and ratification of such an "abortion-neutral" ERA.

The Sensenbrenner Amendment is not an attempt to "mix two separate issues." As demonstrated below, ERA (as currently worded) will have a drastic impact on abortion law. The Sensenbrenner Amendment is intended to separate the ERA and abortion issues.

#### ERA'S IMPACT ON ABORTION FUNDING

According to prominent ERA advocates in Congress and elsewhere, the main legal effect of ERA would be to make sex-based classifications into "suspect classifications" under the Constitution—just as race-based classifications now are. Thus, under ERA sex-based classifications would receive the same so-called "strict judicial scrutiny" which race-based classifications now receive.

Testifying before the Senate Constitution Subcommittee on May 26, 1983, Rep. Henry Hyde (R-Il.) said:

Since 1970, the ERA advocates have emphasized that the Amendment's principal legal effect would be to make sex a "suspect classification" under the Constitution. The most important "suspect classification" at present is race. If sex discrimination were treated like race discrimination, government refusal to fund abortions would be treated like a refusal to fund medical procedures that affect members of minority races. Suppose the Federal Government provided funding for procedures designed to treat most diseases, but enacted a special exclusion for sickle-cell anemia (which affects only black people). The courts would certainly declare that exclusion unconstitutional.

On October 20, 1983, the Congressional Research Service (a branch of the Library of Congress) issued a legal analysis of the ERA-abortion connection. The CRS report included this conclusion: "... if strict scrutiny, the most active form of judicial review, is the standard applied [under ERA], then the answer to the question whether pregnancy classifications are sex-based classifications would seem to be affirmative. It would then follow that the ERA would reach abortion and abortion funding situations. It is very difficult for the government

to meet the burden of showing that the classification in question serves a compelling state interest, thus, classifications subjected to active review are almost always invalidated as being violative of the Constitution. (pp. 61-62)

#### REFUTING A HALF-TRUTH

Opponents of the Sensenbrenner Amendment argue that the Supreme Court has treated abortion only as a "Privacy right" and not as an equal protection issue, and that ERA would therefore have no effect on abortion funding restrictions. But they are telling only half of the story.

It is true that the Supreme Court based the "right to abortion" itself on the "right to privacy," which the Court believes emanates from the Due Process Clause of the 14th Amendment. It is also true that the Court ruled that this "right to abortion" does not include a right to a publicly funded abortion. But opponents of the Sensenbrenner Amendment fail to mention that in *Harris v. McRae* (1980) the Supreme Court also scrutinized the Hyde Amendment under the Equal Protection Clause (having been urged to do so by some of the very same organizations which now disavow any link between ERA and abortion).

In *McRae*, the Court concluded (5-4) that the Hyde Amendment did not violate equal protection principles—but only because the Hyde Amendment did not disadvantage a "suspect class." Clearly, (1) women would become a "suspect class" under ERA, and (2) the Hyde Amendment and similar state laws single out a female-only "medical procedure" (abortion) for non-funding, thus disadvantaging this new suspect class.

Therefore, the Supreme Court need not "reverse itself" in order to invalidate the Hyde Amendment under ERA. On the contrary, if the Court applied the same analysis as it applied in *McRae*, but with the added factor of the "strict judicial scrutiny" required by ERA, then the Hyde Amendment would be invalidated. The Court has already ruled in numerous decisions that the state has no "compelling interest" in discouraging abortion—and under ERA, no lesser interest could protect the Hyde Amendment.

In testimony before the House Civil and Constitutional Rights Subcommittee on Oct. 26, Paige Comstock Cunningham, executive director of the Americans United for Life Legal Defense Fund, noted:

Since, in accord with Supreme Court decisions, there exists no compelling interest that justifies significant regulation of abortion, at least until the point of viability, abortion laws and funding restrictions must fail [under ERA].

#### PRO-ABORTION USE OF STATE ERAS

In at least three states (Massachusetts, Hawaii, and Pennsylvania), affiliates of the American Civil Liberties Union (ACLU) have argued in court that state ERAs mandate funding of abortion on demand. One such argument was contained in a brief filed by the Civil Liberties Union of Massachusetts in *Moe v. King* (1980):

By singling out for special treatment and effectively excluding from coverage an operation which is unique to women, while including without comparable limitation a wide range of other operations, including those which are unique to men, the statutes constitute discrimination on the basis of sex, in violation of the Massachusetts Equal Right Amendment.

In the Massachusetts and Hawaii cases, the courts ruled in favor of the pro-abortion side without specifically addressing the

ERA arguments. The Pennsylvania suit has not yet gone to trial. But the ACLU's briefs are ominous harbingers of attacks on the Hyde Amendment under a federal ERA. No one familiar with the general disposition of the federal courts regarding abortion-related issues can predict with any confidence that such arguments will be rejected. Prof. John T. Noonan, Jr., of the University of California-Berkeley Law School has written:

The chief problem about ERA and abortion is that ERA would be interpreted by federal judges who in a great number of cases have shown tremendous sympathy for the ideology of abortion. With this amendment in force, these judges might well go on to, say, compel the funding of abortion.

#### THE SENSENBRENNER AMENDMENT IS ESSENTIAL

NRLC, representing the 50 state right-to-life organizations, will oppose passage and ratification of ERA unless the Sensenbrenner Amendment is adopted. All other major pro-life organizations also support the Sensenbrenner Amendment.

On November 3, 1983, the bipartisan Executive Committee of the Congressional Pro-Life Caucus adopted a resolution which reads in part: "... the Executive Committee of the Congressional Pro-Life Caucus strongly urges all members of Congress who oppose federal funding of abortion, or who believe that the several States should continue to have the power to refuse to fund abortions, to support adoption of the 'abortion neutral' amendment.

#### BEYOND ABORTION FUNDING

Aside from ERA's impact on abortion funding restrictions, there is good reason to fear that ERA would reinforce and expand the "right to abortion" itself, and would invalidate the few types of abortion-related laws which the courts today regard as constitutional. One important example would be the federal and state "conscience" laws which currently protect the right of medical facilities and personnel to refuse to cooperate in abortions. Prof. Henry C. Karlson of the Indiana University School of Law testified before the House Civil and Constitutional Rights Subcommittee on Oct. 20. He said:

It [ERA] would in all probability prohibit states from imposing on abortions any restrictions more severe than those placed upon sexually neutral operations. A physician or nurse employed by a public hospital, or in light of the Supreme Court's recent decision in *Bob Jones University v. Regan* perhaps any hospital granted special tax consideration, could be compelled to participate in or perform abortions. Conscience laws which have been enacted by various jurisdictions to protect the religious freedom of choice by nurses and physicians called upon to participate in or perform abortions will probably not pass constitutional muster under the ERA.

In his testimony before the Senate subcommittee, Rep. Hyde said that under ERA, "conscience" laws "would be treated like laws giving state officials the right to deny services to blacks but not to whites." Prof. Grover Rees III of the University of Texas Law School and Prof. Charles Rice of Notre Dame Law School, among others, have reached the same conclusion on this point.

#### THE RESPONSIBILITY OF CONGRESS

Thus, there is strong evidence that ERA would expand abortion rights and mandate abortion funding. Any intellectually honest investigator must conclude, at the very least, that a pro-abortion result is quite possible. The burden of proof is on those who

deny that ERA would expand abortion rights. They have not met and cannot meet that burden.

On Sept. 14, 1983, AFL-CIO President Lane Kirkland testified in favor of ERA before the House subcommittee. Kirkland said:

Finally, while we recognize that a few substantive issues have been raised [regarding ERA]—such as the effect, if any, of the ERA on the right to an abortion... we believe Congress may, and should, provide authoritative guidance to the courts in these areas.

It is indeed the responsibility of Congress to clarify what effect it intends ERA to have on abortion law. In order for congressional guidance to be truly authoritative, it must be in the form of an amendment to the text of ERA. Mere "legislative history" will not suffice. The courts need not consult legislative history unless an enactment is ambiguous on its face, but ERA is sweeping, unequivocal, and admits of no exceptions.

Furthermore, it is already evident that some leading ERA advocates do not desire a forcefully anti-abortion legislative history. When Sen. Orrin Hatch, chairman of the Constitution Subcommittee, asked chief ERA sponsor Sen. Paul Tsongas about ERA's impact on the Hyde Amendment, Tsongas responded that "that issue would be resolved in the courts" (May 26, 1983). Another leading ERA sponsor, Sen. Bob Packwood, testified that he doubted ERA would compel abortion funding, "but I'm not sure how a court would come out on it." Packwood said he could "guarantee" that the Hyde Amendment would be challenged on the basis of ERA. He also promised to fight any abortion-neutralizing amendment to ERA (Nov. 1).●

#### A RESOLUTION TO IMPEACH THE PRESIDENT

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. CONYERS. Mr. Speaker, today I joined Congressman Ted Weiss and five other colleagues in introducing a resolution to impeach President Ronald W. Reagan for violations of the Constitution in ordering the invasion of Grenada.

The invasion and occupation of Grenada, coupled with the unprecedented press censorship, violates constitutionally mandated congressional warmaking powers, other Constitutional requirements, as well as international treaties and charters to which the United States is constitutionally bound.

The genius of the Constitution is that it provides for the remedy of impeachment in the event that the Executive violates the duties and the oath of office. An abrogation of powers by the Executive that belong to the Congress subverts the integrity of the Office.

After careful thought and study, it is my position that the President's military actions in Grenada constitute an

abrogation of the duties which he is sworn to uphold.

First, article I, section 8 of the Constitution requires that the Congress, not the President or the CIA, determine if and when the Nation goes to war.

Second, article 6 provides that all treaties and charters to which the United States is a signatory shall be the "supreme law of the land." The Grenadian invasion violates article 15 of the Organization of American States Charter, article 2, paragraphs 3 and 4 of the United Nations Charter, as well as U.N. resolutions. Even the legal instrument under which the President waged war in Grenada, the Treaty of the Organization of Eastern Caribbean States, requires that decisions involving collective security can only be undertaken when the signatory States are unanimous. Three of the signatory States refused to call for or support the U.S. invasion of Grenada.

Third, the unprecedented restrictions on, and censorship of, the news media prior to, during, and after the Grenadian invasion are in violation of the first amendment providing for "the freedom of speech, or of the press."

Finally, the President's manipulation of the War Powers Act, in failing to notify, and consult with, Congress in introducing American military forces into a situation of "imminent hostilities," is in flagrant disregard of congressional prerogatives.

Worse still is a continuing pattern of conduct in Nicaragua, the Caribbean, and in Central America in which the administration will stop at nothing, including, far-reaching CIA covert operations, to overturn governments whose only offense is to have a different ideology from our own. These actions are illustrative of a pattern of administration lawlessness across a broad spectrum of policy.

The President's compliance with the laws of the land is fundamental to the integrity of the Executive Office. Public approval of the President's military actions does not diminish the basic constitutional and legal issues at stake. To the contrary, current public silence in and outside of Congress makes it doubly important to scrutinize the President's conduct. Impeachment is a final congressional remedy for judging this pattern of action and for generating broad public debate on questions that lie at the heart of American democracy.●



**"SEA TO SHINING SEA" 1984  
MARATHON**

**HON. BILL RICHARDSON**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. RICHARDSON. Mr. Speaker, I want to share with you and my colleagues in the Congress the excitement brewing in my home State of New Mexico over an effort to revive the world's ultimate marathon foot race. Mr. Barry Ward, president of Vision Sports, Inc., in Albuquerque, N. Mex., has joined hands with American Federal Savings & Loan Association to launch the "Sea to Shining Sea" marathon in 1984. The transcontinental race would kick off on September 3, 1984, in Runnemede, N.J.—span 12 States—and conclude on October 30, 1984, in Pasadena, Calif. The "Sea to Shining Sea" marathon is timed to coincide with the conclusion of the Olympic games in Los Angeles. New Mexico promoters say their research indicates that as many as 5,000-plus runners across the country will be interested in entering the race.

Mr. Speaker, I would like to draw my colleagues attention to an article that ran in the September 1983 edition of Running Times, which outlines the plans afoot in New Mexico to launch a 1984 coast-to-coast foot race. I hope my colleagues will take the time to read this thoughtful piece.

**PROMOTER PLANS TRANSCONTINENTAL RACE**

For the third time in the past three years, we have received news of a plan to revive the famous Bunion Derby—a professional foot race across the continental U.S. last conducted in 1928, when New Jersey policeman John Salo ran 3,685 miles in 78 days to beat out Englishman Peter Gavuzzi by three minutes for the \$35,000 first prize. In the half century since then, a number of solo runs across the continent have been made, but no organized race has taken place—possibly because the extraordinary costs of participation made such an undertaking prohibitive to serious competitors without the incentive of large cash prizes. Throughout that half century, the rules of amateurism were strictly enforced by the Amateur Athletic Union, and anyone who ran for money risked being banned for life. When the new Athletics Congress took over control of organized running from the AAU in the 70s, however, the rules prohibiting cash prizes were relaxed—opening the way for major "professional" events of a kind which have not been seen in this country since the Great Depression. Three years ago, a New York promoter announced a transcontinental race to take place in 1982, with \$6 million in prize money. The grandiose plan turned out to be a pipe dream (the promoter seemed unaware of the differences between ultradistance racing and track, and made up an advisory board of sprinters, pole vaulters, and decathletes), and not surprisingly, the race never took place. The following year another group announced a similar plan for a coast-to-coast race to be sponsored by Converse shoes. Again, the promoter was

stronger on hype than on organizational expertise, and the plan flopped.

Now a third group, Vision Sports, Inc., of Albuquerque, has announced its plan for a race to be called the "Sea to Shining Sea 1984 Marathon", to be run from Atlantic City, N.J. (or possibly from New York), to Los Angeles starting in September, 1984. Headed by Albuquerque attorney Barry Ward, Vision is planning both individual and team competition (8-person relay teams) in a "stage"-type race with a total purse of \$3 million. The race will consist of 50 daily segments averaging 55 miles in length, to be run on consecutive days. Winners will be determined on the basis of total elapsed time. The advertised prices range from \$150,000 for first place to \$20,000 for 20th place in individual competition, and \$250,000 for first to \$10,000 for 25th in the team division. Entry fees are \$1,000 for individuals and \$1,500 for teams. According to Ward, all entry fees will be placed in an escrow account at American Federal Savings and Loan of Albuquerque, "to be used solely and exclusively for payment of the purse and cash awards to the contestants." A warranty on the entry form stipulates that, should the race not be run for any reason, the entry fees will be refunded with interest.

We will be watching the preparations for this event with considerable interest, and we'll keep you posted on any new developments.●

**RICHARD A. MORROW, USMC,  
HE DIED FOR FREEDOM**

**HON. JOSEPH M. GAYDOS**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. GAYDOS. Mr. Speaker, on October 12, 1962, in a radio and television address, the President of these United States told the world:

The cost of freedom is always high, but Americans have always paid it. . . . Our goal is not the victory of might, but the vindication of right; not peace at the expense of freedom, but both peace and freedom here in this hemisphere, and, we hope, around the world. . . .

That President was John F. Kennedy. Less than 14 months later he paid the full price for his belief in freedom. He died at the hands of an assassin in Dallas, Tex.

Today I deem it appropriate the Congress of the United States recognize the death of another who died for freedom at the hands of an assassin half way around the world: Lance Cpl. Richard A. Morrow of the U.S. Marine Corps.

Less than 14 months after going on active duty, Corporal Morrow, as a member of the 24th Marine Amphibious Unit, Company A, First Battalion, Second Marine Division, was among the more than 250 marines killed in the October 23 bombing in Beirut, Lebanon. The former Clairton, Pa., resident was just 21 years old.

Married in June 1982, and with his wife, the former Mary Crislip, expecting their first child next month, Cor-

poral Morrow was in the first contingent of marines sent ashore in Lebanon last May. His tour of duty there was to have ended this past Monday, November 7.

His family, of course, grieves but recognizes the risk of military service for it is a military family with strong ties to our armed services.

Corporal Morrow's father, the late Elmer E. Morrow Sr., was a Marine and served in Korea. His stepfather, the late Ernest R. Schwamberger, was an Army veteran of World War II. A brother, PO2c Elmer E. Morrow Jr., is on submarine duty with the Navy, and two brothers-in-law also are in uniform: SSgt. Charles Frankert with the Marines at Cherry Point, N.C., and SSgt. Gary Odenthal, with the Air Force on Guam.

Mr. Speaker, today, November 10, the Marine Corps is observing its 208th anniversary as an elite branch of our Nation's fighting forces, and tomorrow, November 11, the entire Nation will pause and pay respect to its military veterans.

Therefore, on behalf of my colleagues in the Congress of the United States, I believe it proper to extend our heartfelt sympathies to the family of Corporal Morrow: His mother, Mrs. Patricia Morrow Schwamberger; his brother, Elmer; and his sisters, Colleen Odenthal, Phyllis Sands, Karen Sosnicki, Debra Frankert and Mary Schwamberger.

May they find some comfort in the words of President Kennedy and some solace in the realization that Corporal Morrow and his comrades did indeed die so that freedom might live here and around the world.●

**A DEAL WITH SYRIA?**

**HON. TOM LANTOS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. LANTOS. Mr. Speaker, Benjamin Netanyahu, the deputy chief of mission of the Israeli Embassy, and brother of the hero of Entebbe, Col. Jonathan Netanyahu, has written a powerful opinion piece in today's edition of the New York Times on the role Syria is currently playing in the Middle East.

I commend the article, "A Deal with Syria" to my colleagues as singularly worthy of their attention and study.

[From the New York Times, Nov. 10, 1983]

**A DEAL WITH SYRIA?**

(By Benjamin Netanyahu)

WASHINGTON.—Cui bono? Who profits, the Romans would ask whenever the perpetrators of an act refused to step forward. Of the recent attacks on American, French and Israeli servicemen, we may ask: Who would benefit if Western forces were pushed out of Lebanon, indeed out of the Middle East al-

together? They are Syria, and, looming behind it, the Soviet Union. Syria has repeatedly demanded the ouster of "United States and NATO" forces. Besides local proxies, Syria has at its disposal fanatical Iranians deliberately imported for suicidal missions.

Damascus has both motives and means to wage a systematic campaign of terrorism—in fact, long experience in doing so.

Yet some continue to promote a "deal" with Syria. By giving President Hafez al-Assad what they claim he wants from Israel (the Golan Heights), he would presumably become more flexible in Lebanon: He may be ruthless, but he is also "a man one can deal with." America should now "talk" with Syria, as if Washington has not sent diplomat after diplomat to Damascus. The assumption here is that Syria can be wooed and won, or at least that Syrian goals are limited and can be met.

Such a prescription can be based only on a complete misunderstanding of the real Syria and its political objectives. This is why some confidently predicted that Syria would withdraw its troops when Israel agreed to do so. Instead, Syria moved in more men and matériel. Then it was suggested that what Syria really wanted was to have a "say" in Lebanon because of "legitimate security interests." It soon became clear that Syria's aim—methodically pursued for decades—remains the incorporation of Lebanon into a Greater Syria.

Syria regards Jordan and Israel as also belonging to Greater Syria. But Israel prevents Syria from devouring the rest of Lebanon and from swallowing Jordan (in 1970, an Israeli warning stopped such a Syrian attempt cold). The Syrians must therefore overcome Israel. Of course, first they would like to repossess the strategic Golan; the Syrians went to war against Israel twice, in 1948 and 1967, when the Golan was firmly in their hands. Further, Syria does not want creation of another Arab state; as Mr. Assad has said, "Palestine is merely part of Southern Syria." Thus, Israel must be destroyed so that its territory may be absorbed so that Syria may dispose freely of Lebanon and Jordan.

Neither the obsession with Greater Syria nor the fanaticism of the regime are fully grasped in the West. With his bland exterior, Mr. Assad is not good copy compared to his ally the Ayatollah Ruhollah Khomeini. But in cold-blooded murder, he is his equal. In the Syrian city of Hama, Mr. Assad's army reportedly killed as many as 20,000 civilians and turned "half the town into a parking lot," according to The New York Times.

Even more telling, the regime inculcates brutality as a social good. After Syrian soldiers murdered and mutilated Israeli P.O.W.'s in the Yom Kippur War, Syrian Defense Minister Mustafa Tlas glowingly awarded the Medal of the Republic to "the outstanding recruit from Aleppo who slaughtered 28 Jewish soldiers like sheep. He butchered three of them with an ax and decapitated them. He broke the neck of another and devoured his flesh." (The full speech was reprinted in The Official Gazette of Syria on July 11, 1974.)

More recently, the Syrian Government observed the 10th anniversary of the Yom Kippur War. On Oct. 5, it broadcast on Syrian television a program that a Western audience would find unbelievable. As Mr. Assad and his colleagues looked on approvingly, girls from the Baath Youth Militia held up live snakes. Then the girls bit the

snakes and ate them, as he applauded enthusiastically. This was followed by militiamen who stabbed puppies and drank their blood.

What kind of "deal" can be struck with such people, for whom truck-bomb massacres are standard operating procedure? The Syrians reneged on their promise to leave Lebanon (like the Palestine Liberation Organization, which left Beirut under the peacekeepers' protection, then reinfilitrated and joined attacks on these forces). Such adversaries will honor agreements only with those whose strength and resolve are not in doubt. People who counsel appeasement of Syria in the coin of Lebanese sovereignty or Israeli security would weaken the only local power Syria fears, and one that is an unshakable American ally—Israel.

In the 1930's, Britain was counseled to weaken its ally France in the belief that this would appease an increasingly powerful Germany. Winston Churchill replied: "We go on perpetually asking the French to weaken themselves. I cannot imagine a more dangerous policy. There is something to be said for isolation; there is something to be said for alliances. But there is nothing to be said for weakening the power with whom you would be in alliance."●

#### SELECTED CISPES ACTIVITIES

#### HON. DANIEL B. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. DANIEL B. CRANE. Mr. Speaker, elsewhere in Extension of Remarks in today's CONGRESSIONAL RECORD is part of a report on the Committee on Solidarity with the People of El Salvador (CISPES), a Communist front organization which is promoting a rally in Washington, D.C., on November 12 (this Saturday) against the U.S. effort to keep El Salvador out of the Communist camp. So that the Members will have some background on CISPES, I am requesting that this part of a report put out by the United Students of America Foundation be printed. This section of the report, "CISPES: A Guerrilla Propaganda Network," by J. Michael Waller, is entitled, "Selected CISPES Activities."

The report follows:

#### SELECTED CISPES ACTIVITIES

##### 1. DISTRIBUTION OF A STATE DEPARTMENT FORGERY ON EL SALVADOR

At times when State Department personnel disagree with official United States foreign policy, they may voice their opinions through the "dissent channel" established for that purpose. Frequently, dissent papers are written by foreign policy officers for distribution throughout the media and government.

Soon after being founded in 1983, CISPES disseminated a supposed reprint of a State Department "Dissent Paper on El Salvador and Central America." This unsigned document outlined concerns of many "current and former analysts and officials" in the National Security Council, State Department, Defense Department, and Central Intelligence Agency, and admitted that a "key objective" of American foreign policy

toward Central America "is to limit Cuban and Soviet bloc influence throughout the region." The paper warned that further military aid to El Salvador would eventually force the United States to intervene militarily in the region. At the same time, however, it noted that "a consensus in favor" of the Marxist Democratic Front (FDR) had emerged in Salvadoran public opinion. The FDR, it will be recalled, is the political front of the FMLN guerrillas, and was portrayed by this document as "a legitimate and representative political force in El Salvador," and as a moderate, non-Marxist organization with wide popular support. It recommended official American recognition of the FDR.<sup>1</sup>

This document was pronounced a forgery by the State Department, and has been traced to Service A of the First Directorate of the Soviet KGB, the division responsible for "active measures."<sup>2</sup>

Active measures is a Soviet term describing the use of disinformation, provocation, forgery, and other activities designed to frustrate, mislead, and confuse the Western public and Western policymakers. The intent is to influence the policies of nations outside the Soviet bloc. Initially, this particular forgery, which was distributed to news agencies by CISPES, met with some success, as journalists accepted it as genuine. (For a detailed description of active measures and of CISPES' function as a part of Soviet active measures, see John Barron's newest book, "KGB Today—The Hidden Hand," New York: Reader's Digest Press, 1983).

Before making the national headlines, the CISPES forgery appeared in the November-December 1980 newsletter of the Religious Task Force on El Salvador, a pro-Marxist organization which is a member of the CISPES national board; a December 1980 issue of Revolution Worker, the newspaper of the Revolutionary Communist Party; and the December 1980 CISPES newsletter.

Anthony Lewis of the New York Times was the first nationally syndicated columnist to be duped by the CISPES forgery, according to Accuracy in Media.<sup>3</sup> A second New York Times writer, Flora Lewis (no relation) quoted the forgery in her March 6, 1981 column as though it was an authentic dissent paper. The next day, the Times reported the State Department's denunciation of the CISPES forgery; Flora Lewis apologized to her readers on March 9, admitting that she had been fooled. However, the pro-Castro Institute for Policy Studies treated the forgery as genuine in the March 18 edition of its newspaper, In These Times.

Testimony before the House Intelligence Committee stated that "There are certain similarities of this operation with other forgeries. It is known that the Soviets attempted to surface this document in Central America through clandestine means." CISPES was mentioned by name in this context.<sup>4</sup>

This forgery continued to be advertised in CISPES' newsletter El Salvador Alert! as for sale from the national office. On the same page, one can order the political platform of the FDR; a publication by Counter-spy contributor Philip Wheaton on agrarian reform; copies of Counter-spy's sister publication, Covert Action Information Bulletin, which "exposes" alleged United States actions in Central America; and issues of NACLA Report on the Americas.

Footnotes at end of report.



The North American Congress on Latin America (NACLA), for the record, is the product of the Tricontinental Conference of 1966 in Havana, Cuba. NACLA is described in a book co-authored by Latin America expert L. Francis Bouchey as an offshoot of Tom Hayden's Students for a Democratic Society, a radical, violent, pro-Hanoi organization of the 1960s. "NACLA specializes in the preparation of reports on Latin American affairs from a decidedly Marxist perspective," whose material "finds its way into the hands of journalists and government policy formulators," according to Bouchey's book. NACLA, it states, "has come to be known as the 'intelligence-gathering arm of the movement,' a movement dominated by groups and organizations of Marxist-Leninist persuasion who are part of the Tricontinental revolutionary support apparatus."<sup>5</sup> NACLA activists were credited by CIA defector Philip Agee (of Counter-spy) with helping him undermine the CIA.<sup>6</sup>

Such is the literature promoted by CISPES.

#### 2. MAY 3, 1981 MARCH ON THE PENTAGON

"An anti-war movement similar to that which compelled the U.S. military withdrawal from Vietnam" is how the Communist Party USA newspaper Daily World announced the May 3, 1981 March on the Pentagon.<sup>7</sup> CISPES was there, with a banner proclaiming, "Support the FDR-FMLN."

Mentioned by the radical Guardian as one of the "main support groups" for the FMLN-FDR, CISPES was part of the "broad mobilization" taking place "within the organized left" against American aid to El Salvador. The Guardian noted in the same article that "The Workers Party played a major role in building the May 3 demonstration, and both the Communist Party and the Socialist Workers Party have been involved in support work for some time. Marxist-Leninist forces have also been stressing El Salvador work, usually on the local level." Three lines below, appears the CISPES address and telephone number.<sup>8</sup>

The Peoples Anti-War Mobilization (PAM), a front group of the Communist Workers World Party (WWP), organized the March on the Pentagon, as noted by both the Guardian and the conservative Human Events. Larry Holmes, a 1980 WWP candidate for vice president of the United States, co-chaired the march, according to the New York Times.<sup>9</sup>

Heidi Tarver of the national CISPES office was "the other emcee"; Tarver is also a member of the Executive Secretariat of the World Front in Solidarity with the People of El Salvador, as noted earlier. Another speaker was Rafael Cancel Miranda, described in the program as a "Puerto Rican nationalist and former longtime prisoner in the U.S." What the program did not say is why Cancel-Miranda was in prison; in 1954, he was part of the terrorist group that shot five U.S. Congressmen in a submachine gun attack from the House of Representatives visitors gallery. He was imprisoned until released by President Jimmy Carter in 1979.<sup>10</sup>

CISPES noted in its newsletter how the march helped the guerrilla cause: "The turnout didn't go unnoticed by the Democratic Revolutionary Front (FDR), the political coalition of opposition forces in El Salvador. Arnoldo Ramos of the FDR told the protesters that '... the greatness of this march will fill the hearts of my compatriots with hope and enthusiasm to continue their struggle.'"

The report also mentioned the classic Marxist-style diversity of the groups making

up the march, saying that "Blacks, trade unionists, religious workers, anti-war organizers, gay rights groups, representatives of third world movements [i.e., Marxist terrorist and guerrilla groups] and solidarity organizations were all present. Each sector had previously turned out for demonstrations organized around a particular issue or cause. But seldom in the past had a successful basis of unity freed the work of these sectors together."

Credited for this large turnout was "the successful effort made by the People's Anti-War Mobilization, the organizers of the demonstration, to tie together U.S. domestic and foreign policy issues." CISPES then quoted some of the chants made during the march: "Money for jobs, not war, U.S. out of El Salvador," and "Stop the Atlantic murders, down with the junta."<sup>12</sup>

The following Saturday, in spite of the "No more Viet Nams" chants, CISPES co-sponsored a "Viet Nam-El Salvador Rally" in New York, to "celebrate the 6th anniversary of the liberation of Viet Nam" and to "support struggle of El Salvadoran people." A flyer promoting the event—in which members of CISPES, the FDR, and the "Permanent Mission of Socialist Republic of Viet Nam to the United Nations" and "other U.N. missions" participated—proclaimed:

The heroic people and government of Vietnam have set an example for the oppressed people of the world by their courageous struggle and defeat of U.S. imperialism on April 30th, 1975. That victory inspired national liberation struggles around the world, many already victorious. . . . We also support the heroic people of El Salvador, led by the Democratic Revolutionary Front, for their courageous struggle for self-determination. The Reagan Administration. . . also threatens Cuba, Nicaragua, Grenada and Angola. . . .<sup>13</sup>

#### 3. CISPES DECERTIFICATION CAMPAIGN

In compliance with a new law passed by Congress, the President must certify every six months that El Salvador's government is making progress in the area of human rights. Congress must receive this certification before it will permit any military aid to the embattled Salvadoran government. In addition, the President must certify that the land reform program is moving forward, and that the Salvadoran military is sufficiently controlled by the civilian government. CISPES, in anticipation of these regular certification reports, holds "educational" events, press conferences in conjunction with other organizations, and meetings with congressional staffs.

In addition, CISPES members perform acts of civil disobedience. On January 24, 1983, for example, CISPES organized a "Decertification Blockade Task Force" in front of the State Department in Washington. Of the more than 700 protesters at the event, 126 were arrested. CISPES national coordinator Heidi Tarver spoke at the beginning of the demonstration, as did a speaker from the so-called South Africa Support Project and from the National Network in Solidarity with the People of Guatemala.<sup>14</sup> Two U.S. congressmen participated in a pro-CISPES news conference that evening.

Anti-certification events also took place in New York City, Tallahassee, Detroit, and Boulder.

As one journalist noted, "The CISPES demonstrations indicate a shift in both its political and tactical policies. Support for the FMLN in El Salvador has been broadened to a regional concept with the revolutionary movements of Nicaragua,

Guatemala and Honduras presented as 'targets of U.S. imperialism.' Tactically, the demonstration showed that CISPES could mobilize a significant group on a working day (Monday) prepared to take part in a direct illegal, although peaceful, protest. . . . Obviously, fanaticism either by U.S. FMLN supporters or by Salvadoran (sic) FMLN members legally or illegally in the U.S. could be escalated to non-peaceful actions."<sup>15</sup>

Six months after these protests, a group of "Salvadoran refugees" marched for 17 days from New York to Washington "against repression and war in Central America." A pro-FMLN flyer issued by "Salvadoran Refugees Against Certification," a CISPES front group, cried, "No to the lie of certification!" and urged people to "Join Salvadoran refugees in protest against U.S. intervention in Central America."<sup>16</sup>

A march and rally at the White House was followed by an ecumenical service on July 21; the next day, the "Day of Certification," a press conference was held by the "refugees."

"U.S.-sponsored terror" was blamed for their status as refugees, according to the flyer, which echoed the FMLN-FDR line that "elections held during a state of civil war are unacceptable." Again, this is an example of CISPES disinformation, as the March 28, 1982 elections—in which over 80 percent of the electorate voted—repudiated the numerically insignificant 7,000-man guerrilla forces.

CISPES activists intend to pursue decertification by misinforming the public with half-truths and distortions, and by pressuring Members of Congress through demonstrations, letter-writing campaigns, and direct lobbying.

#### 4. JULY 2, 1983 MOBILIZATION

The Viet Nam War memorial in Washington was exploited politically for the first time during the "July 2nd Demonstration to Stop the U.S. War Against Central America and the Caribbean."

Organized by the New York-based Ad-Hoc Committee for July 2 Mobilization, the theme of the rally and march was "No More Viet Nam Wars." Other concerns, according to the Committee literature, were:

"Stop U.S. aid to El Salvador; U.S. troops out.

"Stop the U.S. war against Nicaragua.

"No military bases in Honduras.

"End all aid to Guatemala.

"Stop war threats against Cuba and Grenada.

"U.S. military out of Puerto Rico and Panama.

"End racism, sexism and lesbian/gay oppression at home."

"Let's unite to build a broad and powerful rebuff to the Reagan Administration's attempt to launch a new Viet Nam war," cried the official Committee literature. "Dramatize that the vast majority of people don't want another Viet Nam type U.S. intervention in Central America."<sup>17</sup>

The event was organized from the office of People's Anti-War Mobilization (19 West 21st Street, 7th floor, New York, NY 10010, tel. 212-741-0633), the front group of the Communist Workers World Party. Thus, the WWP, and not the more orthodox Communist Party USA, was the driving force behind this rally and march. CISPES was a prominent participant, however.

The collection of speakers was diverse, including Tom Soto, a WWP activist representing the People's Anti-War Mobilization;

Gwendolyn Rogers, of the Lesbian and Gay Task Force of PAM; former U.S. attorney general Ramsey Clark; Arnaldo Ramos, the Salvadoran "unknown" representing the FDR; Serge Mukende, of the Congolese National Liberation Front; Sonny Marks, representing the ambassador to the UN from the People's Republic of Grenada; Larry Holmes, 1980 WWP candidate for US vice president; Michael Ratner, president of the Communist front National Lawyers Guild; a representative of the African National Congress, a Marxist terrorist group in South Africa; and, of course, a representative of CISPES. Radical religious figures were also present.

Other groups participating in the rally, but not necessarily official sponsors, included:

Armenian People's Movement, identified by the Turkish Embassy as "the legal transit for ASALA," the Armenian Secret Army for the Liberation of Armenia, a terrorist group that seeks to annex eastern Turkey to Soviet Armenia. ASALA has claimed responsibility for the bombing and assassination of Turkish diplomats in the United States and other Western nations.

Organization of Iranian People's Fedali Guerrillas, another Marxist-Leninist group, also participated in the rally, distributing a "solidarity message" to the FMLN. The top of the literature displays a clenched fist and machine gun flanked by the hammer-and-sickle.

The Marxist-Leninist Party of the USA also participated, as did the pro-Castro Puerto Rican Socialist Party; the Committee in Solidarity with the People of Guatemala, whose literature sported a picture of Che Guevara and hammers-and-sickles; and the Bolshevik League.

Obviously, this coterie of activists had more than just the "liberation" of El Salvador in mind. One is reminded of the Marxist international revolutionary movement—as well as of Arafat's "We have connections with all the revolutions" remark mentioned earlier in this paper.

#### 5. CISPES ASSOCIATIONS WITH FOREIGN DIPLOMATS

Many CISPES-affiliated functions include foreign diplomats and other embassy officials as guest speakers. As a support committee for the Marxist guerrillas in El Salvador, CISPES works with support groups of other "national liberation" movements, as has been detailed.

CISPES involvement with foreign diplomats at protest rallies is demonstrative of its sympathy with these governments, and could point to a possible—although as yet unsubstantiated—collaboration between CISPES and foreign embassies.

A brief perusal of CISPES and CISPES-affiliated demonstration flyers shows that officials from the Embassy of Nicaragua, the Permanent Mission of "the People's Republic of Grenada" to the United Nations, and the Permanent Mission of the Socialist Republic of Viet Nam were guest speakers at the rallies.

A blatant example of possible CISPES collaboration with hostile embassies took place on October 27, 1983, when CISPES organized a demonstration in Washington against the US military action in Grenada. The protest was held in front of the Nicaraguan Embassy, and the Sandinista First Secretary and Cultural Attache was a featured speaker. District of Columbia CISPES activists were reportedly observed going in and out of the embassy during the rally, using the side door.

<sup>1</sup> "Dissent Paper on El Salvador and Central America," Forgery circulated by CISPES dated November 6, 1980, and available from the CISPES national office.

<sup>2</sup> New World Dynamics. Foresight. Special Bulletin, May 27, 1983.

<sup>3</sup> Accuracy in Media. AIM Report, March 1981.

<sup>4</sup> O'Malley testimony, Op. Cit., page 230.

<sup>5</sup> Stefan T. Possony and L. Francis Bouche, International Terrorism—The Communist Connection (Washington: American Council for World Freedom, 1978) pp. 104-105.

<sup>6</sup> John Barron, KGB Today—The Hidden Hand, p. 246.

<sup>7</sup> Cindy Hawes, "National peace demo set for May 3," Daily World, April 3, 1981, p. 3.

<sup>8</sup> "Salvador's diverse support mushrooms," Guardian, Spring 1981 El Salvador supplement, p. S-2.

<sup>9</sup> Council for Inter-American Security. West Watch, June 1981.

<sup>10</sup> Ibid. Cancel-Miranda has participated in several CISPES-sponsored events, including the July 19, 1981 March and Solidarity Fair to "Celebrate the 2nd Anniversary of the Nicaragua Victory!" in New York. He was listed on flyers promoting the events as one of the guest speakers.

<sup>11</sup> El Salvador's ambassador to the United States, Ernesto Rivas-Gallot, told this writer that no one in El Salvador has ever heard of Arnaldo Ramos, and that there is doubt that Ramos has ever been a Salvadoran citizen.

<sup>12</sup> CISPES, El Salvador Alert!, monthly newsletter, June 1981.

<sup>13</sup> Committee in Solidarity with Viet Nam, Kampuchea and Laos flyer, undated, for May 9, 1981 rally at Washington Square Methodist Church, New York City. CISPES was prominently listed on the flyer as a participant.

<sup>14</sup> Personal observation of author. National Network in Solidarity with the People of Guatemala shares office space with CISPES.

<sup>15</sup> John Rees, Information Digest, January 28, 1983.

<sup>16</sup> CISPES flyer re Salvadoran "refugees," for July 5-22 walk from New York to Washington.

<sup>17</sup> "Program for July 2 Rallies," distributed by the Ad Hoc Committee for July 2 (1983) mobilization, Washington, D.C.

## CONGRESS MUST HELP STATES AND CITIES ON ENTERPRISE ZONES

### HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. KEMP. Mr. Speaker, Justice Louis Brandeis once said " \* \* \* a single courageous State may \* \* \* serve as a laboratory and try novel social and economic experiments \* \* \* ". That famous remark is especially relevant now because a quiet revolution is taking place in our States and localities—one inspired by the concept of enterprise zones. The successful experiments now being conducted reinforce the viability of our system of federalism and the performance of free markets.

In the past, we have frequently tended to view and attempt to solve unemployment and inner-city decay on a macroeconomic level—disregarding the fact that each pocket of unemployment and each blighted city block is a result of a particular and unique set of circumstances. Individual decisions to open a business, move or shut-down are made on the basis of prevailing local conditions. State and local tax rates, regulations and zoning ordi-

nances all play a vital role in either creating or destroying a viable atmosphere for productive job creation and livable neighborhoods. The enterprise zone concept recognizes the necessity of granting those closest to the problem—State and local officials and citizen groups—the freedom to design their own individual packages of incentives—ones that best fit their needs and capabilities.

Preliminary results from the first comprehensive survey of operational enterprise zones in the United States indicate that approximately 17,000 jobs have been generated, are committed to be created or have been saved by zone-based firms to date. The incentive packages vary from State to State, but the results of the various enterprise zone efforts are very impressive.

For instance, when the south side section of Norwalk, Conn., was initially designated as a zone 3 years ago, the area was not much more than vacant storefronts and fading tenements. Now, thanks to an enthusiastic commitment from the State and local authorities, this once blighted section of town is undergoing large-scale historic rehabilitation encouraging chic restaurants, art galleries, and an explosion of entrepreneurial activity.

A major manufacturing firm had considered closing up shop and moving but decided to remain in the zone area and invest over \$4 million in its building thanks to the economic incentives offered. In all, there are currently 62 projects underway in this one zone, resulting in \$18 million in new investment and credited with saving over 1,200 jobs and creating another 350 new jobs.

In Topeka, Kans., the Goodyear Tire & Rubber Co. has cited the local enterprise zone incentives as crucial in their decision to engage in a \$60 million expansion which will create between 350 and 400 new jobs. This expansion comes on the heels of 1,500 layoffs in 1980. The Santa Fe Railroad had threatened to move its offices out of Kansas, but instead used enterprise zone incentives to construct a \$40 million office complex saving 2,000 jobs. The enterprise zone designation was also influential in the decision of the Prito Lay Co. to expand its Topeka plant adding 150 to 200 new jobs.

Nineteen hundred jobs could have been lost in Chicago, Ill., where the Spiegel Corp. was seriously considering shutting down its major mail order/service center warehouse. The firm decided to stay because of the zone incentives and in addition will be investing \$20 million in new plant and equipment.

In Decatur, an interesting reversal of the typical march to the suburbs has occurred with the local Sears store reversing a decision to move to a mall



and investing \$3 million in its downtown store. This was a major shot in the arm for Decatur from the standpoint of retaining their sales tax base.

These are just a few of the documented enterprise zone success stories thus far. I am confident that as the news continues to spread about enterprise zones, we will be seeing even more activity at the State and local level and I am hopeful that we in Congress can put aside our differences on this issue and give it a chance to work nationwide by passing the Federal enterprise zone bill. We must now allow our desperate inner cities and poor rural areas to be held hostage in partisan politics—they deserve the opportunity to become economically viable once again.

I would like to share with my colleagues a recent article by Howard Kurtz on the success the enterprise zone initiative which appeared in the November 5 edition of the Washington Post.

**ENTERPRISE ZONES WITHOUT REAGAN—CITIES ARE GOING AHEAD WHILE CONGRESS STALLS HIS PLAN**

(By Howard Kurtz)

On a main thoroughfare in Norwalk, Conn., you can see the first signs of what the city fathers hope will be a 1980s-style rebirth: a row of chic restaurants, fancy shops and renovated condominiums brightening up a generally deteriorating urban landscape.

This urban oasis is part of Norwalk's "enterprise zone," a local and state project. It shows what can be done with tax breaks and other incentives to help rebuild an American city.

Ronald Reagan has been advocating just this kind of enterprise zone for 2½ years, but ironically the president cannot take credit for Norwalk's efforts. So far, his own much-publicized plan has been bogged down in a seemingly endless debate in Congress, which has yet to approve a measure that would create 75 federal enterprise zones. Like many policy disputes in Washington, this one has revolved around abstract theories, economic estimates and a sizable dose of partisan politics.

Few federal officials have bothered to visit Norwalk. Nor have they journeyed to New Orleans (where the experiment is being tried in 94 census tracts and already has snagged a couple of high-tech firms) or taken up an invitation to visit Baltimore's Park Circle Industrial Park.

Had any policymakers ventured to Norwalk, an old industrial city on Long Island Sound, they would have discovered one of the more promising urban initiatives of recent years.

Although state and local tax incentives have done little to attract new business from other areas, they have been remarkably successful in keeping more than a dozen existing firms from leaving town. City officials credit the program with convincing a leather factory, a medical equipment manufacturer and a furniture warehouse to remain in South Norwalk's aging retail core when they decided to expand.

"It was enough to get them to sit down at the table and get out their calculators," said Norwalk councilman Michael Lyons, the zone's leading advocate. The lesson seems to

be that while enterprise zones may not attract new business to burned-out areas such as the South Bronx, they can keep neighborhoods with some industry from slipping over the edge.

The Norwalk city government has barely noticed the missing tax revenue. "When you look at the revenues that aren't coming in, the flip side is that's the amount that was invested in an abandoned building or storefront," says Gregory Dunne of the Norwalk Redevelopment Land Agency. "If that blighted lot stays vacant, you're not getting anything for it anyway."

There's another lesson for Washington in that: Opponents who complain about the potential tax drain on the federal treasury (which the Treasury Department estimates will be at least \$1.5 billion by 1987) are missing the point.

Tax breaks are fine, but Norwalk planners recognize that they don't help new businesses that aren't yet earning profits. A key to Norwalk's program has been making offers of cash grants to businesses for training poor or disadvantaged workers, or for initial investments by small "mom and pop" concerns. But the Reagan plan does not include outright grants because conservatives want to keep the costs down.

Another important lesson from Norwalk is that good roads, good public service and more traditional urban programs are also needed for enterprise zones to succeed. In the heart of Norwalk's industrial district is a four-lane highway that literally stops in midair because the city ran out of funding a decade ago. It was supposed to speed transportation in and out of the industrial area. Instead, trucks have to fight their way through traffic in crowded streets. It's clear that tax breaks aren't much benefit if delivery trucks can't get through to loading docks.

Yet none of this is being discussed in Washington, where the administration bill has passed the Senate twice but languishes in the House. Congress has been busy playing the "formula" game. The bill has been rewritten to reserve one-third of the planned zones for rural areas, even though no reason has been offered to justify this—other than congressional politics. This is the kind of congressional tinkering that reshaped the Great Society's Economic Development Administration until 80 percent of the country (read congressional districts) were eligible for antipoverty grants.

The Reagan plan would provide tax credits for investments, construction and expansion in designated zones chosen in a national competition. Businesses in the zones also would get a break on capital gains taxes and receive a tax credit of up to \$525 for each low income worker hired.

Housing and Urban Development Secretary Samuel R. Pierce Jr. says that one man is responsible for holding up the program—Rep. Dan Rostenkowski (D-Ill.), chairman of the House Ways and Means Committee. Rostenkowski only recently agreed to hold the first House hearing, and no date has been set.

But the larger problem is that there's no real constituency for enterprise zones. Many Democrats say they're afraid the program will cost too much and accomplish too little, but they also don't want to let Reagan take credit for a new urban initiative. Mayors give the idea lukewarm support; they prefer federal programs that send large checks rather than less visible, indirect aid. And conservatives say the original concept of breaking the regulatory shackles for select-

ed districts has been buried, ironically, in a sea of paperwork.

It's hardly surprising that the states have been forced to take the lead in luring business. Local officials have learned the futility of waiting for Washington to act. Some of the most innovative ideas of recent years—such as controlling hospital costs, upgrading high school standards, curbing drunk driving and easing prison overcrowding—have taken shape in state capitals.

Back along the Potomac, however, liberals and conservatives probably will hire a couple of Washington consulting firms to study the problem, the General Accounting Office will conduct a lengthy review, Reagan will blame Congress for being obstructionist—and no one will check out what is actually happening on the streets of Norwalk. ●

**CAUTION: HIGH JOBLESSNESS PREVAILS**

**HON. AUGUSTUS F. HAWKINS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● **Mr. HAWKINS.** Mr. Speaker, administration officials, rejoicing over the 0.5 percent drop in the unemployment rate over the past month, paint a rosy picture of a strong labor force and a dynamic economic recovery. I would caution the general public against prematurely joining in the shouts of elation without viewing the true employment picture in its proper perspective.

**Fact:** The overall unemployment rate for October 1983 was 8.8 percent with approximately 9.9 million persons out of work. This remains a persistently high level of joblessness.

**Fact:** The drop in the unemployment rate last month is due, in large part, to a statistical fluke because of the way figures are adjusted to compensate for seasonal variation in the job market. In fact, the October labor force actually declined by about a half million. This was due to the fact that people were dropping out of the labor force, not because the unemployed were finding jobs. BLS Commissioner Janet Norwood, in appearing before the Joint Economic Committee last week to discuss the current employment situation, herself admits that the Government has been overstating the employment count over the past several months. Therefore, the sharp drop in the jobless rate from 9.3 percent in September to 8.8 percent in October is largely due to a technical correction in reporting techniques, and not necessarily to a sustained economic recovery.

**Fact:** In October 1983, there were 9.9 million people officially counted as unemployed by the Government. In addition, there were approximately 5.7 million persons who were working part time for economic reasons but would prefer to work full time to support

themselves and their families. Another 1.6 million individuals were so discouraged about the joblessness in the Nation that they had given up looking for jobs and were no longer counted as unemployed. Therefore, approximately 17.2 million Americans could be viewed as either unemployed or underemployed for the month of October.

Fact: The unemployment rate last month for certain groups continues to remain unconscionably high. For example, unemployment for blacks is currently about 18.1 percent, still more than double the rate for whites. Teenage unemployment continues to hover at 21.6 percent; for black teenagers, the rate is 48.3 percent which translates into the fact that almost every other black teenager is without a job. Likewise, there was no significant improvement in the employment gains for Hispanics over the last month. The harsh reality for these target groups is that the economic recovery, which this administration purports will benefit all, has not filtered down to these groups to significantly improve their livelihood.

Fact: In October, there were 2,250,000 individuals without a job for 6 months or longer, compared to 2,216,000 long-term unemployed 1 year ago. This means that one out of every five unemployed person has been jobless for relatively long periods of time.

These and other stark realities about the impact of the current economic recovery reinforce the fact that the unemployment rate remains unacceptably high, and that we need to continue to focus on this persistent problem, and to enact programs to get our people back to work and to get our country back on the right track.●

#### SOLVING THE SOVIET MAIL INTERRUPTION

**HON. BENJAMIN A. GILMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. GILMAN. Mr. Speaker, the staff of the House Post Office and Civil Service Committee has done an outstanding job in documenting the problem of Soviet interruption of the international mail. We have surveyed violations affecting 13 different countries and the evidence indicates that not only are the Soviets in gross violation of the Universal Postal Union Convention standards, but the evidence is rather convincing that the U.S. Postal Service has to date been less than firm in dealing with these violations.

One of the key witnesses at our recent hearing was Vladlen Pavlenkov, who served 7 years in Soviet prisons and who is now general manager of Freedom of Communications. Mr. Pav-

lenkov was a school principal in the Soviet Union and was jailed for political reasons.

He is perhaps the leading authority on Soviet mail interruption and tactics of the KGB utilized in their scheme to evade international agreements.

Mr. Pavlenkov has just published a book on this issue which he will be distributing to the Members of both Houses very shortly. I am inserting his testimony at this point in the RECORD, so that Members will be able to provide some additional pertinent information to the constituents who have written on this important issue:

#### TESTIMONY OF VLADLEN PAVLENKOV

*Freedom of Communications* has submitted to the Hearings a detailed and complete report on the USA-USSR postal relations, featuring real life facts of Soviet postal malfeasance.

The Report incorporates information the FC project has monitored on Soviet postal malfeasance. It does not cover all the methods used by the Soviet authorities to interrupt normal functioning of international mail. As you may know, the Soviet tendency is to blatantly disregard compliance to the norms of international cooperation. (The Korean Air Lines massacre certainly proves this point.) It is necessary to say that postal communications between individuals living in the USA and the USSR, according to FC studies, has only deteriorated in the last several years.

Mr. Chairman, I am here representing the Freedom of Communication Project of the Committee for the Absorption of Soviet Emigres, (C.A.S.E.), a non-profit organization devoted to advocating the rights of Soviet dissidents and refuseniks, as well as ordinary emigres from the Soviet Union.

My name is Vladlen Pavlenkov and I am the general manager of the Freedom of Communications project founded 18 months ago as part of the Committee for the Absorption of Soviet Emigres in Jersey City, New Jersey.

I came to the USA from the USSR as refugee nearly four years ago. In my native country I was a high school teacher and a principal. I spent seven years of my life in Soviet labor camps and prisons for political reasons.

Freedom of Communications began as a project of C.A.S.E. in early 1982. Its mandate was to collect and disseminate information concerning the infringement of international postal agreements by both the Soviet postal and customs authorities. It has been successful in making this information known and in aiding senders of mail to the USSR in cases of loss or baseless return to receive compensation from the USSR.

Freedom of Communications assists one of C.A.S.E.'s basic goals—that of disseminating information concerning the Soviet Union. In addition, C.A.S.E., a multifaceted organization, provides important aspects of the emigre's resettlement process. It sponsors a museum of Soviet unofficial art, a federal credit union, a Russian language weekly newspaper, and a community development corporation.

The information accumulated in our Report which will be subsequently distributed, permits me not to go into specific detail at this time. Rather, I will tell this Committee how C.A.S.E. attempts to fight Soviet postal violations.

No person or public body can do it alone. The United States Postal Service (USPS) is the entity with the power to enforce corrective measures. Unfortunately, the USPS has, to all intents and purposes, avoided confrontation with the Soviet postal authorities and with the KGB, which really stands behind the Soviet postal administration. The USPS neither uses the means, which are available to it, nor strives to expand those means. Very often it virtually condones the Soviet actions by its own inactions. Let me cite one specific example. The Soviet Union improperly returns thousands of parcels to their senders in the USA: some of them, by false pretext; others, with no explanation whatsoever. How does the USPS deal with this fact? USPS returns such parcels to the sender in the USA and charges them for the return postage. Incredibly, it then sends part of the monies collected to the Soviet Union. (See supplement to this Testimony) An interesting question arises as to how much subsidy America is giving to the USSR through this technique? Many similar examples about the unwillingness of the USPS to combat the Soviets are given in the FC report.

We also list some suggestions for improvement of the situation but I believe that nothing can be changed without a reorientation of the USPS. They are the key. As the supplement sets forth, the USPS needs to present claims to the USSR, not be their agent for collection here. The roles need to be reversed.

As an alternative to the USPS, an international effort might work. The Year Nineteen Eighty Four is the year of the next regular United Postal Union Congress. The Madrid Conference rules that the Vienna Conference on East-West human contacts should take place in 1985.

I suggest that the years 1984-1985 should be declared the years of law and order in international communications. If the United Nations is too busy to participate, I think an international cooperative effort involving free world countries would be sufficient. If this cannot be arranged, then it is essential that this Committee assure the straightening out of priorities within the USPS. Without the latter no improvement in postal communications between individuals living in the USSR and the USA will be possible.

Those of you who watch news reports from the Soviet Union are aware that the average Soviet citizen has no knowledge of the true facts behind the Korean Air Lines massacre. Why? Because communication with the free world is prohibited. However, postal communication is supposed to be free. Imagine how international relations could change if Soviet emigres in the free world could communicate with their relatives in the Soviet Union the real facts of the massacre or of any other aspect of real life.

Mr. Chairman and members of this Committee, I am honored to be here. For a refugee from the Soviet Union to be permitted to petition this Government is an example of the beauty of American democracy. Believe me, if I tried to state this case in my native land, I'd face at least another 7 years in Soviet labor camps.●



THE STOCKHOLDERS  
PROTECTION ACT OF 1983

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. STARK. Mr. Speaker, today I am introducing a bill to change the tax treatment of amounts received in certain corporate transactions. My bill will affect two areas of abuse: First, the preferential treatment given to certain shareholders at the expense of the other shareholders and second, the golden parachutes that protect people in top management at the expense of the rest of the corporate organization.

My concern in the area of corporate abuse was raised when I read about the deal the Kaiser Steel Corp. cut with a group of shareholders known as the Jacobs group. In brief, Kaiser had an offer from the Jacobs group to buy Kaiser. When Kaiser got a better offer from another group of investors, the Jacobs group proposed to block the sale unless they got a better deal on 1,181,100 of the shares it owned.

The bottom line is that Kaiser's board of directors agreed to give a much sweeter deal to one group of shareholders than to all the other shareholders of the same class. Much to my dismay, I have learned that Kaiser is not the only corporation giving sweeter deals to some investors at the expense of other shareholders. And the Jacobs group is not the only group around boasting that it does not have any discomfort whatsoever about getting better terms than the rest of the shareholders.

Mr. Speaker, this is a gross abuse of the corporate obligation to treat all shareholders in a class equally. We should not allow the gain which some officers and shareholders receive from these transactions to receive favorable capital gains treatment. Nor should we legitimize with a business deduction any expenses which a corporation incurs when it schemes to give one group of shareholders preferential treatment at the expense of the other shareholders of the corporation. Therefore, my bill treats as ordinary income any gain realized in such a transaction by a shareholder or an officer and disallows all corporate deductions attributable to the transaction.

With this bill, corporations, officers and shareholders devising transactions which give preferential treatment to a few shareholders at the expense of the rest of the shareholders will feel some financial discomfort to replace the moral discomfort which was missing in the first place.

The second part of the bill deals with a phenomenon known as the Golden Parachute. Corporate officials have devised another way to get a

better deal for themselves at the expense of the other shareholders—the golden parachutes. Management groups who see a corporate change on the horizon have established the practice of creating golden parachutes to ease their fall from corporate power. Before the rest of the shareholders can anticipate the corporate change, these officials use their power to get one last piece of the rock before they are ejected from the seat of corporate power.

The components of these management protection agreements are limited only by the imagination of the players involved. And the players are very imaginative. There is a new book out, entitled "Book of Perks," by James R. Baehler. Mr. Baehler describes some of the incredibly rich "parachutes" that are being offered to corporate executives involved in the games of corporate PAC-man acquisitions and mergers. The following examples are from this funny-sad book:

In the Age of Merger and the Era of Leveraged-Buyout, the life expectancy of top managers often seems akin to that of a Mayfly. With corporate raiders like Victor Posner and Carl Icahn riding the range, and acquisition addicts like Charley Bluhdorn and Saul Steinberg ever on the prowl for another "hit," it behooves managers of likely takeover targets to protect themselves. Prudent executive teams are fashioning "golden parachutes" in the event their company is taken over or merged into another.

When Conoco became a takeover prize, the company quickly provided protection from peril for Ralph Bailey, the chairman, and eight other officers. Their "parachutes" were designed to snap open as soon as more than 20 percent of Conoco stock was acquired by someone else. Should thereafter one of the officers leave either through termination or resignation, he would be paid a lump sum equal to his next seven years' compensation, less 9 percent. The day after du Pont acquired its controlling interest in Conoco, Mr. Bailey could have decided that he could "no longer discharge" his duties and walk away with a check for more than \$5 million.

Mr. Bailey stayed, but four top executives at Mohasco Corporation decided to cash in their chips even though Gulf and Western's takeover attempt was thwarted. According to the assistant to the president at Mohasco, the four decided to "head for greener hills" and packed \$829,000 in their picnic basket.

When Martin Marietta Corporation found itself being ardently pursued by Bendix Corporation, the company quickly granted long-term salary protection to twenty-nine of its executives and then called upon United Technologies for assistance. United Technologies already had sixty-four of its officers equipped with golden parachutes and promptly made an offer for Bendix. William Agee, CEO of Bendix, appealed to his board for reassurance and the board promptly granted \$16 million in salary guarantees to the company's top sixteen officers (Agee's share was \$4 million) and called upon Allied Corporation to live up to its name and serve as their ally. Allied leaped into the fray, having already provided its CEO, Edward Hennessey, with a 24-karat parachute worth \$3.9 million. None of those ripcords has yet

been pulled but the betting is that Agee will be the first to hit the silk.

Brunswick, Control Data, Phillips Petroleum and Superior Oil are among the companies providing "Special Termination Agreements" in the event of a takeover. The number of executives covered ranges from four or five to twenty-five and the payouts for the CEOs start at \$870,000 and go up to \$5.6 million. Kimberly-Clark Corporation must feel like a homecoming queen at a fraternity toga party; to ward off unwanted suitors, K-C has guaranteed the salaries of eighty of its executives for far into the future. If all the executives at Beneficial Corporation use their "parachutes," it will look like a NATO airborne landing; 234 of Beneficial's executives are covered, which must include everyone down to the mail-room supervisor. So far, no payments have been made at these companies, but those involved sleep better each night.

The text of the bill is as follows:

H.R. 4357

A bill to amend the Internal Revenue Code of 1954 to ensure stockholder protection with respect to the treatment of amounts received in certain corporate acquisitions, and for other purposes

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part IV subchapter P of chapter 1 of the Internal Revenue Code of 1954 (relating to special rules for determining capital gains and losses) is amended by adding at the end thereof the following new section:*

"SEC. 1257. TREATMENT OF AMOUNTS RECEIVED BY CERTAIN SHAREHOLDERS IN CERTAIN CORPORATE ACQUISITIONS.

"(a) GENERAL RULE.—If—

"(1) the consideration per share of stock in any corporation to be received by any 1-percent shareholder in any transaction (or series of transactions), exceeds

"(2) the otherwise prevailing market price for such stock (as of the time the transaction is entered into), notwithstanding any other provision of this subtitle, any gain realized by such shareholder from such transaction (or series of transactions) shall be recognized and included in gross income as ordinary income.

"(b) DISALLOWANCE OF DEDUCTIONS ATTRIBUTABLE TO TRANSACTION.—No amount otherwise allowable as a deduction under this chapter to the corporation referred to in subsection (a) shall be allowed as a deduction to the extent that such amount is attributable to the transaction (or series of transactions) referred to in subsection (a).

"(c) TREATMENT OF CERTAIN AMOUNTS PAYABLE TO MANAGEMENT.—

"(1) IN GENERAL.—In the case of a management protection agreement—

"(A) no deduction shall be allowed under this chapter for any amount paid or incurred (or property transferred) pursuant to such agreement, and

"(B) the present value of the aggregate amount (including property) to be received under such agreement by any person shall be included in the gross income of such person as ordinary income for his taxable year in which the employment relationship is terminated.

"(2) MANAGEMENT PROTECTION AGREEMENT.—For purposes of this subsection—

"(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'management protection agreement' means any agreement to make one or more payments (or transfers

of property) to an employee of a corporation if such employee's employment with the corporation is terminated within a specified period after a change (of a kind specified in the agreement) in the ownership or control of the corporation.

"(B) EXCEPTION FOR NONDISCRIMINATORY AGREEMENTS.—The term 'management protection agreement' does include any agreement if the benefits provided under such agreement do not discriminate in favor of employees who are officers, shareholders, or highly compensated.

"(d) DEFINITIONS.—For purposes of this section—

"(1) CONSIDERATION.—The term 'consideration' means—

"(A) the fair market of the stock, securities, or other property, and

"(B) the amount of cash, to be received in the transaction (or series of transactions).

"(2) 1-PERCENT SHAREHOLDER.—The term '1-percent shareholder' means any person who owns (directly or through the application of section 318) stock possessing 1 percent or more of the total combined voting power of all classes of stock entitled to vote."

(b) The table of sections for such part IV is amended by adding at the end thereof the following new items:

"Sec. 1257. Treatment of amounts received by certain shareholders in certain corporate acquisitions."

(c) The amendments made by this section shall apply to transactions after November 10, 1983, in taxable years ending after such date.●

## STUDY ON EFFECT OF NUCLEAR WAR

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Ms. KAPTUR. Mr. Speaker, a dramatic new study has been released on the devastating effects of nuclear war. An international coalition of scientists and researchers, led by Dr. Carl Sagan, anticipates a cold, dark, nuclear winter in the aftermath of a moderate, not major, nuclear exchange. A recent article in the *Chronicle of Higher Education* focuses on the results of their work and provides the stark and horrifying details of a virtually lifeless world after a nuclear war.

There are those who say that nuclear war is survivable. I would ask them, is it worth living on a planet devoid of warmth, sunlight, the beauty of flora and fauna, and the fellowship of our loved ones? I ask my colleagues to take a moment to read this article and reflect on its implications for congressional decisionmaking.

The article follows:

[From the *Chronicle of Higher Education*, Nov. 9, 1983]

AMERICAN AND SOVIET SCIENTISTS PREDICT "NUCLEAR WINTER" IN WAKE OF BLAST  
(By Ellen K. Coughlin)

WASHINGTON.—The long-term atmospheric effects of a large-scale nuclear exchange could include subfreezing temperatures, protracted darkness, and greater exposure to radioactivity than had previously been pro-

jected, according to new findings presented at a conference here last week.

A group of researchers led by Carl Sagan, professor of astronomy and space sciences at Cornell University, told approximately 600 scientists, government officials, and activists that the projected "nuclear winter" could also spread to the Southern Hemisphere, where the potential effects of nuclear war had been thought to be minimal.

Addressing the conference via satellite, a group of Russian scientists, led by Evgeny P. Velikhov, vice-president of the Soviet Academy of Sciences, presented evidence from studies conducted in their country that confirmed the Americans' major findings. According to a spokesman for the conference organizers, the teleconference was believed to be the first such meeting between American and Soviet scientists.

For their study, Mr. Sagan and his colleagues ran computer models of a variety of nuclear-war scenarios, including cases ranging in explosive power from 100 to 10,000 megatons. Among other things, they calculated how much dust and smoke would be generated by a nuclear blast, how much sunlight the dust and smoke would absorb, and how much temperatures would change as a result.

For example, based on a hypothetical 5,000-megaton nuclear exchange, with 20 per cent of the explosive power expended over cities or industrial targets, Mr. Sagan and his colleagues found that:

Smoke particles from nuclear fires and soil dust from surface explosions could absorb enough light to create an unbroken pall of darkness lasting for several weeks. Beyond that time, light filtering through the cloud cover could be inadequate to sustain photosynthesis, severely limiting plant growth and thus disrupting the food chain.

The lack of sunlight caused by the nuclear cloud would cause temperatures to drop suddenly to subfreezing levels. The abrupt onset of cold could damage or kill crops, depending on the season in which the blast occurred. Many animals could die of thirst, since surface water would be frozen over.

The large quantities of fission debris released into the atmosphere could result in greater levels of long-term radioactive fallout—in some areas approaching lethal doses for humans—than have been predicted thus far.

Contrary to previous assumptions that the effects of a nuclear war on the Southern Hemisphere would be minor, disturbances in global circulation patterns could rapidly transport large amounts of smoke, dust, and other nuclear debris to that part of the world.

### EXTINCTION 'INEVITABLE'

"The extinction of a large fraction of the earth's animals, plants, and microorganisms seems inevitable. The population size of *Homo sapiens* conceivably could be reduced to prehistoric levels or below, and the extinction of the human species itself cannot be excluded," wrote Paul R. Ehrlich, professor of biological studies at Stanford University, Mr. Sagan, and others in a paper prepared for the conference.

Their projections were based largely on a study conducted over the last two years by Richard P. Turco, a researcher at R&D Associates in Marina del Rey, Calif.; Owen B. Toon, Thomas P. Ackerman, and James B. Pollack of the National Aeronautics and Space Administration's Ames Research Center in Moffett Field, Calif.; and Mr. Sagan.

Their conclusions, presented at the conference by Mr. Sagan and Mr. Ehrlich, were reviewed by approximately 100 leading physicists, biologists, and atmospheric scientists from around the world at a series of meetings held in Cambridge, Mass., last April.

The Conference on the Long-Term Worldwide Biological Consequences of Nuclear War was sponsored by more than 30 organizations, including the Federation of American Scientists and the Union of Concerned Scientists.●

## END U.S. SUPPORT FOR SOUTH AFRICA

HON. BRUCE A. MORRISON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. MORRISON of Connecticut. Mr. Speaker, I rise today to commend my colleague Mr. GRAY from Pennsylvania for his strong and determined efforts to end U.S. support for South Africa and its repressive apartheid regime. On Thursday, October 27, Mr. GRAY's amendment prohibiting any new U.S. industrial investment in South Africa passed the House. This substantive amendment will be a meaningful step forward toward the end of the United States hypocritical support of South Africa.

It is imperative, in the wake of the passage of the new South African Constitution, that we not be confused and that we not give up the fight against apartheid. The new Constitution offers absolutely no concession to the 22 million black citizens of South Africa, and sets up impotent and segregated houses of parliament for Indians and coloreds, or people of mixed race. These bodies will have jurisdiction over their own "community concerns," but matters of mutual concern to whites and nonwhites will be subject to passage by both the white and nonwhite chambers. In every issue of any importance, the built-in white majority in parliament will assure a victory for the policies of apartheid.

Do not be deceived. New Constitution or not, the 75-percent black majority of South Africa is still subject to the institutionalized, inhumane repression that is apartheid. Blacks continue to be banned from government, denied equal legal treatment, and forcibly "resettled" against their will. This treatment should not be allowed to continue, and must not be condoned and supported with further U.S. investment.

We profess to believe and uphold the concept that all the people of the world should be allowed free and equal access to their nation's political and legal institutions. Yet we continue to pour ever-increasing amounts of money into the economy of apartheid—an economy controlled by a



white minority dedicated to withholding the most basic human rights from the 80 percent nonwhite majority. In the past three decades, direct United States investments in South Africa have climbed from \$410 million to over \$2.6 billion in 1981. The past three decades have also seen an equal and no doubt related rise in the tyrannical reign of apartheid.

Mr. GRAY's amendment will prohibit all new investment in South Africa, and establish penalties for individuals and corporations who violate this prohibition. While it will not in any way force previously committed individuals or corporations to divest, I believe it will help to bring our hypocritical support of apartheid to an end. I applaud Mr. GRAY for his clear sight and hard work in sponsoring this amendment and seeing it through the House.●

### CLOSE TAX LOOPHOLES

#### HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. SHUSTER. Mr. Speaker, I would like to bring to the attention of my colleagues what appears to be a loophole of major dimensions. The national news media have recently been carrying stories about a relatively new tax scheme—the royalty trust. A royalty trust is a device in which appreciated royalty income-producing properties are distributed by the corporation to a trust for the benefit of its shareholders.

Because the trust seems to eliminate corporate taxes, I believe it represents a potentially limitless revenue loss, particularly if the royalty trust is expanded to be used for other natural resources.

Consequently, I have today written to Rudolph G. Penner, Director of the Congressional Budget Office, to ask that he investigate further the budget and revenue impacts of royalty trusts.

The text of the letter follows:

HOUSE OF REPRESENTATIVES,

Washington, D.C., November 9, 1983.

Mr. RUDOLPH G. PENNER,  
Director, Congressional Budget Office,  
Washington, D.C.

DEAR RUDY: As a member of the House Budget Committee, I am writing to request that you investigate and produce a corresponding cost analysis of a matter which has recently been called to my attention.

Recent articles in the national media have indicated that States which have productive oil and gas properties stand to lose a royalty trust. These articles have branded this device as a mechanism used by big oil companies for purposes of tax avoidance through a distribution of royalty-income producing properties to a trust for the benefit of its shareholders.

Royalty trusts have been increasingly used to make such a corporate distribution and provide trust unit holders with income equal to a predetermined percent of reve-

nues less certain expenses generated from specific oil and gas (or other) royalty property. The trust units are sold and traded to the public and listed on the national stock exchanges. While the grantor corporation normally holds the working interest and continues to be responsible for the operation of the properties, the trustee assumes the responsibility for collecting revenue from the property, paying trust obligations and distributing net revenue to those parties holding a beneficial interest in the form of a trust unit or certificate.

While it has come to my attention that States with producing properties stand to lose state revenue from corporate and individual income taxes, property and other taxes caused by the distribution of state public and private lands into a royalty trust device, I believe that the royalty trust device should be explored for its potential tax avoidance at the federal level as well.

For example, the placement of royalty income-producing properties in a trust would appear to bypass the potential collection of corporate taxes. Royalty trusts may also contravene present tax policy with regard to individual income taxes, the depletion allowance, dividends and capital gains transactions and corporate distribution and liquidations.

Recognizing that both the Administration and Congress are intent on reforming our tax code, I am writing to request that you investigate and study the impact of the royalty trust device on the Federal budget. Indeed, I would suggest that at least the following questions be addressed in such a study:

1. What is the impact of the royalty trust device on our domestic economy and the federal budget?

2. What is the impact of royalty trusts on the collection of federal revenues? Is revenue collection increased or decreased? To what extent does use of the royalty trust avoid federal taxation of property at the corporate level and decrease the collection of revenues?

3. To what extent does the use of the royalty trust device contravene present tax policy with regard to corporate and individual income taxes, capital gains transactions, the depletion allowance, trusts, the payment of dividends, and distributions or liquidations?

4. To what extent does the use of royalty trusts impact upon the oil depletion allowance and the public policy behind the depletion allowance?

5. What is the extent of the impact of an increased use of royalty trusts on the federal spending portion of our budget? To what extent does their use mean increased spending for government regulation and support staff for oversight in the securities area?

6. To what extent do royalty trusts come within the jurisdiction and surveillance of our present securities laws and are changes in record-keeping, securities transactions, recording and disclosure requirements required by their increased use? Furthermore, if such changes were made and a program to monitor foreign investment and ownership in these trusts was set up, what would be the cost to the government to operate such record-keeping and monitoring programs?

7. What would be the revenue and spending impact if federally leased lands were part of such trusts? What if use of the royalty trust device was extended to coal or other resources? Will corporate incentives for development of new reserves and maximum utilization of existing ones be substantially reduced?

8. Will foreign interests in such trusts allow the direct payment of income to such foreign interests while avoiding U.S. taxes altogether, or avoiding substantial amounts of U.S. tax?

In conclusion, concerns about the federal budget deficit and foreign investment in our energy and natural resources have led me to believe an investigation into all aspects of royalty trusts is merited at this time. Recognizing your role in advising the Congress and members of the House Budget Committee on matters related to federal revenues and spending, I would be most interested in hearing your thoughts regarding the budgetary impact on royalty trusts vis-a-vis the questions I have raised.

Thank you for your time and consideration, and I look forward to hearing from you in the near future.

With kind regards, I remain

Sincerely,

BUD SHUSTER,  
Member of Congress.●

### VETERANS DAY

#### HON. ROY DYSON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. DYSON. Mr. Speaker, John F. Kennedy once said, "A nation reveals itself not only by the men it produces but also by the men it honors, the men it remembers."

Tomorrow we pause to pay tribute to those Americans who have honorably and bravely served our country in the armed services. Honoring those who faced unbearable conditions, experienced the misery of war halfway around the world, and who gave their lives in pursuit and protection of our most cherished national asset—our freedom—is an important step in recognizing the debt we owe.

It is fitting that we should honor our veterans with parades and ceremonies and a special day of recognition. Yet the Nation owes more than 1 day to its veterans. The best thanks which a grateful nation can extend to its veterans is the opportunity for them to resume their lives at home.

Despite budget constraints this year, the Congress has approved significant legislation to expand services to veterans and maintain disability payments. Two major bills seem particularly noteworthy.

On May 23, the House passed the Veterans Administration Health Programs of 1983. This measure extends for 3 years, the veterans readjustment counseling program to Vietnam era veterans at community based vet centers. Currently, these vet centers, in over 136 locations around the country, provide critical services to tens of thousands of Vietnam era veterans who are seeking assistance. It also calls for a comprehensive study of the readjustment of Vietnam era veterans to civilian life which would aid the re-

adjustment counseling program in maximizing efforts in this area. This study will include a survey of the prevalence of post traumatic stress disorder.

Another important provision of the measure establishes an Advisory Committee on Women Veterans within the VA in order to better assess the needs of women veterans and how we can best address them. As the armed services attract more and more women, their ultimate welfare as veterans is an important priority.

In addition, this legislation provides for a sorely needed increase in per diem rate payments for the care of eligible veterans in State extended care facilities, hospitals, and nursing homes.

It also extends for 1 year the VA's authority to contract out hospital and health care services for eligible veterans living in Puerto Rico and the Virgin Islands.

On May 24, the House passed the Veterans Housing Benefits Amendments of 1983. The measure provides mortgage assistance to veterans who have been unable to meet their monthly mortgage payments for 6 months or more because they are unemployed, underemployed, or seriously ill. Assistance under this new temporary program could not exceed \$8,400 per eligible veteran. This assistance would not be a grant, but a loan which the veteran would have to repay within 48 months of the date of the last advance.

Additionally, it expands the availability of loans guaranteed by the VA for the purchase of manufactured homes that are permanently affixed to a lot, under conditions currently applying to loans on conventionally built homes.

Finally, it extends for 5 years, the grant-in-aid program under the State cemetery grant program, to encourage States to establish new State veterans cemeteries and to expand or improve existing cemeteries so that veterans can be buried near their homes.

Both of these measures represent significant improvements in veterans programs for those in special need of assistance. I was proud to lend my fullest support in securing passage of these important legislative efforts.

How we treat our veterans in their struggle to gain jobs, education, health care, and social acceptance, is a measure of our character as a nation.

America owes a debt to every man and woman who served in the Armed Forces when asked to do so. They met their obligations. Now we must meet ours. We in Congress must continue our pledge to work for ongoing progress in solving the problems of the U.S. veterans.●

## MYTHS THAT DISTORT THE FIRST WORLD'S VIEW OF THIRD WORLD DEBT

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Ms. KAPTUR. Mr. Speaker, I would like to share with my colleagues an article from the International Herald Tribune, regarding Third World debt. I urge my colleagues to consider seriously the views of Mr. Elio Gaspari, the deputy director of the news magazine *Veja* of Sao Paulo. I believe that the policy implication of his position is that the international financial institutions presently in place are not properly constituted to result in the type of Third World development that touches the majority of people in the host countries.

The article follows:

### MYTHS THAT DISTORT THE FIRST WORLD'S VIEW OF THIRD WORLD DEBT

(By Elio Gaspari)

SAO PAULO.—The foreign debt crisis of the developing countries is the Vietnam of the international financial system.

Both the debt crisis and the Vietnam War arose from the same basic error: a belief that it is possible to change the course of developing countries' history with a little help from developed friends—even if this change of course is not exactly what the people in those countries want.

Since the early 1950s, the developed world has believed in a set of myths that supposedly can help regenerate countries. First is faith in miraculous economic indexes. Brazil, Argentina and India learned fast to produce tons of statistics every year—some with rosy figures, others with somber forecasts—to fit any need. In the 1970s, encouraged by the performance of Brazil's average growth rate, 10 percent a year, the banking community gave it several loans.

Since the growth of a gross national product is a kind of bible to believers of the pan-financial religion, it would have been in poor taste to remind the lending banks that at that very time São Paulo, a megalopolis thriving on the blessed GNP, was plagued by a meningitis epidemic. Why shed doubts on the optimistic figures, and why shed light on darker curves—like the infant-mortality rate, which, at that time, reached record heights—if it was widely believed that children could be saved from death by a miracle of the GNP?

A second myth is that analogies between countries work. Consider the theory of the economic takeoff in developing countries. It holds that if you have a sound capital accumulation, plus solid GNP growth, takeoff inevitably will occur. It sounds nice but does not always work that way. Brazil accumulated capital, boasted an impressive GNP, but, instead of the economy taking off, the country developed a \$90-billion foreign debt.

The banking community believed in another myth—that an enlightened native elite might solve most problems. According to that fantasy, all would be simpler in developing countries if, instead of political disputes and elections, there were more governments with a team of the best and

toughest in command, acting freely to bring about progress.

The international order based on the flow of money to governments ruled by military officers with medals and civilian technocrats with doctorates—and committed basically to GNP growth—failed. It collapsed for the same reason that the Vietnam venture did: the association (through sophisticated disguises) with dictatorial regimes. Strong regimes, it was believed, were a good remedy for the indolent people of the Third World. In the end, the dictatorships harmed not only the countries themselves but also the bankers who gave them loans. Instead of producing economic stability, they created social instability and a global foreign debt of \$500 billion.

Over the last decade, the American public has not perceived the scope of an important political phenomenon in Latin America: Brazil's gradual political democratization. It is understandable that the United States worries about what is happening in Central America, but if one considers that El Salvador's gross national product is smaller than the deficit in Brazil's social security program, one may wonder whether the scope of what is happening in Brazil is not being underrated.

Today, Brazil is called the "world's biggest debtor." Not long ago, the "Brazilian miracle" was being praised. Soon, Brazil may be singled out as the "biggest default in financial history." Those superlatives mean little. What matters in Brazil is not so much the size of its foreign debt but the depth of its democratic experience.

The International Monetary Fund and the lending banks expect Brazil to follow a strict recessionist policy. This policy, however, led crowds to sack 252 food stores in one month. The IMF and banking community may feel political questions do not interest them. But they cannot deny the undeniable: 20 years of investment in authoritarian regimes, through idealization of local elites and official statistics, led the international financial system to disaster.●

## GRENADA—QUESTIONS REMAIN

HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. LEVINE of California. Mr. Speaker, in yesterday's Wall Street Journal, Arthur Schlesinger, Jr., made some perceptive comments about the U.S. invasion of Grenada. His article appears at a time when little criticism of this illegal action can be heard.

Despite the swell of support for this invasion, I respectfully commend Mr. Schlesinger's article to my colleagues. It is a sobering assessment of the rationale behind the Reagan policy toward Grenada and the costs to our Nation of the invasion.

When the cheering stops, and the euphoria dies, we will be faced with a world with a new and different view of the United States. Only then will we fully begin to understand the price to be paid for the President's display of force.



## GRENADA, WITHOUT WARNING

(By Arthur Schlesinger, Jr.)

During the Cuban missile crisis 21 years ago, the joint chiefs of staff advocated a surprise attack to take out the missile bases. Robert Kennedy opposed the idea as a "Pearl Harbor in reverse." "For 175 years," he said, "we had not been that kind of a country. A sneak attack was not in our traditions. . . . We were fighting for something more than just survival. . . . Our heritage and our ideas would be repugnant to such a sneak military attack."

How we have progressed since 1962! Now we launch a sneak attack on a pathetic island of 110,000 people, with no army, navy or air force, and claim a glorious victory. "Grenada Proves We'll Fight" was the headline of one self-congratulatory piece. The fact that we have shown ourselves mighty enough to defeat Grenada will no doubt make the Russians think twice. Or will it?

It certainly should make Americans think twice.

The sneak attack on Grenada was undertaken without declaration of war or specific congressional authorization. It was undertaken in violation of the charters of the United Nations and of the Organization of American States, as well as of nonintervention pledges constantly made (if too often forgotten) by the U.S. to the Western Hemisphere ever since the Montevideo conference of 1933, when we first subscribed to the declaration that "no state has the right to intervene in the internal or external affairs of another."

The sneak attack was undertaken without any effort to determine what the real situation in Grenada was or where the new regime was headed. It was undertaken against the counsel of even such faithful friends of Mr. Reagan as Margaret Thatcher. The U.N. resolution deploring the attack encountered no opposition save our own in the Security Council. The attack produced dismay and indignation throughout Latin America.

## NO EVIDENCE

At a time when a prudent administration planning to deploy new nuclear missiles would have been doing its best to still European fears, the attack renewed the picture of the U.S. as an irresponsible and bellicose ally, galvanized anti-American sentiment in Western Europe, undermined our case against the Soviet invasion of Afghanistan and handed Moscow a potent new propaganda weapon.

The various pretexts advanced by the administration for the sneak invasion have been flimsy in the extreme. The first pretext was to rescue American medical students in Grenada. There was no evidence that these students were in danger or were detained against their will. The Grenada Military Council had offered explicit assurances that American lives and property would be protected and guaranteed. Nor did our government call in the Red Cross or other intermediaries to arrange evacuation. It did not want evacuation. It wanted a pretext for war. Evacuation of citizens in real or supposed danger does not ordinarily require the invasion of a country and the overthrow of its government.

The next pretext was that the sneak invasion was necessary to avert chaos. But no evidence has been submitted that there was chaos in Grenada, beyond the fact that one set of Marxist thugs had murdered another set some days before. The chaos argument is all too reminiscent of the wild stories that

accompanied President Johnson's invasion of the Dominican Republic in 1965—thousands killed, streets running with blood, beheadings and so on, all in due course disproved. President Reagan himself has admitted that the invaders "had little intelligence information about conditions on the island."

The third pretext is that we had to intervene because six members of the Organization of Eastern Caribbean States asked us to do so. No doubt neighboring islands felt threatened by events in Grenada. But the U.S. does not ordinarily form its foreign policy on the importunings of panicky states. Again, we wanted the pretext. The prime minister of Barbados even said that the idea of military intervention first came from "a U.S. official," though later, perhaps after hearing from Washington, he took the statement back. Whoever had the original idea, "the formal request," according to the New York Times, ". . . was drafted in Washington and conveyed to the Caribbean leaders by special American emissaries."

The fourth pretext is our determination, in the president's words, "to restore order and democracy in Grenada." This proposition would have a little more plausibility if we showed an equal determination to restore order and democracy in, say, Haiti or Chile.

The fifth pretext for the sneak invasion arose because of the unexpected resistance met by the invasion force (which soon amounted in size to more than 5% of Grenada's total population). One is reminded of Salvador de Madariaga's remark: "Look! The beast is dangerous. When attacked, it bites." Surprised by the resistance, we readily found in it a new excuse: The Cubans were about to take Grenada over. This is entirely a post-invasion pretext. Members of the Senate Select Committee on Intelligence were given no prior information about a planned Cuban seizure of the island. It was well after the fact when President Reagan described Grenada as "a Soviet-Cuban colony being readied as a major military bastion to export terror and undermine democracy. We got there just in time"—just like those old westerns in which our president once played.

There is something very odd about this. Grenada has in fact been under Marxist control ever since Maurice Bishop came to power four years ago. Up to the moment he was deposed, Washington officials regularly declared him a Soviet or Cuban stooge. He was a particular pal of Castro, and the Cuban government vigorously condemned his murder—which hardly suggests that it had plotted it. Having spurned Mr. Bishop when he was alive, the Reagan administration suddenly presented his murder as a tragedy. Poor old Mr. Bishop could hardly have suspected how much we cared.

What happened in Grenada was simply that one Marxist faction overthrew and killed another—hardly an edifying event but also hardly one on which the fate of the U.S. depends. There is some indication indeed that, if the struggle for control of Grenada was more than internal gang warfare, it was between Cuba and the Soviet Union and that the overthrow of Mr. Bishop may have been a pro-Soviet coup. If so, then another Reagan gain has been to bring Castro and Moscow back together.

Behind the parade of phony pretexts lies the simple fact that our president wanted to prove American power by mounting a sneak attack on a nuisance regime so weak and isolated that it could be assaulted with impunity.

By thus demonstrating that the U.S. is mightier than Grenada, President Reagan is hardly going to impress the Kremlin. His action demeans our great republic. And his setting up his administration as a law unto itself in world affairs has the most ominous implications.

## WAS THERE DANGER?

"I do believe in the right of a country," he said at a press conference the other day, "when it believes its interests are best served to practice covert activity . . . and you can't let your people [i.e., the American Congress and the people] know without letting the wrong people know." In Grenada he extended this doctrine to embrace military invasion.

And he extended his lust for secrecy to the unprecedented point of forbidding reporters to accompany the sneak invasion. Had they been permitted to come, they might, after all, have written that the medical students were not in danger, or that Grenada was not in chaos, or that President Reagan's arms warehouses "stacked almost to the ceiling" included such menacing items as Marlin 30-30 rifles made in the 1870s, or that the airport has been constructed according to civilian, not military, specifications.

The Reagan Doctrine is infinitely extensible. If Grenada today, the world is bound to wonder, why not Nicaragua tomorrow? Under the Reagan Doctrine, what government in the hemisphere that incurs Washington's disapproval will be safe? Making the U.S. a law unto itself legitimizes the ancient Soviet policy—the policy we have so long denounced—of invading Hungary or Czechoslovakia or Afghanistan ad lib.

Unquestionably there are occasions when nations, their security mortally endangered, are justified in acting beyond the law: *salus populi suprema lex est*. But to violate international law casually, on the basis of ideological obsessions and hypothetical fears, is to reduce the U.S. to the moral level of the Soviet Union and to destroy international confidence in the sobriety and responsibility of our leadership.

For the moment, the polls tell us, Americans are rallying to the flag, however flagrantly sneak invasions abuse our best traditions. But reason will soon return. Far from increasing public faith in his leadership, Mr. Reagan will more probably reestablish the national impression that he is a trigger-happy president: not precisely what we need in a world filled with nuclear weapons.

As usual Shakespeare put it best:

O! It is excellent

To have a giant's strength, but it is tyrannous

To use it like a giant. ●

## A TRIBUTE TO OUR VETERANS

## HON. BRUCE A. MORRISON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. MORRISON of Connecticut. Mr. Speaker, November 11 is Veterans Day. It marks a time when the Nation stops and remembers the sacrifices that many brave men and women have made for our country in war and in peace. All have given precious years of their lives in service of the United

States. Many have sacrificed their lives.

Tragically, these sacrifices are very much in our minds today because of recent events. Over 250 young men, one from New Haven, Conn., in my own district, have been killed in Lebanon and Grenada. Others, including one from Milford, Conn., in my district have been injured. Their comrades continue to face grave danger every day.

Our Nation has a proud tradition of honoring and compensating its veterans. Most veterans from our past wars came home to a grateful nation, a nation that created this holiday for them. Sadly, veterans from the Vietnam conflict came home to a different sort of welcome. Their war had been conducted by a dividend nation. But these men and women gave of themselves with as much courage and devotion as any others who have served our country. Regardless of the difference of opinion that existed and still exists over the propriety of the war in Vietnam, these veterans deserve as much recognition and assistance as all those others.

I am proud that this 98th Congress has taken steps toward those goals. Earlier this year the Congress passed the Emergency Veterans Job Training Act of 1983, which provides funding for vocational training for those who served in both the Korean and Vietnam conflicts. The bill also designates funds for studies on the health effects of agent orange, one of the most tragic legacies of the Vietnam war. And in just the last month the House has again honored Vietnam veterans by passing the Vietnam Veterans National Medallion Act. The medals will be offered at cost to the public, a way of letting the people show their gratitude for those who selflessly served in a controversial war.

There are other important steps that this Congress should take to meet the needs of our veterans. We should enact legislation to provide for judicial review of decisions of the Veterans Administration. We should extend the psychological readjustment counseling program for Vietnam-era veterans. We should extend the time period during which Vietnam veterans may use education benefits under the GI bill. We should recognize and compensate the health conditions resulting from agent orange. I have cosponsored measures pending before the House to accomplish these goals, and I hope that the House will take action soon to enact them.

Veterans Day is one day of the year on which we parade and salute our veterans. But we must continue that spirit throughout the year. We must honor and compensate those who served without thought of compensation. We must above all treat all our

veterans with the respect and honor that their dedication deserves.●

#### ON VETERANS DAY, WE HONOR AND PRAISE OUR VETERANS

**HON. WILLIAM O. LIPINSKI**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. LIPINSKI. Mr. Speaker, with the events in Lebanon and Grenada still burning brightly in our memories, tomorrow's Veterans Day tributes are particularly appropriate. The efforts of our military men in the Middle East and Caribbean underscore the high price that our veterans, both alive and dead, have paid so often so that we may live in freedom.

November 11 is a day for us to not only pay tribute to the over 28 million surviving veterans of our country, as well as those who are no longer with us, but to give thanks for the freedom and security which our servicemen have brought to this country. In how many countries of the world can citizens freely advance any idea, at any time, in any place? How many nations can boast of truly free elections? In how many countries is the dignity of the common man not only presumed, but guaranteed by the government? Unfortunately, the answer to all of these questions is, precious few.

We in the United States enjoy all of these freedoms, and more. However, we must remember that we owe the existence of our liberties to the men and women who have taken arms to defend America. Liberty may be a right, but it is by no means a certainty. We enjoy our freedom only because we have been willing to fight for it. Democracy is fragile, and we must defend it every day. For over 200 years, brave Americans have fought and sacrificed so that we may continue to speak freely, worship as we please, and publicly voice our opinions of government, without fear of retaliation.

On November 11 we praise our veterans for their efforts on behalf of liberty. We enjoy the benefits of freedom every day, however. If we publicly honor our veterans only 1 day of the year, let us pause for a moment each other day, and give thanks to those who have fought and struggled to insure that Americans will always live in freedom.●

#### BURNS BINTLIFF MAKES MUD MATTER TO MAJOR LEAGUERS

**HON. JAMES J. FLORIO**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. FLORIO. Mr. Speaker, I was pleased to read a recent article about a

truly unique American, Mr. Burns Bintliff of Willingboro, N.J. Mr. Bintliff, a retired New Jersey Turnpike maintenance carpenter, has for the past 15 years provided an unheralded but important service that many of us can appreciate.

He is the sole supplier to major league baseball teams of mud to use to rub the gloss and slickness off baseballs. Modern technology has not been able to reproduce the quality resulting from Mr. Bintliff's careful processing of this substance whose location in south Jersey is known only to the Bintliff family. It is comforting to know that in this era of baseball, with modern gadgets like computers helping teams to devise strategies, the game lives on because of one man's efforts to continue a unique family tradition.

The article follows:

(From the American Association of Retired Persons News Bulletin, October 1983)

**MUM'S THE WORD FOR RETIRED NEW JERSEY CARPENTER; HE DOESN'T MIND MUDMAN TITLE**

Even though his name could be said to be mud, Burns Bintliff is proud that he helps America's favorite pastime keep a grip on itself.

So what in the world does Bintliff do? He supplies gobs of the mysterious river mud that the major leagues—and several others—use to rub the gloss and slickness off baseballs.

Bintliff, 63, has been at his dirty business for 15 years, but he says he'll never come clean about its origins. "Where it comes from is a secret," says the retired New Jersey Turnpike maintenance carpenter who lives in Willingboro, N.J.

For years, baseball lore has had it that the mud could be found in only one magical spot on the Delaware River. But Bintliff has shattered that myth. "It isn't the Delaware. It's in south Jersey, and that's all I can say."

Actually, Bintliff can say plenty, and usually does, because he's delighted to be carrying on a tradition that spans more than 40 years.

"I spend about four-to-six hours one day each summer digging up what's needed for the following season," he says. "That's about 400 pounds. It's infinitely superior to everyday mud—substitutes have been tried, and they just don't work. The mud contains an ultrafine abrasive that strips off the factory gloss but doesn't damage the cover of the baseball."

Bintliff then spends hours carefully processing the mud (another operation he's equally mum about) packing it and distributing it in one-pound coffee cans that contain two and a half to three pounds of the gooey substance at about \$20 a can.

Bintliff is the properly reverent custodian of a practice that began almost by accident in 1938, when Russell Aubrey "Lena" Blackburne, then the third base coach of the Philadelphia Athletics (now Oakland A's) of the American League, saw an umpire mixing water with playing field dirt for rubbing up baseballs.

"It scratched the covers, though," Bintliff says, passing on a legend, "and pitchers could throw trick pitches with them. So Blackburne went out and found this mud,



experimented with it, and the umps liked it."

And thus was born Lena Blackburne's Baseball Rubbing Mud, which its discoverer supplied for nearly 30 years. He had a friend who helped—Bintliff's father-in-law—and it was he who passed the business down to Bintliff and his wife, Betty. Modern technology is not likely to make Bintliff's business obsolete. "One company tried to come up with a process," Bintliff says, "but they gave it up."

So the secret and success of the mud should stay with the Bintliff clan for some time to come. "I've got nine children and five grandchildren, so the odds are pretty good," the AARP member says with a laugh.

That should please Lena Blackburne, except . . .

He was a temperamental sort," Bintliff says, "and he was an American Leaguer all the way—it was 10 or 15 years before he would sell his mud to the National League."

Which means that, to the late Blackburne, his successor's name may indeed be mud.

Because Burns Bintliff roots for—dare it be said?—the Philadelphia Phillies of the National League.●

#### PERSONAL EXPLANATION

#### HON. BOB EDGAR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. EDGAR. Mr. Speaker, on November 8, 1983, I left Washington at approximately 6 p.m. in order to return home to Springfield, Pa., to vote in State and local elections. Unfortunately, I was compelled to miss the final votes on the continuing resolution, H.J. Res. 403. Had I been present, I would have voted for final passage of the resolution and against the motion to recommit. I also would have supported the Wright amendment, which provided funds for 16 important educational and social programs.

The next day, November 9, I was delayed on my return to Washington by heavy fog at the Philadelphia International Airport. If I had been present early in the day, I would have joined the majority of my colleagues in voting for the Harkin amendment to the dairy bill (H.R. 4196). This amendment will require the Agriculture Department to take into account the impact of the diversion program on the meat, pork, and poultry industries.●

#### STATEMENT OF CONGRESSMAN RONALD V. DELLUMS FOLLOWING HIS RETURN FROM HOUSE LEADERSHIP INSPECTION TRIP OF GRENADA

#### HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. HAWKINS. Mr. Speaker, our Government's recent invasion of Grenada has caused me a great deal of consternation. For this reason, I would like to share with you some remarks prepared by our colleague, the Honorable RONALD V. DELLUMS, that reflect views on this grave matter other than those of the administration.

The prepared remarks follow:

#### STATEMENT OF CONGRESSMAN RONALD V. DELLUMS, FOLLOWING HIS RETURN FROM HOUSE LEADERSHIP INSPECTION TRIP OF GRENADA

I was appalled by the U.S. invasion of Grenada, which I considered an undeclared act of war in violation of the Constitution, the U.N. and O.A.S. charters. My participation on the House Leadership trip not only confirmed my initial assessment but in fact raised many new questions. Moreover, the answers to these questions are to be found here in Washington, and not in Grenada. We must have a full Congressional investigation so that we may better understand the events surrounding the invasion.

"Among the more important questions still unanswered these four deserve full investigation: 1. What were the real objectives—as opposed to the President's publicly stated rationales—for this invasion? 2. Were other, peaceful alternatives ever considered or proposed and, if so, what were they—and why were they rejected? 3. What are the larger implications—diplomatically, militarily and politically—as a consequence of this overwhelming use of military force? 4. Is this militarization of American foreign policy an indication that, for this Administration, the military option is the preferred solution in resolving international disputes?"

"My own investigation is still incomplete, but I can say the following with virtual certainty. The safety of the students was never the primary concern of either the policymakers or the commanders of the U.S. forces in their planning for this mission. At best, they were a secondary or ancillary goal of the invasion. Further, in a 2½ hour meeting with the Prime Ministers from the Eastern Caribbean states, the question of the students' safety was never once raised.

"What they did raise was their concern about a leftist government in the Eastern Caribbean and their repeated desire that the region would have more leaders that reflected their 'moderate' views. However, this desire surely can not serve as the basis for the policy of the U.S. invasion of Grenada.

"The Administration used the presence of the students as a convenient excuse to launch the invasion because the Administration wanted to strike out against the leftist government in Grenada and its Cuban advisers. However, our delegation could find not one confirmed instance in which an American was threatened or endangered before the invasion.

"If the U.S. mission was to rescue Americans on Grenada, the mission has been ac-

complished and the troops should be immediately withdrawn. Each additional day alters their role. They are now being perceived—and in some instances acting—as an occupying, rather than as a peace-keeping, force even to the extent of tracking alleged subversives and determining what books and other reading materials are considered legitimate. This is not the proper role of the American military in a free society.

"I am deeply concerned that this may be the forerunner of worse to come. This Administration may now seek to impose its political will by brute force, in the name of a continuing anti-Communist crusade, which appears to be the real justification for the invasion.

"Is this to be the fate of other Third World nations seeking to find their own way in a world in which the nuclear superpower confrontation overrides all other considerations in offers of American aid? For example, the Grenadian people were being directly assisted by the Cubans in the areas of health care, basic literacy and education, and public works projects. Is the U.S. government now willing to step into the void created by their forced departure, to continue these assistance programs?"

"We are experiencing a great tragedy. The great danger is that Americans will believe that the invasion proves that military force could be effective in places like Nicaragua or Lebanon. But in Lebanon we are flirting with World War III and if we introduced military force in the same way in Central America we would cause civil strife that would result in the deaths of tens of thousands of people.●

#### IN MEMORY OF LT. JOHN R. HUDSON, U.S.N.

#### HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. GINGRICH. Mr. Speaker, I was deeply saddened to learn that U.S. Navy Reserve Lt. John R. Hudson was among the 236 outstanding young men who died in the disgraceful terrorist bombing attack on our Marine headquarters in Beirut, Lebanon.

Lieutenant Hudson, of Fayette County, Ga., was the only naval doctor attached to our marine force in Beirut. Lieutenant Hudson was reared by Drs. Patrick and Rebekah Anders, of Fayette County.

I would like to pay tribute to Lieutenant Hudson and the 200-plus Americans who gave their lives for their country and freedom-loving people everywhere. These men did not forget that freedom demands a lot from those who would keep it.

The ultimate sacrifice made by these brave men should be reinstalled in each and every one of us a sense of the importance of national unity and greatness. To this era when the national good is sacrificed at the altar of self- and group-interest, the deaths of Lieutenant Hudson and his comrades stand in sharp relief. Their deaths serve to remind us that without self-sacrifice

for national goals, the self-indulgent wouldn't have a free society in which to indulge themselves. That's a truth we forget at our own peril.

So, to Lieutenant Hudson, his family, and to each of the other servicemen who died in Lebanon and Grenada, and their families, we owe our thanks and prayers. God speed them all. ●

### THE SYRIAN ROLE IN THE MIDEAST

HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. LEVINE of California. Mr. Speaker, the most recent casualty figures place the death toll in the bombing of the U.S. Marine's headquarters building in Beirut at 237. Despite threats that action will be taken against the perpetrators of this atrocity, the Reagan administration has done nothing in any international arena or policy area.

A column by George Will in today's Washington Post raises important questions about the lack of a response by the United States to the bombing. In addition, he illustrates graphically the folly of the Reagan administration's efforts to find favor with Syrian President Hafez Assad.

When will we learn that the thugs who perpetrate crimes such as this will only be emboldened in their efforts if we do not respond quickly to their attacks? When will we recognize Assad for what he is? At a time when he is encouraging attacks against Yasser Arafat because he is too "moderate," it should be obvious that there is not common ground between the beliefs upon which this Nation was founded and the views of a terrorist like Assad.

I commend Mr. Will's comments to my colleagues and ask that the text of his column be reprinted in the CONGRESSIONAL RECORD.

[From the Washington Post, Nov. 10, 1983]

#### SYRIAN REALITY

(By George F. Will)

A tape of a Syrian television broadcast, which I unwisely played while having breakfast in my sun room, shows Syrian ceremonies last month commemorating the tenth anniversary of the Yom Kippur war. Assorted civilian and military officials attended. There is martial music on the tape, but no narration. None is needed.

Girls in uniform stand in a row holding live snakes. Suddenly the girls begin killing the snakes by biting through the snakes' heads. Snakes are sinewy, and the biting is not easy, and the girls, although eager, do not seem to enjoy this. The audience of older men does. Sigmund Freud, call Damascus.

Next, young soldiers tumble out of moving trucks, pounce upon puppies and stab them repeatedly. One soldier seems to drink a puppy's blood, perhaps symbolizing the

drinking of an enemy's blood, as the PLO gunman did in Cairo in 1971 after shooting Jordan's prime minister.

Few Americans have seen any of the Syrian tape (a portion of which was shown at an early hour by NBC). Networks should not invariably show such stuff. They certainly should not while many children are awake.

But this glimpse of Syrian reality would be a useful antidote to a liberal society's sentimental belief in the efficacy of split-the-difference negotiations in places like the Middle East. It would drive another stake through the heart of the notion that the world is run by people "just like us" and that the path to peace is through "understanding" them.

It would dash cold water on the recurrent nonsense about Israel's being an impediment to peace because it is insufficiently forthcoming in dealing with neighbors like Syria.

Long after Grenada is just a pleasant memory, Syria will be threatening vital American interests, including Israel's security and a region's stability. Hence, Americans must disenthrall themselves. The conjunction of the attack on the Marines in Beirut and the Grenadian invasion could mean that the invasion soon will not be seen as an unambiguous signal of strength.

In Beirut, America suffered a serious military defeat, the significance of which is growing as the weeks pass without an American response. Against the background of Beirut events, the Grenada operation may be construed as evidence that the United States is just a regional power, prepared to act vigorously only in its front yard.

Now, the perception of the United States as a regional power would be an improvement over the perception of U.S. weakness that spread during the late 1970s. And it might even serve some U.S. interests if Nicaragua were to perceive the United States as ready to act only in this region. But that perception would be disastrous elsewhere, and it is encouraged by the failure of the United States to respond to the attack on the Marines.

Gen. John W. Vessey Jr., chairman of the Joint Chiefs of Staff, says "justice" will be administered to "those who directed" the attack. Senate Majority Leader Howard Baker says there may be retaliation if the persons responsible can be identified "with precision and exactness."

What is this, the Warren Court conducting foreign policy? Who will read the suspects their Miranda rights? This is the scrupulosity and individualism of our criminal justice system misapplied to power relations between collectives—between nations. It would be proper and cathartic to administer retribution to the individuals directly involved in the attack. But catharsis should not be a controlling aim of policy, and great nations are not obsessed with meting out justice to persons who are instruments of other nations' interests.

Israeli aircraft rose on retaliation raids against some of Syria's clients almost before the dust had settled at the site of the attack on Israelis. The aircraft rose before Israel found out who drove or loaded the truck or bought the explosives, because all that is beside the point. The point is that the attack on the Israelis, like the attack on the Marines, serves Syria's interests; such attacks probably could not have occurred without the knowledge of Syria, which controls the road by which the truck had to approach the attack sites; Syrian occupation

of Lebanon is a necessary precondition for such attacks.

Syrian President Hafez Assad today resembles Michael Corleone at the moment in "The Godfather" when Michael decides to hit all his rivals simultaneously. Assad is striking at the multinational force, Israel, the Lebanese government and the portion of the Palestine Liberation Organization that is not entirely subservient to Syria. The United States and Israel must make Assad an offer he can't refuse. ●

### TRIBUTE TO MAYNARD BERNSTEIN

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. BERMAN. Mr. Speaker, I rise today in order to pay tribute to Maynard Bernstein, esteemed president of California's Camp Ramah. Mr. Bernstein will be honored on December 10, 1983 at a dinner dance marking Camp Ramah's 27th anniversary.

Mr. Bernstein is certainly deserving of this tribute. He is a unique individual, a man of many fine attributes, a loyal friend and an active member of the Jewish community in Los Angeles. Mr. Bernstein has had a long significant career of service to the Jewish community.

As president of Camp Ramah, vice president of the National Ramah Commission, National Youth Commissioner of United Synagogue Youth, a member of the executive committee on the University of Judaism's Board of Directors, member of the board of directors of the Jewish Federation Council of Greater Los Angeles, and director of Temple Beth Shalom For the Deaf, among other significant positions, Mr. Bernstein is an important force in our Jewish community. His efforts continue to provide our community with inspiration.

I have first-hand knowledge of just how valuable Maynard Bernstein's work is on behalf of Camp Ramah and our Jewish community. I spent two summers there myself, and have returned there for many weekends since. The time that I spent at Camp Ramah was very important to me; it was an inspirational part of my Jewish education, and contributed greatly to the formation of my own personal values.

I would like to extend my personal congratulations to Maynard Bernstein and to his family on receipt of this honor, and wish him the best of luck in the future. ●



# H.R. 4342—UNFAIR TAX ON TIPS: REPEAL MANDATORY TIP AS- SUMPTIONS

**HON. JERRY M. PATTERSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. PATTERSON. Mr. Speaker, I take this opportunity to draw the attention of my colleagues to an inequitable provision in our Tax Code which has severely cut the income of waiters, waitresses, and bartenders. I have introduced legislation to repeal this burdensome provision which was included in President Reagan's tax bill. This unique revenue code section requires employers to report additional employee tip income based on the allocation of 8 percent of a restaurant's gross receipts. Many waitresses and waiters in my district have provided me with proof that clearly shows their weekly wages are virtually offset by this required tip credit assessment. The saddest part of this story is that this withholding may occur on money which is never actually earned. In many family-style restaurants, a tip greater than 10 percent is the exception to the rule, with 5 to 10 percent being the norm. For the Federal Government to assume all waiters and waitresses receive "windfall" tips which go unrecorded is presumptuous and unfair. I also do not believe that applying another layer of bureaucratic redtape, with the employer acting as the IRS's collection agent, is the most efficient manner of improving compliance and raising revenues.

Our Federal tax laws were founded on the doctrine of fairness but over the years have evolved to the point where unfairness has undermined the public's trust and willingness to voluntarily comply. I believe writing unfairness into the law, as this tax does, will have an even greater adverse effect on the American citizen's willingness to contribute their fair share. Never before has a withholding tax been based on assumed income and I see no reason to establish a precedent for such an onerous type of taxation now. A tip or gratuity is intended to be a gift of money given over payment due for a service rendered. If Webster's definition still stands, then perhaps restaurant tips should be taxed as gifts. If this were the case, I think no waiter or waitress would ever have to worry about being taxed on this income again, for current IRS regulations allow an individual to make a monetary gift to another person of up to \$10,000.

Mr. Speaker, I wholeheartedly support the goals of improving fair compliance and enhancing revenues. I do not, however, support the unjust provision of section 314 of the Tax Equity and Fiscal Responsibility Act of 1982.

Waiters and waitresses work hard for their money. They do not have the big tax loopholes of the rich and powerful. I urge my colleagues to support the legislation I recently introduced which would repeal this provision and eliminate the hardship it creates on both employers and employees.●

## H.R. 4093 PROVIDES SOCIAL SE- CURITY TRANSITIONAL FOR- MULA

**HON. MATTHEW J. RINALDO**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. RINALDO. Mr. Speaker, in recent days, a number of questions have arisen over legislation I and a number of my colleagues are sponsoring to eliminate the social security "notch." This bill, H.R. 4093, has generated considerable bipartisan support, and I wish to bring to the attention of my colleagues a table prepared by the staff of the Aging Committee in consultation with the Social Security Administration which compares the constant dollar value of social security benefits under three different systems: existing law, H.R. 4093, and the old overindexed law.

As the table below demonstrates, H.R. 4093 completely eliminates large "notches" in social security benefits. H.R. 4093 does not repeat the errors of the old law formula which caused the real value of benefits to increase beyond the ability of the system to pay. Instead, it deflates the previous overindexing by stabilizing future benefits at 1982 levels and thereby gradually reduces the historically high replacement rates of the early 1980's. When the current law's permanent benefit formula produces higher benefits in the late 1990's or early in the next century, H.R. 4093's transitional formula will no longer apply.

This legislation in effect establishes a "hold harmless" provision, which retains the sense of equity in the system while allowing average benefit levels to return gradually to about 42 percent of immediate preretirement earnings, just as under current law. However, it does so without creating the sizable "notches" found under current law. In fact, under the often-cited worst-case example—not shown in the tables—the current law notch of \$110.60 is reduced to \$8.40 under H.R. 4093.

Mr. Speaker, I believe it is important to remind my colleagues that double-digit inflation is not the major reason for the up-to-\$1,300-a-year difference in benefits for 65-years-olds retiring only days apart. The primary reason is that the post-age-62 earnings of people born after 1916 are excluded in the computation of benefits for individ-

uals born in the transitional "notch" years; that is, 1917-21. This exclusion of earnings is a clear disincentive to individuals who wish to work past the age of 62. Ignoring the taxes paid by persons who could have retired early is especially difficult to justify given the long-term goals of recent legislation to encourage continued work and raise the retirement age.

I especially want to congratulate Chairman ROYBAL of the Aging Committee for taking the leadership on this critical issue. He and his staff have worked tremendously hard to develop a solution that is equitable, economical, and which addresses the legitimate concerns of millions of American retirees and workers. The chairman should be commended for his efforts and for providing Congress with a legislative solution to the "notch" problem.

The attacks on social security that have taken place over the last 2 years have caused many workers to believe that the system will not be there to pay their benefits when they retire. The "notch" problem has worsened this situation by calling into question the fundamental equity of the program, and it has established the disturbing precedent of discriminating against individuals purely on the grounds of their year of birth.

I do not believe the system can continue to receive the historically high public support it has received in the face of such assaults. It is imperative that Congress take action to address the concerns of millions of workers who have become disillusioned as a result of the "notch" problem.

The table referred to follows:

### COMPARISON OF ACTUAL AND PROJECTED MONTHLY BENEFITS FOR AGE 65 AVERAGE AND MAXIMUM EARNERS UNDER PRESENT LAW, H.R. 4093, AND OLD LAW<sup>1</sup>

[All figures are in constant 1983 dollars]

Year of attainment of age 65	Present law <sup>2</sup>	H.R. 4093	Old law
1981	636		636
1982	575	660	660
1983	553	656	682
1984	520	650	699
1985	504	652	713
1986	516	652	729
1987	525	670	747
1988	527	679	761
1989	521	689	775
1990	524	699	788
1995	561	737	870
2000	604	758	990
2005	649	752	1124
2010	697	716	1275
2015	749	647	1429
Maximum earner:			
1981	809		809
1982	730	839	839
1983	709	839	871
1984	674	827	893
1985	659	822	918
1986	681	826	951
1987	698	828	980
1988	704	831	1010
1989	700	831	1036
1990	708	831	1060
1995	777	831	1203
2000	870	831	1392

<sup>1</sup> Present law is the 1977 amendments; old law is the 1972 amendments.

\* Figures in the present law column for 1982-86 are the higher of the current transition formula or the permanent 1977 amendment formula. All figures after 1986 are for the permanent formula.

† Benefits begin declining under the H.R. 4093 transition based on the assumption that persons reaching age 65 after 2005 (i.e., born after 1940) reached age 18 after 1957 and, therefore, have fewer years of earnings prior to 1979 than the 22 which are allowed under the H.R. 4093 transition.

‡ H.R. 4093's transition phases out by 2012 for the average worker and 1998 for the maximum worker since benefits under the current law's permanent formula produce benefits which exceed the H.R. 4093 transition.

Prepared by Allen Johnston, House Select Committee on Aging, in consultation with the SSA based on the 1983 Social Security Trustee's intermediate IIB assumptions.●

## FIRST WOMAN GOVERNOR OF KENTUCKY

**HON. ROMANO L. MAZZOLI**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● **Mr. MAZZOLI.** Mr. Speaker, I am proud to be a Kentuckian and I am proud that yesterday Kentucky elected its first woman Governor—Martha Layne Collins.

I have known Martha Layne for many years. She is a bright, capable, hard working, effective administrator who has proven herself time and time again over the years as she has worked tirelessly in behalf of the Democratic Party, and more recently during her term as Lieutenant Governor.

Kentucky is honored to be represented by such a qualified Governor and I look forward to a productive 4 years under her leadership. Martha Layne is a credit to our State and to all who know her.●

## THE AMERICAN COWBOY

**HON. ELDON RUDD**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● **Mr. RUDD.** Mr. Speaker, it has been brought to my attention by the National Cowboy Hall of Fame that a recently published book titled, the "American Cowboy," does not reflect a thorough understanding of the American cowboy nor accurately portray what he has done for the West.

Mr. Dean Krakel, the distinguished historian and executive vice president of this organization, has vigorously objected to the portrayal of the American cowboy in this publication.

Specifically, Mr. Krakel points out two denigrating passages in the book, which he has cited for me, and I will now read:

The cowboy is a laborer—a common, ignorant, ditch-digger-type laborer. The only difference between the cowboy and other laborers is that he often must ride a horse out to where he is to do his labor. And many times his boss, having better things to do, allows the cowboy to work unsupervised, which allows him to drink on the job . . .

Added to the fact that he is half drunk, allows this ignorant poltroon to indulge himself in cavalier fantasies of integrity and independence, when in fact, he is naught

but a social misfit, and an insecure one at that.

Without whiskey, he (our American cowboy) is uncomfortable in any society, since he represents the dregs.

Mr. Speaker, let us not forget that it was the cowboy who helped win the West and it is the cowboy who is a true American hero to many, many people.

I speak with some authority on this subject, having been raised among cowboys and cattlemen in Arizona. In fact, my grandfather led a wagon train filled with settlers to what was to become the State of Arizona.

I commend Mr. Krakel's efforts to provide a fairer, more accurate picture of our Western heroes.

Particularly, Mr. Speaker, I am gratified that Mr. Krakel and the National Cowboy Hall of Fame have extensively documented the history and heritage of the cowboy in the West and his wonderful Americanness.●

## CARLUCCI COMMISSION READIES REPORT

**HON. HENRY J. HYDE**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● **Mr. HYDE.** Mr. Speaker, for the past few months, I have been privileged to serve as a member of the Commission on Security and Economic Assistance. The Commission was named by Secretary of State Shultz to untangle the problems facing America's foreign assistance program. It has a large membership; nearly 75 percent are Members of Congress. To date there have been six full Commission meetings and 2 days of public hearings.

Interest and participation has been high. This is a tribute to the excellence of Commission Chairman Frank C. Carlucci, Jr. People in Washington know Mr. Carlucci well, since he has served in a succession of high Government posts, most recently as Deputy Secretary of Defense. Mr. Carlucci is also a career U.S. Foreign Service officer who has attained the rank of Ambassador. His most recent ambassadorial post was in Portugal. Since leaving the executive branch, Mr. Carlucci has been serving as president of the newly founded Sears World Trade, Inc. The accomplishments of the Commission are, in large measure, due to Frank Carlucci's active leadership, and his good judgment in selecting a talented and dedicated staff.

One of the interesting things about this Commission is that it is truly bipartisan. Several members have been very active, notably Mr. Jones of Oklahoma and Mr. McHugh of New York, as well as Senators Kasten and Sarbanes. Because the Commission is an unstacked deck, I joined other partici-

pants in expecting a useful result from the challenging task presented.

Mr. Speaker, U.S. economic and security assistance programs are in deep trouble. The failure of the United Nations to adequately support us on the Korean airline massacre and the almost universal condemnation of our actions in Grenada do not make for a warmer feeling toward the international community. Those of us who have supported foreign aid need help from the Carlucci Commission report.

The Carlucci Commission, as it has come to be known, has had to deal with a subject of great complexity. Foreign assistance has, unfortunately, become negatively charged with partisan politics since the United States pulled out of Vietnam. Basically, we have to emphasize how foreign economic and security assistance can better serve vital U.S. foreign policy interests. Congressional and public support does not and is unlikely to exist for an economic assistance program that aims to end the scourge of world poverty without allowing private enterprise, profitmaking businesses to take the lead in institution building overseas. Disaster relief is always important in the case of earthquakes and other natural cataclysms. Like many Americans, I believe that assistance to unfriendly, sometimes Communist, countries does not deserve support. Finally, the only way to help our friends improve the lives of their people is to encourage economic growth. This means we ought to try and influence countries with highly centralized policies. The models for world economic growth: Singapore, the Republic of China, and the Republic of Korea, to name a few, should be our examples.

In conclusion, I would like to commend John Wilhelm, the executive director of the Carlucci Commission, for his ability to walk through a minefield of differing views and produce a document that can bring answers to problems.

I commend to my colleagues the work of the Carlucci Commission. Our final meeting will be held on November 14, 1983, in the House Agriculture Committee room. We are looking for great and helpful things from the Commission. I expect to continue to keep my colleagues informed on the Commission's report as it is released.●

## GREAT LAKES WATER PRESERVATION ACT

**HON. WILLIAM O. LIPINSKI**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● **Mr. LIPINSKI.** Mr. Speaker, today I am introducing legislation that is of great importance in maintaining the quality of life for the citizens of the



Great Lakes States of Illinois, Indiana, Michigan, Minnesota, Ohio, Pennsylvania, New York, and Wisconsin. This legislation, the Great Lakes Water Preservation Act will prohibit diversion of Great Lakes water for use outside of a Great Lakes State and would prohibit federally sponsored studies involving the feasibility of diverting Great Lakes water.

This legislation is crucial to maintaining one of our regions's most precious resource—fresh water. Lakes Michigan, Huron, Superior, Ontario, and Erie, comprise the largest body of fresh water in the world. We must do all that we can to insure that this resource is preserved and maintained for our future generations.

At the present time there are no concrete proposals to divert Great Lakes water to other regions of the country. However, this subject has been discussed periodically. Projects to divert Great Lakes water from coal slurry pipeline developments, and to supplement drinking water supplies in other regions of the country have been discussed.

I feel that the Congress must take the initiative now, and start to develop policies that govern interbasin transfers nationwide. The Federal Government must establish a national policy on the use of a region's fresh water supplies, before a crisis arises that will exert pressure for a Great Lakes diversion or any other diversion of water to a water poor area. In the absence of this policy at the present time, we must take steps first, to insure that Great Lakes water is not diverted.

While the Great Lakes region has traditionally had plentiful supplies of water, no one can be sure if this will be the case in future years. The lakes face serious problems of controlling acid rain, maintaining adequate water supplies for hydropower production, and increasing shipping and economic growth.

At the Great Lakes Water Resources Conference in June 1982, the Governors of the Great Lakes States and premiers of three Canadian provinces passed a resolution objecting to any new diversion of Great Lakes water. The resolution further stated that lowered lake levels and reduction of flows in connecting channels could result in serious losses in water supply, navigation, and recreational values. My legislation states that any future decision regarding Great Lakes diversions be made only with concurrence of the Great Lakes States and provinces and the Federal Government of Canada and the United States.

Representative HENRY NOWAK, the chairman of the Water Resources Task Force, of the Northeast-Midwest Congressional Coalition is an original cosponsor of this bill. Similar legislation has been introduced in the other body by Senator PERCY, as well as one

Senator from each of the Great Lakes States. I urge my colleagues to cosponsor this legislation to insure our regions fresh water supplies and future economic growth.●

DISTINGUISHED	SERVICE
AWARD	BESTOWED ON
FATHER	BAGATIN AND
FATHER BORDIGNON	

### HON. BRUCE A. MORRISON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. MORRISON of Connecticut. Mr. Speaker, on October 16, the New Haven Women's Division of the American Committee on Italian Migration celebrated its 12th annual Foglie D'Autunno luncheon and musical in my district. The committee bestowed its Distinguished Service Award on Father Tarcisio J. Bagatin and Father Mario Bordignon. I would like to extend my deepest thanks to them for their selfless devotion to a variety of important causes in the New Haven area.

Rev. Tarcisio (Terry) J. Bagatin, C.S., is a missionary priest of the Society of St. Charles Borromeo, popularly known as Scalabini Fathers from the name of the founder, Bishop John Baptist Scalabrini. The scope of the society is the care of the immigrants around the world.

Father Terry was born April 5, 1928, in northern Italy, in the town of Thiene (Vicenza), the seventh child of Elisa and Francesco Bagatin. His vivid and imaginative mind, open to venture and challenge, qualified him to enter the seminary of the Scalabrini Fathers in Bassano del Grappa not too far from his hometown. It was high school time—he was 12 years old—and World War II was in full swing with its devastating power.

Preparation to priesthood was long and arduous. School, study, strict discipline, and determination took Father Terry through high school, novitiate, college, teaching, and 4 years of theology in various seminaries in the northern part of Italy. He was ordained a priest in Piacenza (near Milan) on March 19, 1954.

After a brief period of ministry in the port of Genova, Father Terry was assigned to parish work among the Italian communities of United States and Canada. He was assistant pastor of Our Lady of All Souls in Hamilton, Ontario; in St. Anthony, Fredonia, N.Y., in St. Anthony's, New Haven, Conn. He was also involved in establishing new mission centers in Montreal, P.Q. (Canada), and introduced a popular radio program to reach the many new Italian immigrants in the city and surrounding towns. In 1967 he was named pastor of St. Anthony's

Church in Buffalo, N.Y., and there he was deeply involved with the problems of the urban renewal of the city, he remained there for almost 9 years. In 1975 he was asked to go back to Canada as pastor of St. Anthony's Church in Hamilton, Ontario. For 2 years there Father Terry had his own weekly TV show of 30 minutes.

After a brief assignment in Puerto Rico and New York City, on November 4, 1978, Father Terry was named pastor of St. Michael's Church in New Haven, Conn., known as the first Italian Church in Connecticut. Here he has dedicated most of his time and efforts to the restoration of the church which stands now on the green of Wooster Square in all its beauty and splendor, the pride of the Italian community. Fond of Italian traditions, he has contributed in strengthening the folkloristic spirit of the existing societies encouraging cooperation and unity under the banner of faith, religion, and country. He is cofounder of the Italian American Historical Society, member of the National Italian American Foundation, and for the past 5 years, he was also the spiritual adviser of the ACIM.

Rev. Mario Bordignon, C.S., is also a member of the Society of St. Charles Borromeo.

Father Bordignon was born in Casola, Vicenza, Italy. He entered the seminary at 13 and studied 13 years at various seminaries in northern Italy. After his ordination in June 1950, he was assigned to a parish in Rome, where he worked under guidance of the renowned Father Leonardo Quaglia.

The chance to minister to Italian born in a new land came in May the next year when he was assigned to St. Anthony's in New Haven as assistant pastor. During the next 9 years Father Mario devoted himself to working with the youth of the parish, and established the largest Catholic Youth Organization in the diocese of Hartford.

In 1959 Father Bordignon was appointed pastor of Our Lady of Mount Carmel Church in Bristol, R.I., where in 5 years he spearheaded a major renovation and expansion of church properties.

Then in 1964 began some traveling which took Father Mario away from New Haven. First it was California where he worked with the Italian Catholic Federation, an organization of 16,000 members spread across the State.

Two years later he was called to New York City. After surveying the prevailing conditions of Italian seamen in New York Harbor and working directly with them, Father Bordignon was appointed chaplain of the S.S. *Oceanic*, a luxury liner that sponsors cruises to the Bahamas and West Indies, and

carries 1,100 passengers and 500 crew members.

On February 3, Father Bordignon officially opened the Italian Seamen's Club at 352 West 44th Street. "It is a home away from home," Father Mario said, "providing counseling, dining, and small retail facilities."

Because of that experience Father Mario was sent to San Juan, Puerto Rico, to organize the International Seamen's Center there, and also serve as port chaplain, the chaplain to International Airport.

He returned to New Haven on August 1977 as assistant pastor of St. Michael's Church, Wooster Square, where he found many of the 1,100 parishioners sharing his Italian heritage. In March 1978 he was appointed pastor of St. Anthony's Church.

During the past 5 years Father Mario has employed the use of all the media tools such as: TV, radio, and newspaper coverage to spread the word of church activities to the outside community.

Beside the existing church organizations two more new organizations have been formed, through Father Mario's efforts, St. Anthony Society and St. Anthony School Alumni Association. ●

#### PERSONAL EXPLANATION

##### HON. LES AU COIN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. AU COIN. Mr. Speaker, due to an unavoidable conflict today, I was unable to vote on final passage of House Joint Resolution 413. Two days ago, when a virtually identical bill was voted upon, I voted "nay." Had I been present today, I would again have voted "nay." ●

##### THE U.S. MUST BACK RAUL ALFOSIN'S ARGENTINA

##### HON. DOUGLAS K. BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. BEREUTER. Mr. Speaker, I believe it is important that Americans understand and recognize the giant step toward democracy recently taken in Argentina. The decisive victory of Argentina's Dr. Raul Alfonsin in October 30's democratic elections is, indeed, a beacon of hope that constitutional processes are at work in a continent often fraught with the violence of nondemocratic institutions.

Dr. Alfonsin's victory over the Peronistas by 52-40 percent should constitute a clear mandate for change from the 30-year shifts of power between the Peronista party and the military. Strong backing of Dr. Alfonsin's govern-

ment by the United States would be well deserved. Military leaders in surrounding southern cone countries will surely note our Nation's support for democratic elections in Latin America. Mr. Speaker, I believe that all informed and interested Americans would like to extend a friendly, congratulatory hand to the new democratically elected government. The following article in the Omaha World-Herald of November 3, 1983 expresses this thought. I commend it to my colleagues.

#### ARGENTINA: BETTER DAYS AHEAD?

Argentina deserves better leadership than it has received in the 40 years during which the Peronistas have been the dominant political party. This week's elections—in which the party of Juan and Evita Peron suffered a major defeat—may have provided such leadership.

The Peronistas—and the military dictatorships that were interspersed with Peronist governments during the past 40 years—have managed to bring Argentina close to ruin.

As a result of disastrous mismanagement, what should be a prosperous land suffers from one of the cruelest inflations on the globe. Unemployment remains high and production low. The foreign debt of \$40 billion puts severe strains on the economy and the government. Human rights eroded under the generals who have been in charge for the past seven years. The unnecessary Falklands War drained the country, both economically and spiritually.

The Peronistas have long had strong emotional appeal among the working class. Until this week, the party had never lost a free national election.

The decisiveness of Raul Alfonsin's win—52 percent to 40 percent for the Peronistas—should constitute a mandate for changes by him and his party, which has been described as middle-class and left-of-center.

His first moves have been encouraging. He has said he would try to improve relations with the United States. He has promised to try to reach an agreement with Chile over a border dispute. During his campaign, he spoke forcefully for cutting back military spending.

Still, the important thing now is whether he has the ability and will to make good on his promises. Other Argentine leaders have come to power with fine words, only to become disappointments once in office.

If Alfonsin continues in the direction he has started, the United States should be ready to extend a friendly hand. ●

#### NO DEALS WITH SYRIA

##### HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. KEMP. Mr. Speaker, Benjamin Netanyahu, Deputy Chief of Mission at the Israeli Embassy, is a talented and dedicated representative of his Government. He is also an astute observer of the Middle East, and the problems that Israel and the United States face in common in the region.

The most immediate of these problems today is Syria backed by the

Soviet Union. Were it not for Syrian intransigence, the tragedy-laden disarray in Lebanon would have been settled long ago. Were it not for Syrian links with the Soviet Union, the West would not now be faced with an ominous military buildup that threatens not only Israel but NATO's forces in the eastern Mediterranean as well. And were it not for Syrian support and complicity, the marines and French troops who were killed in Beirut would almost surely be alive today.

How then should the United States deal with Assad? Mr. Netanyahu's article in today's New York Times provides sobering insight into the nature of the Syrian regime. I want to echo his warning: "People who counsel appeasement of Syria in the coin of Lebanese sovereignty or Israeli security would weaken the only local power Syria fears, and one that is an unshakable American ally—Israel."

I ask that the full text of Ben Netanyahu's article be reprinted in the RECORD, and I commend my colleagues' attention to it.

#### A DEAL WITH SYRIA?

(By Benjamin Netanyahu)

WASHINGTON.—Cui bono? Who profits, the Romans would ask whenever the perpetrators of an act refused to step forward. Of the recent attacks on American, French and Israeli servicemen, we may ask: Who would benefit if Western forces were pushed out of Lebanon, indeed out of the Middle East altogether? They are Syria, and, looming behind it, the Soviet Union. Syria has repeatedly demanded the ouster of "United States and NATO" forces. Besides local proxies, Syria has at its disposal fanatical Iranians deliberately imported for suicidal missions.

Damascus has both motives and means to wage a systematic campaign of terrorism—in fact, long experience in doing so.

Yet some continue to promote a "deal" with Syria. By giving President Hafez al-Assad what they claim he wants from Israel (the Golan Heights), he would presumably become more flexible in Lebanon: He may be ruthless, but he is also "a man one can deal with." America should now "talk" with Syria, as if Washington has not sent diplomat after diplomat to Damascus. The assumption here is that Syria can be wooed and won, or at least that Syrian goals are limited and can be met.

Such a prescription can be based only on a complete misunderstanding of the real Syria and its political objectives. This is why some confidently predicted that Syria would withdraw its troops when Israel agreed to do so. Instead, Syria moved in more men and materiel. Then it was suggested that what Syria really wanted was to have a "say" in Lebanon because of "legitimate security interests." It soon became clear that Syria's aim—methodically pursued for decades—remains the incorporation of Lebanon into a Greater Syria.

Syria regards Jordan and Israel as also belonging to Greater Syria. But Israel prevents Syria from devouring the rest of Lebanon and from swallowing Jordan (in 1970, an Israeli warning stopped such a Syrian attempt cold). The Syrians must therefore



overcome Israel. Of course, first they would like to repossess the strategic Golan: the Syrians went to war against Israel twice, in 1948 and 1967, when the Golan was firmly in their hands. Further, Syria does not want creation of another Arab state; as Mr. Assad has said, "Palestine is merely part of Southern Syria." Thus, Israel must be destroyed so that its territory may be absorbed so that Syria may dispose freely of Lebanon and Jordan.

Neither the obsession with Greater Syria nor the fanaticism of the regime are fully grasped in the West. With his bland exterior, Mr. Assad is not good copy compared to his ally the Ayatollah Ruhollah Khomeini. But in cold-blooded murder, he is his equal. In the Syrian city of Hama, Mr. Assad's army reportedly killed as many as 20,000 civilians and turned "half the town into a parking lot," according to *The New York Times*.

Even more telling, the regime inculcates brutality as a social good. After Syrian soldiers murdered and mutilated Israeli P.O.W.'s in the Yom Kippur War, Syrian Defense Minister Mustafa Tlas glowingly awarded the Medal of the Republic to "the outstanding recruit from Aleppo who slaughtered 28 Jewish soldiers like sheep. He butchered three of them with an ax and decapitated them. He broke the neck of another and devoured his flesh." (The full speech was reprinted in *The Official Gazette of Syria* on July 11, 1974.)

More recently, the Syrian Government observed the 10th anniversary of the Yom Kippur War. On Oct. 5, it broadcast on Syrian television a program that a Western audience would find unbelievable. As Mr. Assad and his colleagues looked on approvingly, girls from the Baath Youth Militia held up live snakes. Then the girls bit the snakes and ate them, as he applauded enthusiastically. This was followed by militiamen who stabbed puppies and drank their blood.

What kind of "deal" can be struck with such people, for whom truck-bomb massacres are standard operating procedure? The Syrians reneged on their promise to leave Lebanon (like the Palestine Liberation Organization, which left Beirut under the peacekeeper's protection, then reinfilitrated and joined attacks on these forces). Such adversaries will honor agreements only with those whose strength and resolve are not in doubt. People who counsel appeasement of Syria in the coin of Lebanese sovereignty or Israeli security would weaken the only local power Syria fears, and one that is an unshakeable American ally—Israel.

In the 1930's, Britain was counseled to weaken its ally France in the belief that this would appease an increasingly powerful Germany. Winston Churchill replied: "We go on perpetually asking the French to weaken themselves. I cannot imagine a more dangerous policy. There is something to be said for isolation; there is something to be said for alliances. But there is nothing to be said for weakening the power with whom you would be in alliance."●

## INTRODUCTION OF OCEAN DUMPING REFORM LEGISLATION

HON. WILLIAM J. HUGHES

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. HUGHES. Mr. Speaker, in America today, our oceans are the last great dumping grounds. Off the New Jersey coast alone, over 7 million wet tons of sewage sludge are dumped each year, seriously impacting the State's coastal waters and threatening our important fishery and coastal resources.

Despite the fact that the House and Senate overwhelmingly approved legislation which I introduced in 1977 to end the ocean dumping of harmful sewage sludge, this practice continues—more than 2 years after the congressionally mandated 1981 deadline.

Although Congress has worked diligently over the past decade to end ocean dumping that degrades the marine environment, several municipalities in the New York-New Jersey area have managed to circumvent the intent of the Marine Protection, Research, and Sanctuaries Act.

Working over the past year, Congressman FORSYTHE and I have developed a legislative proposal that addresses the need to phase out sewage sludge dumping off the New Jersey coast. The legislation we are introducing today is designed to resolve the controversy surrounding the use of the 12-mile dumpsite. The proposal will provide the framework necessary to undertake long-range planning for waste disposal in the New York-New Jersey area. In addition, the bill calls for the development of a New York Bight Apex restoration plan designed to improve the overall water quality of the region by addressing the numerous pollutants that are dumped into this highly complex coastal area.

Mr. Speaker, there is no doubt that the New York Bight is one of the most severely degraded coastal areas in the country, one that clearly deserves the special attention of Congress. According to scientists who testified before the Merchant Marine and Fisheries Committee, ocean dumping in the Bight apex has altered the ecology of a large area around the dumpsite and has resulted in significant degradation to the marine environment.

The New York Bight apex has reached its capacity to assimilate the tremendous amount of pollutants that find their way into these waters. Unacceptable high levels of PCB's are beginning to appear in several species of fish taken from both coastal and inland waters. Hundreds of acres of shellfish grounds have been closed due to bacterial and chemical contamination of the resources. Fin rot, gill ero-

sion, skin tumors, parasite infestations, microbial infections, chemical contamination, and developmental abnormalities are rampant in fish and shellfish inhabiting the Bight apex area.

The blame for this serious environmental problem does not rest solely with sludge dumping; ocean dumping is just one part of a very large problem, which also involves pollution resulting from runoff from agricultural and urban areas, industrial discharges, and the release of untreated sewage into the Hudson-Raritan estuary. For this reason, our proposal also lays a foundation for the regional planning and coordination necessary to improve the overall water quality of the Bight apex.

Finding acceptable long-term alternatives to ocean dumping is a difficult process for several reasons. Municipalities have a built-in incentive to ocean dump—it is cheap to barge sewage sludge to a location barely out of site of land and drop it in the ocean. At the same time, the lack of Federal and State coordination has made the development and siting of alternative disposal technologies particularly difficult for those municipalities that have made an effort to find alternatives.

The proposal Congressman FORSYTHE and I have developed is geared to maximize the Federal, State, and local planning necessary to develop workable alternatives to ocean dumping. At the same time, the bill requires municipalities to pay a special ocean disposal fee as long as they continue to dump at the 12-mile site. Funds collected through this fee would be used to finance a study of environmentally acceptable disposal options in the area, and to implement suitable waste disposal options.

More than ever before, comprehensive legislation is needed to resolve this complex and controversial problem. Simply leaving this matter to the environmental protection agency will result in additional delays and protracted litigation over the future of the 12-mile dumpsite. The future of our coastal waters depends on Congress willingness to make a clear and decisive statement of policy on this matter.

Congressman FORSYTHE and I have made the commitment to resolve the longstanding problems resulting from the continued ocean dumping of harmful materials off our coasts. I hope you will join us in this effort to insure that our coastal waters and offshore resources are adequately protected from further degradation, and in beginning the process to bring them back to a healthy state.●

## BANGOR, MAINE: QUEEN CITY AGAIN

HON. OLYMPIA J. SNOWE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Ms. SNOWE. Mr. Speaker, with few exceptions, I believe that private sector initiatives can accomplish projects with greater efficiency and cost effectiveness than the Federal Government. And a major city in my home district is evidence of that—Bangor, Maine. When the Government provides the incentives—private enterprises will fulfill their role.

Like many other cities across this country, Bangor wanted to take advantage of the great urban renewal programs of the 1960's. And the city prepared for a renaissance in clearing away blocks and blocks of city land in preparation for new housing, office buildings, and retail establishments. For whatever reasons, the rebirth did not occur and the city was left with squares of open land in the urban area.

Studies over the ensuing years were undertaken on how the land should be developed and how that development should be funded, but little happened.

In 1981, the Tax Recovery Act was enacted and a tax credit of 25 percent of the rehabilitation costs on any historic building and a 20-percent credit on any building 40 years or older was included in the bill. It was this action that proved to be the catalyst for private individuals and groups to once again undertake a major renovation of Bangor's downtown area.

I want to share with you a recent article from the Washington Post that details what has happened in Bangor. It merits our attention and the attention of other municipalities across this Nation that want to put new life into their urban areas. The individuals cited in the article are to be commended, and all the citizens of Bangor should be very proud of their achievement.

A QUEEN CITY THAT TRIES AGAIN TO LIVE UP TO ITS NAME

(By Bruce DeSilva)

BANGOR, MAINE.—From the highway, the town that once called itself "The Queen City" looks like a huge drive-in theater showing a bad movie.

The empty acres of parking lots and grass are scars of a 20-year-old miscalculation. More than 150 old buildings—a third of the downtown—were demolished to make way for a construction boom that never happened.

"Drive by on the highway, and you don't see anything that would make you stop," said Mel Fer, a local real estate man.

H. E. Igoe, a developer from Charleston, S.C., drove by in the fall of 1981 on the way to visit his daughter at a New England college.

He stopped, and Bangor got a new start.

## EXTENSIONS OF REMARKS

Igoe, ever curious about strange cities, wound his way through the vacant lots to what was left of the downtown. He found scores of grand turn-of-the-century buildings, many of them vacant and in poor repair.

"I could have bought the whole city," he said.

He bought two buildings, and a lot of Mainers thought he was crazy. They knew, or thought they knew, that downtown Bangor was dead. Igoe knew better.

Today, Bangor's streets are filled with the bangs, whines and clatter of construction work. Igoe and other developers are working so quickly that the entire city may be rebuilt in three years, Fer said. Developers are spending \$11 million to transform 10 old downtown buildings into condominiums, apartments, offices and specialty shops.

Plans are in the works to rehabilitate six more buildings, many of them large structures such as the old "Sleeper's" department store.

The city, its civic pride reawakened, is responding by laying brick sidewalks and installing new streetlights.

The rehabilitation projects have spurred interest in the nearby vacant land left over from urban renewal. The city has received inquiries about construction of new office buildings, condominiums, stores and parking garages.

The Queen City is coming back because of the arrival of developers who see architectural distinction in old buildings that survived urban renewal, buildings many Bangor residents thought of as eyesores. And it is coming back because of a two-year-old federal law giving developers substantial tax breaks for rehabilitating old buildings.

The future of Bangor rests on what remains of its past.

Bangor has only 32,000 people, but accidents of history and geography give it an importance far exceeding its size.

As the northernmost city in Maine, Bangor is the center of banking, entertainment and shopping for the northern half of the state and much of the Canadian Maritime Provinces. A half-million people think of Bangor as The City.

Bangor straddles the narrow Kenduskeag Stream, where it enters the Penobscot River. Although the location seems ideal for commerce, Bangor did not have enough settlers to incorporate as a town until 1791, rather late in the colonial period.

But in the 19th century, Bangor became a boomtown. The demand was great for the timber in the vast Maine forests, and Bangor dominated the trade.

Logs floated down the Penobscot to sawmills in the Bangor area, and sailing ships docked at Bangor to take on lumber for shipment throughout the East Coast and to Europe. For much of the century, Bangor was the leading lumber exporter in the world, with as much as 200 million board feet a year moving through its port.

The lumber barons and merchants built grand houses on the three hills rising above the downtown. Distinguished architects from Boston and New York City designed many of the houses, ranging in style from Federalist to Greek revival to Italianate to Gothic to the French style with mansard roofs. Streets were lined with elm trees. Many of those houses and elms still stand.

After World War II, however, much of the accessible timber was gone and the pulp industry was dwarfed by bigger operations in the Great Lakes region. The port lay unused and waterfront warehouses decayed.

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The construction of suburban shopping malls drew business away from downtown, which began looking shabby as merchants stopped making repairs. Some stores fell empty, and many of the grand old homes in the hills began to deteriorate.

Urban renewal was an effort to reverse the trend. Fourteen acres of downtown were leveled.

Merle Goff, the city manager during urban renewal, said many of the old buildings that were demolished "did not come within miles of meeting code requirements. A very serious fire hazard existed for the whole area."

Today, Goff, Rodney McKay, the city's chief planner, and the developers look wistfully at old photographs, all that remains of some of the grand old buildings that went down with the rotted warehouses and dilapidated wood-frame stores.

The city spent \$11 million—most of its federal money—to knock down the old buildings and make improvements in street and sewer lines.

"There was the expectation that there would be quick redevelopment," Goff said.

At first, there was. Three new bank buildings were constructed on large lots for parking and landscaping. A small, ugly commercial strip was built on the site of the train station. But that was all. Half of the 14 acres remained empty.

Through the 1970s, several studies were done on what to do about downtown Bangor. They proposed grandiose redevelopment plans. They were placed on shelves in City Hall and forgotten.

In 1972, while one of those studies was under way, a Massachusetts tax consultant named Donald Cohen was stuck in traffic in a tunnel on Boston's Southeast Expressway. The temperature was 95, and the exhaust fumes were suffocating.

When he finally got home, Cohen told his wife: "That's it. We're going."

Cohen bought an old farmhouse outside of Bangor and began helping developers put deals together in several New England cities. Finally, he decided to try becoming a developer.

About the time Igoe was buying his two buildings downtown, Cohen bought the 71-year-old J. M. Arnold shoe factory, which had been empty since 1947. Fer, working in Cohen's behalf, made inquiries about buying the rest of the buildings on the same downtown street.

Mainers figured Cohen and Fer were nuttier than Igoe.

Igoe and Cohen, however, knew redevelopment could succeed in Bangor.

"The old eastern cities are coming back and they are coming back to stay," Igoe said. "Bangor is the last old city left to be redeveloped. It's already happening everywhere else."

Besides, the Federal Tax Recovery Act of 1981 had just been passed, making rehabilitation of old buildings economically attractive to developers. The act provides for a tax credit of 25 percent of rehabilitation costs on any historic building and 20 percent on any building 40 years old or older. Most of downtown Bangor is in a historic district, and nearly all of its buildings are more than 60 years old. The act, in effect, had turned downtown Bangor into an enormous tax shelter.

The developers worked fast.

Cohen's shoe factory opened recently as a condominium office building with oak bay windows and marble fireplaces. Its 12,000



square feet of space, rehabilitated at a cost of \$700,000, were filled instantly.

Igoe, meanwhile, is spending nearly \$1 million to convert the 110-year-old, five-story Viner Music Store into a 37-room inn. It may be open by the end of the year.

Construction is under way on Cohen's project to turn the Pierce Building into 20,000 square feet of office space. A greenhouse will be built next to the sidewalk, gathering sunlight into the restaurant that will be located in the basement.

Other projects, many of them innovative, are in the works.

Meanwhile, young professionals are buying and rehabilitating the old houses in the hills.

Jean Deighan, senior trust officer for Northeast Bank, is restoring a 150-year-old Greek revival house with wrought iron grillwork, pillars, winding staircases and floor-to-ceiling bay windows.

Deighan is the organizer of the Bangor Community Promotion Project, an effort to get people to have pride in their city again.

The group held a contest last year to come up with a slogan for Bangor. The winner was "Bangormania," and a lot of people did not like it. The resulting angry letters to the local newspaper delighted Deighan, and not only because they drew attention to the civic pride project.

The protesters said that the slogan is not dignified enough for their great city. Bangor, they said, should be known now and forever as the Queen City.●

#### CELEBRATING THE CENTENNIAL OF THE FIRST PRESBYTERIAN CHURCH OF SAN PEDRO

**HON. GLENN M. ANDERSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. ANDERSON. Mr. Speaker, 100 years ago this month seven people entered into a special covenant with God. Those people, six women and a man meeting in a hall above a tavern, founded the First Presbyterian Church of San Pedro. On November 20, I will be amongst the church's followers to celebrate its centennial.

The First Presbyterian Church bears the distinctions of being the oldest place of Christian worship in San Pedro. When it was founded in 1883, San Pedro was but a small coastal city of 1,500. Today, San Pedro boasts more than 74,000 residents and is the finest port city in the world. As is always true of a growing city, San Pedro has experienced significant change.

Change, or what we tend to politely refer to as progress, is infrequently considerate of tradition or institution. But for reasons which are clear to those who worship at First Presbyterian, growth and progress have not engendered an adversarial relationship between church and community. Like its seven founders, those who worship in this church understand the mortality of our existence; that it is because of our mortality that we should seek

reminders of God's unrelenting love and welcome His divine guidance.

Ever since Rev. W. A. Waddell presided over the church as its first formal pastor, First Presbyterian has helped people who are striving to become full persons by answering their spiritual needs. As a result, much of the Christian fellowship that has characterized San Pedro for the last 100 years has been fostered by this church. First Presbyterian's present pastors, Rev. Charmian E. Goudy and Dr. Malcolm R. Lovell, continue to nurture Christian values in a manner which better enables us to understand our mortality in the context of the present day.

Mr. Speaker, my wife, Lee, joins me in extending this tribute to the First Presbyterian Church of San Pedro. I would recommend a visit to this historic place of worship, which is located at 731 South Averill Avenue, to anyone who visits San Pedro; for only then may you learn how much this church means to our city.●

#### PERSONAL EXPLANATION

**HON. JAMES McCLURE CLARKE**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. CLARKE. Mr. Speaker, on October 31, 1983, I was necessarily absent for three votes. I would like to make clear my position on those measures considered in the House.

On the motion to H.R. 3222, the Commerce, Justice, State, and Judiciary Appropriations Act for fiscal year 1984, to instruct conferees to insist on the House position that \$70.15 million of the funds in the bill be earmarked for juvenile justice programs, rollcall No. 431, I would have voted "yea."

On the motion to H.R. 3222, the Commerce, Justice, State, and Judiciary Appropriations Act for fiscal year 1984, to instruct conferees to insist on the House position that no more than \$21.3 million of the funds in the bill be appropriated for the Endowment for Democracy, and that no endowment funds be given to any entity related to a U.S. political party or party official or employee, rollcall No. 432, I would have voted "nay."

On the amendment to H.R. 2867, the Hazardous Waste Control Act, that strikes provision empowering EPA to litigate cases if the Justice Department fails to act within 150 days, rollcall No. 434, I would have voted "nay."

Mr. Speaker, I appreciate having this opportunity to make my views known for the RECORD.●

#### IN RECOGNITION OF JAMES L. HEINSELMAN

**HON. GLENN M. ANDERSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 1983

● Mr. ANDERSON. Mr. Speaker, I rise today to pay tribute to James L. Heinzelman, outgoing honorary mayor of Wilmington, Calif. On November 30, Jim will be honored for his achievements at the annual Harbor Holidays banquet at the Los Verdes Country Club in Rancho Palos Verdes.

Jim has led an active career devoted to higher education. Starting in 1957, fresh out of the University of Northern Iowa, as a physics and math instructor at Denison Senior High School in Iowa, Jim worked his way up the ladder to become president of Los Angeles Harbor College in 1980, where he serves today. Along the way, he has served as dean of instruction at the Los Angeles Trade Technical College, the Los Angeles City College, and the College of Dupage, Illinois.

Jim received his B.A. in education from the University of Northern Iowa in 1956 and his M.A. in education in 1960. Jim continued to expand his educational background, enrolling in graduate studies at Illinois State University, Michigan State University, Northern Illinois University, and Texas A&M University.

Jim has also been actively involved with the California Association of Community Colleges, the American Association of Community and Junior Colleges, the Los Angeles Community College District, the National Science Foundation, the American Institute of Physics, and has served as chairperson of the Los Angeles Urban Consortium for Higher Education.

While pursuing his successful career in education, Jim has somehow always managed to find time to devote to his community. He is the current President of the Wilmington Boys Club's Board of Directors, and chairperson of the United Way Region III Public Service Division.

My wife Lee joins me in extending our appreciation to Jim for his many contributions to our community and to wish him, his wife Shirley, and their four children, Craig, Lisa, Brian, and Liri all the best in their future endeavors.●

SHAR-ANNE ALVAREZ, OUTGOING "MISS PORT OF LOS ANGELES 1983"

**HON. GLENN M. ANDERSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 10, 1983*

● Mr. ANDERSON. Mr. Speaker, coming up on November 30 is the annual Harbor Holidays banquet sponsored by the Wilmington Chamber of Commerce. At that time, the chamber will honor Shar-Anne Alvarez, for her outstanding contributions as the outgoing Miss Port of Los Angeles 1983.

## EXTENSIONS OF REMARKS

As Miss Port of Los Angeles, Shar-Anne rode in the Rose Parade, the Christmas Afloat Parade, the San Pedro Christmas Parade, and the Wilmington Parade. In addition, she attended monthly mixers for the Wilmington Chamber and numerous luncheons and dinners. It is of special interest to note that Shar-Anne was also a contestant in the Miss California USA Pageant.

Ms. Alvarez has lived in San Pedro for the past 8½ years and is a graduate of San Pedro High School. She attended Los Angeles Harbor College and majored in business management.

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An avid sports enthusiast, Shar-Anne is in her 4th year as a Los Angeles Rams cheerleader, and has traveled to many cities across the Nation doing promotional work for the Rams. She is currently employed by the Auto Club of Southern California as senior traffic clerk.

During her reign as Miss Port of Los Angeles, Shar-Anne met many interesting and exciting people. It made her year as Miss Port of Los Angeles a very memorable experience. I join with my wife, Lee, in paying tribute to Shar-Anne and wish her the very best in years to come.●