

EXTENSIONS OF REMARKS

MILITARY READINESS: A
GROWING PROBLEM

HON. CHARLES McC. MATHIAS, JR.

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Wednesday, August 8, 1984

● Mr. MATHIAS. Mr. President, while the current military readiness picture may be good—and even getting better—the long-term effectiveness of our Armed Forces may indeed be in danger.

It seems to me there are two potential problems: the nature of the defense budget itself, and the financial burdens imposed by an unprecedented number of new starts in strategic weapons systems.

The defense budget is becoming uncontrollable. Prior year obligations are consuming an ever larger share of a given fiscal year budget request. Approximately 35 percent of the fiscal year 1985 defense budget request is untouchable, up almost 30 percent since 1981. The Congressional Budget Office projects that the untouchable share of the defense budget will continue to rise through 1989.

In a period when all of us are trying to make prudent reductions in Federal spending, including defense expenditures, this leaves fewer and fewer areas for the President, the Armed Services Committees, and finally the Congress to cut. And of the areas that remain, one is forced to choose between investment accounts—procurement of new systems, and so forth—and readiness accounts—spare parts, ammunition, salaries.

Traditionally, it is in the readiness side of the ledger that cuts have been made. And there's the rub. Instant gratification in budget cutting can only be achieved by attacking the readiness accounts where a virtual dollar-for-dollar ratio exists between amounts cut and saved. And, as bills come due in the latter half of this decade for the big procurement items, the tendency to whittle away at readiness in order to pay for these systems will be even stronger.

This, admittedly, leaves the Congress in a tough spot. We have no alternative but to identify and eliminate some highly visible weapons programs, if the burgeoning defense budget is ever to be brought under control. Congress must focus on the investment accounts. And the sooner we do it, the easier it will be to do because Congress has authorized and appropriated an unprecedented level of funding for in-

vestments, especially strategic nuclear programs. Simply drawing out procurement, or cutting a program in half will only postpone what will then be a larger crunch in the 1985-90 timeframe.

Aerospace America magazine recently published an article in which these very points were discussed, and in considerable detail. I insert the Aerospace America article entitled "Pentagon's Bright New World Fading Fast" in the RECORD:

[From the Aerospace America, July 1984]

PENTAGON'S BRIGHT NEW WORLD FADING FAST
(By Henry Simmons)

Remember those gloomy predictions of three years ago, when President Reagan announced his five-year defense plan? The ink was hardly dry before the bean counters warned that the president had vastly underestimated the cost of his ambitious munitions program. Late in the decade, they said, the Pentagon would have to make huge new demands on the American purse to sustain its programs.

According to a recent calculation by the General Accounting Office, actual DOD spending from 1980 to 1984 overran estimates by \$246 billion. This trend, continuing over the life of the present five-year plan, implies a \$324 billion overrun simply to sustain program now underway or scheduled to get underway during the period.

The scope and imminence of the Pentagon's problem can be gaged from the volume of obligated but unspent "carry-over" funds committed under contract for shipbuilding and other procurement. In three years through FY83, the backlog climbed 89%, from \$68 billion to \$128 billion. Over the same period, the backlog of carryover not only unspent but as yet committed to contract has climbed 79%, from \$24 billion to \$43 billion. MIT's William Kaufman has analyzed these figures for the Brookings Institution. He believes that their sheer size will make increasingly difficult congressional control over military spending in the outyears. "These backlogs will create major wedges of expenditure in the future and will make substantially more difficult any future effort to control the growth of the defense budget in an orderly way," according to Kaufman.

Even if Congress hold the FY85 military appropriation to \$290 billion (the level set both by House vote in May on defense authorization and the cuts proposed by Defense Secretary Weinberger to provide the defense share of the "down payment" on the deficit that the president and Congress are trying to work out), spending from the backlog alone would increase to more than \$110 billion in FY86. "As such," Kaufman says, "it will mean that at least 36% of defense outlays will be committed and uncontrollable even before Congress takes action on the budget for that year."

The chickens have not come home to roost yet, but already one can hear the flapping of wings. In rolling back the FY85 de-

fense request, the House Armed Services Committee was most protective of conventional warfare systems and force readiness, but willing to let strategic nuclear systems take their lumps. Weinberger's sacrifices were quite the opposite, insulating the strategic buildup while cutting back the general forces.

Looking down the road, it is obvious that many more tough decisions will have to be made about what to keep, cut back, postpone, and what to jettison. Richard DeLauer, defense under secretary for research and engineering, told Sen. Ted Stevens (D-Alaska) that he could "handle" congressional refusal of new starts for the \$1 billion DDG-51 guided missile destroyer as well as the \$129 million requested for development of the McDonnell Douglas C-17 STOL transport in the current fiscal year. The House has already canceled further Air Force participation in the "Sons of Assault Breaker," JSTARS and JTACMS, representing radar, communications, computation, ballistic launcher, and submunition of the system proposed for disruption of second- and third-echelon Warsaw Pact forces in European land battle. The decision reflected not so much budgetary constraints as exasperation at the utter failure of the Air Force and Army to agree on a common system to meet the deep-strike requirement and the evident evolution of the program into two separate, duplicative weapons to perform the same mission.

The Pentagon's financial bind may strangely follow-on systems planned for the 1990s—the single-warhead Midgetman mobile ICBM, the Stealth bomber optimized for minimum radar signature, and the second-generation advanced cruise missile with low-observable features of the Stealth.

Both the B-1 and the MX were called "interim" systems—the idea being that they would plug the "window of vulnerability" anticipated in the U.S.-Soviet strategic balance in the mid-80s. MX deployment would phase out with the arrival of the supposedly survivable Midgetman, and B-1 deployment would cease with the advent of the Stealth. The bipartisan Scowcroft Panel laid particular stress on this scenario in selling the 10-warhead MX to a reluctant Congress last year, noting also that the introduction of the large missile would establish a bargaining chip in arms-control talks with the Soviet Union. That argument narrowly prevailed in the House this year, overcoming a Democratic effort to deny all production funding for MX.

In the eyes of many lawmakers the MX is a destabilizer. Because of its size and accuracy it will act as a magnet, the detractors say, rather than a deterrent to Soviet attack. That it partially redresses the present strong edge in nuclear ballistic throw-weight they consider inconsequential. (Together with Trident II, to enter the fleet in 1989, MX will increase U.S. throw-weight by 55%.)

In its consideration of the MX and Midgetman systems, Congress so far has shown little inclination to ponder cost implications of the two systems. Cost of developing, building, and deploying 100 MX missiles in existing Minuteman III silos is estimated to

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

run about \$30 billion. The cost of a force of 1,000 mobile Midgetman missiles has been put at between \$45- and \$70-billion, depending on the basing mode, according to the Congressional Budget Office (CBO). The goal presently favored calls for launchers capable of withstanding blast overpressure of 30 psi, about three times as much as an Abrams M-60 can take. The launchers would be spread over 12,000 sq. mi. of government-owned land in the West.

But as system costs force themselves into greater prominence, Congress may well find Midgetman less appealing. Because a dispersed mobile system imposes much higher maintenance, security, communication, and control costs, a fixed-base system becomes ever more attractive. (CBO puts the 20-year all-in lifetime cost of the Midgetman at \$100 billion, far greater than the lifetime cost of MX.)

A new factor may alter the political climate for MX. Recent small-scale tests by the Air Force Ballistic Missile Office has raised the possibility that the hardness of underground silos can be increased 20 to 40 times over present values, giving them the ability to withstand overpressures as high as 50,000 psi. If tests confirm this, the 100 silos at Warren AFB, Wyo., housing the MX can be superhardened with comparatively "low-tech" civil-engineering techniques at a cost of less than \$10 billion.

Superhardness would go far to assuage the anxieties of Congress about the destabilizing nature of MX. USAF experts reckon that, given present ICBM accuracy, the Soviets would have to launch at least six two-megaton warheads in their SS-18 or SS-19 missiles to assure destruction of superhardened silo; only two such warheads are deemed sufficient to disable the softer Minuteman silo.

A two-megaton surface detonation will excavate a crater in rock 0.125 mi. (660 ft) in radius. The radius of the fracture zone will extend 0.25 mi. (1,300 ft) from ground zero. Presumably, hardened silos will be able to survive within the zone of intense fracturing, even though they would be "cratered out" by very near misses. Skeptics will argue that the Soviets can recapture the advantage for the offensive strike merely by restoring to higher-yield warheads on MIRVed ICBMs, or by contracting circular error probabilities (CEPs) to within the crater radius of their existing warheads (as the U.S. will do with the MX and Trident II), or by a combination of both measures.

Of course, a similar argument may be raised against the mobile single-warhead ICBM. Jonathan Rich of the Federation of American Scientists calculates that the Soviets could saturate the 12,000 sq mi. of area devoted to Midgetman by launching 3,000 warheads of 500-kt yield against them with their SS-18 force. Even hardened to 30 psi, only a minimal number of the single-warhead weapons would survive for a second strike. In the absence of a new arms-control agreement, addition of the 10-warhead solid propellant SS-X-24 ICBM now in development, coupled with improvements in CEP, could reduce to "almost zero" the number of surviving Midgetman systems and "counter any potential gains in harder silo construction," according to Rich.

All of this indicates that land-based ICBMs will remain the most vulnerable leg of the strategic triad, no matter what direction the nation pursues. At the same time, however, the strategic cost equation can be driven negative for the other side—force the Soviets to spend more than we do to neu-

tralize a new initiative. In the eyes of the Reagan administration, if that is the best we can hope for with the land-based component of the strategic force, it is far better than "getting run off our own land" by supinely conceding the other follow's advantage. It also offers the further possibility of bankrupting him before the game bankrupts us altogether.

With the election fast approaching, the administration is not inclined to make waves about the potential for reducing the vulnerability of land-based ICBMs. Having succeeded so far in wringing an authorization from Congress for second-year MX production, it prefers to let sleeping dogs lie. But the issue is bound to come to the fore after the election, and Congress will have to make a hard choice about the direction it wants to pursue.

So far, Defense Secretary Weinberger has succeeded not only in committing both the nation and the Congress to a massive defense modernization program but also in protecting the strategic elements of his program from erosion at the expense of the general-purpose forces. As the financial burden becomes increasingly onerous, and Congress finds less and less scope for influencing the buildup, the Hill may be tempted to resort to "disorderly" tactics to make some room in the budget for what it, and not Secretary Weinberger, feels is essential. This will mean bobtailing or throwing overboard some of the ongoing strategic programs. But unlike its response in the recent, highly emotional fight over continued MX funding, the Congress will increasingly be driven by economic rather than political considerations. The shakeout will begin in earnest among the five new strategic nuclear penetrators—the B-1B, MX, Trident II, and two cruise missiles.●

ETSI VENTURE FOLDS

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. UDALL. Mr. Speaker, on August 1, the sponsors of the ETSI Pipeline project, a proposed coal slurry line from Wyoming to the gulf coast, announced that the project has been terminated. According to ETSI president Paul G. Doran, the decision to terminate is the result of protracted railroad opposition that has brought about costly delays in securing all the necessary permits, rights-of-way and other clearances for the project.

When the Coal Pipeline Act was debated in the House last fall, opponents of the legislation charged that Federal eminent domain authority was not needed. They argued that it was possible for a slurry line to be built using State eminent domain authority, and by bargaining for rights-of-way with individual landowners. These arguments and others carried the day, and the coal slurry bill was defeated, 235 to 180.

The fate of the ETSI pipeline proves that coal slurry pipelines cannot be built without the assistance of Federal eminent domain. The ETSI pipeline

company invested more than \$130 million, and spent over 10 years trying to obtain rights-of-way for their proposed pipeline.

They were thwarted, however, by long, costly legal battles with the railroads and by their inability to acquire the necessary easements. The railroads forced ETSI to litigate easements over railroad rights-of-way 67 times in the course of 6 years. Each time ETSI prevailed on the merits, but each court action cost thousands of dollars and delayed planning for several months. Finally the delays and mounting costs took their toll, and ETSI was forced to fold its tent.

Sadly, the real losers in the coal slurry wars are not ETSI, or any of the other coal slurry interests, but the consumers of this country. The inability of slurry pipelines to compete for coal traffic means that the railroads are able to control the market. Lack of competition means higher shipping rates, and those costs are passed on to consumers by the captive utilities.

Attached to my statement today is an article from the Oil and Gas Journal, June 11, 1984, that describes the Soviet Union's plans to begin operation of a 155-mile coal slurry line in 1985. The article notes that the Soviet Union believes that during the next decades it may build slurry lines with greater capacity than the rest of the world combined. The Journal reports that Russia has noted that the United States is lagging behind because of right-of-way problems, water user disputes, and railroad opposition.

Mr. Speaker, I am dismayed that American know-how and pipeline technology are being taken advantage of by coal producing countries all over the world, yet we here at home are denied the opportunity to benefit from slurry. I continue to believe that coal slurry pipelines should be given the opportunity to prove themselves in a competitive market.

The article follows:

U.S.S.R. PLANS COAL SLURRY PIPELINES

The Soviet Union plans to place the world's "most technologically advanced" coal slurry pipeline in operation during 1985.

About 155 miles long, the 16 in. "experimental/commercial" line will extend from an open pit mine at Byelovo in western Siberia's Kuznets coal basin to an electrical power generating plant at Novosibirsk.

Design capacity is 4.3 million tons of coal/year.

If successful, this "thick slurry" project will be followed in the 1990s by a 1,500 mile pipeline carrying 25 million metric tons/year of coal from Kuznets basin mines to power plants in the Ural Mountain area.

Ultimate plans call for slurry pipelines to transport Siberian coal to the Moscow region, a distance of 2,500 miles.

The U.S.S.R. estimates that a 56 in. slurry pipeline could carry 100 million tons/year of Kuznets coal to the European sector of the country.

The Soviet Union believes that during the next several decades it may build coal slurry pipelines with capacity greater than the rest of the world combined. It notes that the U.S., with its right-of-way problems, water user disputes, and railroad opposition, lags far behind the forecast mileage of coal slurry pipeline construction.

Soviet economists estimate that long distance slurry pipelines built with advanced technology will be able to transport coal at half the cost of railroads. They say capital outlays and operating expenses will be reduced, and only 10 percent as many operating personnel will be required.

THICK SLURRY

Key feature of the Byelovo-Novosibirsk pipeline will be the extreme thickness of the slurry. Coal content will be 60-70 percent, and it's proposed that the slurry be burned at the power plant without preliminary dewatering.

Elimination of dewatering equipment alone will reduce capital investment for the project by an estimated 10-15 percent.

Size of the finely ground coal in the Byelovo slurry will be "less than 0.2 mm."

According to one Soviet report, this slurry "will be as thick as porridge in which a spoon can stand upright." Another source, however, compares the thick slurry's viscosity with that of heavy fuel oil.

With such concentration, the Soviets say, "this slurry acquires viscous/plastic properties, doesn't flow readily, and can be transported by pipeline only when treated with special reagents." The reagents, or surfactants, were not specified.

Besides reducing water consumption, the thick slurry method of pipelining coal is said by the Soviets to increase the suspension's stability and to simplify its storage properties.

Ekonomicheskaya Gazeta emphasized that the quality of construction and skill in experimental operation of the Byelovo-Novosibirsk slurry pipeline will determine whether and how soon the Soviets will initiate long distance, large capacity projects.

Pipe and welding equipment has been delivered to points along the Byelovo-Novosibirsk route. Laying of the pipe, which will be buried at an average depth of 2 m, is slated for completion by yearend.

SOME DELAYS

Delays have been encountered in building slurry preparation facilities at Byelovo and combustion equipment at the Novosibirsk power plant.

The biggest problem is that much of the new pipeline's equipment must be specially designed. Because of the slurry's viscosity and abrasiveness, pumps, controls, and other equipment employed on oil and gas pipelines can't be used on the Byelovo-Novosibirsk project without extensive modification.

Ekonomicheskaya Gazeta said Soviet manufacturers are "extremely unwilling" to modernize and modify equipment that is now in volume production to meet the needs of one relatively small project.

"Thus the ministry of heavy machine building and its Uralmash factory have been slow in adapting the U8-6MA2 drilling pump for operation in slurry transportation. They have even tried to propose that their mass produced pumps be employed, although tests show them unsuited for moving thick slurry."

The Byelovo-Novosibirsk pipeline will require 24 automated electric pumping units using modernized U8-6MA2 pumps. The

units will be located at Byelovo and two intermediate pump stations.

The U.S.S.R. has had no experience with long distance slurry pipelines or commercial transportation of thick coal slurry. As recently as late 1982, Soviet reports indicated that the water-oil ratio in the Byelovo-Novosibirsk pipeline's slurry would be about 1:1.

Two Soviet coal slurry lines operating in the Kuznets basin are only 6-7 miles long. Ratio of coal to water is 1:7 and 1:12, and the size of coal transported is as large as 100 mm.

This, the Soviets concede, sharply reduces coal throughput and increases abrasive wear of the pipeline.

OTHER LINES STUDIED

Prior to deciding on the thick slurry method of moving coal through the Byelovo-Novosibirsk pipeline, the Soviets studied slurry pipeline technology and proposed advances in the U.S., West Germany, France, and Italy. Special study was made of Arizona's 273 mile Black Mesa coal slurry pipeline, which has operated since 1970 and handles about 5 million tons/year of coal.

It would have been easy, the Soviet newspaper *Ekonomicheskaya Gazeta* declared, to follow the proven and relatively simple Black Mesa method of coal slurry transportation. But it said, "Substantial shortcomings inherent in this technological scheme forced us to look for a new solution."

The Soviets concede that the Black Mesa slurry pipeline has achieved a very high degree of reliability. But with American technology, *Ekonomicheskaya Gazeta* pointed out, it's necessary to dewater the coal before combustion.

"The thin concentration of coal in the water requires increased water consumption (about 1 cu m/ton of transported coal). It's also difficult to regulate the pipeline's productivity," the newspaper said.

"Meanwhile, dewatering the coal to bring its water content down to 25-30 percent before delivery to the combustion chamber involves solution of a host of complex technical problems, development of special equipment, and additional energy expenditure. The problem of cleaning and using the water in the pipeline slurry is far from simple."

METHANOL/COAL SLURRY

While concentrating its efforts on transporting thick water/coal slurry, the U.S.S.R. also has expressed interest in a methanol/coal mixture.

The official government newspaper *Izvestia* said preliminary studies show that methanol can be separated easily from coal after transportation.

"It would thus be possible to move two energy bearing materials together—coal and methanol, which is a chemical raw material as well as a remarkable motor fuel additive." ●

TRIBUTE TO THE FREE SONS OF ISRAEL

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. BIAGGI. Mr. Speaker, on October 13 of this year the Free Sons of Israel will begin a week of activity celebrating their 135th anniversary. At

this time I would like to pay tribute to this fine organization.

Founded in 1849, the Free Sons of Israel is the oldest national Jewish fraternal benefit order in the United States. The Free Sons Order was founded by a small group of Jews who desired to form a close brotherhood of Jews in America, dedicated to the principles of fraternity, friendship, and equality. Throughout its 135-year history the Free Sons of Israel have stood for progress and understanding, and they have adapted well to the tests of time and change. They have provided a strong and unwavering voice for the basic human rights of all individuals—especially those Jews in the Soviet Union who continue to be oppressed and denied even the most basic of human rights. Throughout their long history the Free Sons of Israel have remained committed to the principles of equality, freedom, and justice.

The Free Sons of Israel consist of subordinate lodges located throughout the United States, including three lodges in my home State of New York. Situated in New York City, Westchester County and Nassau County, the Free Sons of Israel has grown into an important organizational network serving the needs and interests of the Jewish community in New York. The Free Sons provide a wide range of programs, benefits and activities for its members, including scholarship programs for young members, an insurance fund, credit union, and various sports activities.

The Free Sons have been a strong supporter of the State of Israel, our staunchest ally in the Middle East. The Free Sons have contributed greatly to the political, cultural, and economic development of Israel through contributions to the United Jewish Appeal and investments in State of Israel bonds.

Through its many foundation funds the Free Sons of Israel have distributed over a half million dollars to affiliates throughout the country. Activities of the foundation fund range from homes for senior citizens, convalescent homes, and summer camps for needy children, to active participation with charitable organizations, and distribution of toys for handicapped children.

Through its social action committee, the Free Sons of Israel have been able to act as a watchdog for all violations of human rights throughout the world—especially in the Soviet Union where many Jews continue to be oppressed by the Soviet Government. The Free Sons have continually voiced their strong opposition to all forms of Soviet antisemitism or curtailment of Jewish emigration from the Soviet Union. They have been an active and strong force in the fight against antisemitism and bigotry in this country, and have long advocated political

action to deal with issues relating to the Jewish community in the United States.

For the past 135 years, the Free Sons of Israel have been an outstanding organization, one not afraid to speak out on behalf of the oppressed and down-trodden people of the world. Through their activities and growth they have provided their membership with many important services had have maintained a sense of fraternity and belonging for the Jewish community of the United States. They have been a strong supporter of the democratic State of Israel and have provided a strong and powerful voice to oppose continued human rights violations against Soviet Jews and other oppressed groups. The Free Sons of Israel remain an organization dedicated to peace, equality, and freedom for all people, as well as fraternity, equality, and brotherhood among the Jewish community of this country. Through-out its 135 years of service and activity the Free Sons of Israel have added greatly to the growth and vitality of the American Jewish community, a community which has made an important contribution to this country's rich immigrant heritage. ●

**PLIGHT OF BALTIMORE
APPALACHIANS**

HON. PARREN J. MITCHELL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. MITCHELL. Mr. Speaker, in these hectic and complex times it is easy to isolate ourselves from the problems of those less fortunate than ourselves. I think it is important, however, that we take time out of our busy schedules to concern ourselves with these persons.

In the north central section of Baltimore, there is a populace consisting of 1,100 households of overlooked, disparate citizens. They are called Appalachians. Appalachians are displaced mountain people who have been forced to live in the city to survive.

In reading the following article, and two others which will run on consecutive days, I think you will gain some insight into the plight of the Appalachians. These articles were written by Colman McCarthy and appeared in the Washington Post on June 16, 17 and 19, 1984.

The following is the text of the first article as it appeared in the Post:

BALTIMORE.—Instinctive optimism has always marked the collective character of Appalachians, especially the displaced ones trapped in the pessimism of an alien city and collapsing economy. In Baltimore's Remington neighborhood, where memories of life in the mountains run as deep as yearnings to get on a Greyhound and go back home for at least a weekend, optimism

is on display at the Community Survival Center.

Since 1977, it has been laboriously struggling to organize the local poor white community to fight against its powerlessness. A food cooperative, a home-improvement program, evening adult-education classes, counseling for unmarried mothers, medical clinics and dances have been among the successes. No federal money supports the center's programs.

The support comes from self-sacrifice, beginning with the 28-year-old director who lives in a garret at the center and takes a salary of \$60 a month. His wealth is in his self-reliance and independence, which is Remington's rich vein, too. To outsiders, that doesn't look like much. From within, it has meant nearly everything. Hard times have been survived in the mountains. They will be survived here.

The center is a half-block from a fummy intersection in the north central part of the city. An Exxon station is across the street. Blocks away is an abandoned building, a gateway to the homeless zone. The center is a trusted force because its origins are local.

Now well-meaning government agency arrived to proclaim its official pity on "urban hillbillies" by announcing that the solution to their problems was a community center. What the local people chose to call their operation—a survival center, because surviving is literally the crisis—suggests that only neighborhood citizens could understand their own needs.

A few weeks ago during the Maryland Democratic presidential primary, campaign workers for one of the candidates approached the center's director: Would a visit by the candidate be welcomed? "Our feeling," he recalls, "was that if he wanted to come in and listen to people in the community and find out our concerns and worries and do that kind of work, then we would be more than happy to have him. We would welcome any candidate, I don't care who he is. But we aren't going to be here for a media event. Not when we are overlooked the rest of the time." None of the three Democratic candidates came to Remington.

It may have been just as well. Suspicion of outsiders is part of the Appalachian identity. Distrustfulness is the natural defense after decades of betrayals by adversative coal and timber companies who took the wealth of the hills in a style of rape-and-run exploitation seen in no other part of the country. The region has also seen an inflow of problem-solving experts who, as a mountaineer once described them, "pop in, pop off and pop out."

In contrast to the suspicion of strangers, Appalachians in urban sites like the Remington neighborhood are known to be unbelievably kind and openhearted to each other. People come to the Survival Center as much to ask what they can contribute to the place as to how they can benefit from the programs. Children are often the most generous. Their inbred kindness is the last cultural legacy they have received from the Appalachia their parents left behind.

Remington is a neighborhood of 1,100 households. Nationally no accurate figure is available on the number of mountain people living in cities. Many drop out. They were never eligible for benefits like food stamps or would rather go hungry than take welfare and lose self-esteem. Many subsist in the underground economy. The Appalachian Regional Commission has no programs specifically designed for urban mountaineer communities. The commission, which the

Reagan administration has unsuccessfully tired to kill, is denied adequate funds to serve even rural Appalachians. It, too, is practiced in the ways of survival.

In cities like Detroit, Pittsburgh and Cleveland, displaced Appalachians have organized their self-reliance into operations similar to the Community Survival Center in Baltimore. For much of the nation, urban poor whites from the mountains are parl-ahs. Among themselves, the truer reality prevails. These are generous, gentle people who care for their own, even when that means sharing what little they own. ●

**BISHOP ABRAMOWICZ RECEIVES
THE MINUTEMAN OF THE
YEAR AWARD**

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. LIPINSKI. Mr. Speaker, on June 22, Bishop Alfred Abramowicz was awarded the Stanley Piekarz Minuteman of the Year Award in the Fifth Congressional District of Illinois. The Minuteman of the Year Award is presented to the person or persons who exhibit the honored traits and qualities that best serve the needs of the country, State, and community.

Bishop Abramowicz has played an integral role in a number of humanitarian programs throughout the community, most notably the food and medical supply drive for the citizens of Poland. He is also serving on a commission which is investigating the refugee problems in Southeast Asia and Africa.

The earnest efforts and willingness of Bishop Abramowicz to take such an active role in humanitarian deeds is an inspiration to all who know him. I was extremely proud to award the Stanley Piekarz Minuteman of the Year Award to Bishop Abramowicz.

I know I join with the residents of the Fifth Congressional District in paying tribute to Bishop Abramowicz for his work, and I would like to introduce into today's CONGRESSIONAL RECORD a newspaper article honoring Bishop Abramowicz upon his receipt of the Stanley Piekarz Minuteman of the Year Award.

[From the Midway Sentinel, June 1984]

**BISHOP ABRAMOWICZ AND JOHN HZYNY TO BE
HONORED AT LUNCHEON**

Congressman William O. Lipinski has announced that Bishop Alfred Abramowicz and John Hzyny will be honored at this year's Patriot of the Year Luncheon to be held at 12 noon on June 22 at the Rhine V.F.W. Post, 5858 Archer Ave.

According to Lipinski, this luncheon will serve to recognize and honor two outstanding individuals for their dedication and devotion to community, civic and humanitarian endeavors.

Two distinct and coveted awards will be presented at this year's luncheon. John Hzyny, as a resident of the 23rd Ward com-

munity, will receive the "Nick Fryziuk Patriot of the Year Award" while Bishop Abramowicz will be honored with the "Stanley Piekarz Minuteman of the Year Award."

Bishop Abramowicz who was ordained a priest in 1943 and named Auxiliary Bishop of Chicago in 1968 has played an integral role in the number of humanitarian programs throughout the community, most notably the food and medical supply drive for the citizens of Poland. He is also co-chairman for the National Committee of the "National Czestochowa Trust Appeal" and is currently serving on a commission investigating the refugee problems in Thailand and Africa.

John Hzynny, who is a life long resident of the Southwest side, has been an active member of the Midway Kiwanis Club, Lech Walesa Triangle Committee, Vittum Park Civic League and various other neighborhood organizations. During the past year, Johnny, as chairman of the "Have a Heart for Keith" committee, has been raising funds to help defray the costs of heart transplant needed by Keith Stanislawski, a 12 year old Chicago Lawn boy who is suffering from cardiac myopathy, a virus that causes deterioration of the heart muscles. Keith recently received his new heart on May 23 and is currently recovering in a Pittsburgh hospital.

Anyone interested in attending the awards luncheon is asked to call Jim Laski at 767-1720 no later than June 19. The price of the luncheon is \$8 and can be paid in advance or at the door.●

A POISONOUS DELAY

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. MINISH. Mr. Speaker, tomorrow will be an important legislative day for New Jerseyans and many other Americans who live next door to or on top of abandoned toxic waste dumps.

Our colleagues will have an opportunity to consider timely legislation authored by Mr. FLORIO of New Jersey. His bill, H.R. 5640, seeks to strengthen and reauthorize the Superfund Program to clean up abandoned hazardous waste sites throughout America.

Currently there are more than 17,000 known hazardous waste sites throughout the country. Many estimate the actual number to be as high as 22,000 and no State is immune from their threat.

In New Jersey, we have 85 of the most dangerous of these abandoned dumps and these dumps continue to pollute our drinking water and threaten the well-being of our communities.

Last Friday, in an editorial, the Record of Bergen County, NJ, illustrated very effectively the concern of neighbors who live near the Kin-Buc landfill in Edison, NJ—one of the most notorious toxic waste dumps. As the editorial appropriately points out, all of us who have worked so hard to reauthorize Superfund this year have

been trying to light fires under the administration and EPA.

Delay in reauthorizing the Federal Superfund is prolonging the time neighbors of the Kin-Buc landfill and millions of other Americans must live in fear of tainted air and drinking water.

Mr. Speaker, I am pleased to be a strong supporter and cosponsor of this legislation and I commend the editorial to the attention of our colleagues. While study is good, we've already squandered far more time than we can afford. We must act now to ensure a strong Superfund Program.

A POISONOUS DELAY

The neighbors of Kin-Buc landfill in Edison, perhaps the most notorious of New Jersey's 85 dangerous toxic-waste dumps, must be grinding their teeth in frustration over the partisan tugs-of-war in Washington these days. The delay in re-authorizing the federal "Superfund" for toxic-waste clean-up is prolonging the time they and millions of other Americans must live in fear of tainted air and drinking water.

The Environmental Protection Agency, whose job it is to identify and clean up those dumps, was given the \$1.6-billion Superfund for that purpose in 1980. Since then, the EPA has found 552 hazardous sites and expects that the number will more than double by the end of the year. So far, though, it has completed work on only six. The delay is due partly to ineptitude and deliberate foot-dragging by former EPA executives Anne Burford and Rita Lavelle, partly to turf struggles in Congress.

But time is running out. The act expires in October, Rep. James Florio of Camden County, who has spent many months trying to light fires under the EPA, wants Congress to adopt a new Superfund bill before the election. He and a number of environmental groups reason that President Reagan wouldn't dare veto the bill before election, but might do so afterward.

Mr. Florio has asked Congress to appropriate a staggering \$9 billion over the next five years. The chemical industry supports the bill but says it cannot afford more than \$4.2 billion. Superfund appropriations are raised from taxes on chemical and petrochemical firms; Mr. Florio would extend that liability to those who dispose of toxic wastes as well, which seems fair enough. Mr. Reagan wants to delay a funding decision until December—timing that certainly has a partisan ring to it.

The president says he supports more money for the Superfund but argues that further study should be undertaken before the clean-up program is reauthorized. Action is what's needed, not study. If Mr. Reagan is sincere, he should be talking to his adherents in Congress. Once the partisan nonsense is out of the way, there remains only the matter of how much new money we can afford to spend on correcting the public-health menaces. We've already squandered far more time than we can afford.●

TRANSFER OF F-5 AIRCRAFT TO GREECE AND TURKEY

HON. THOMAS J. DOWNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. DOWNEY of New York. Mr. Speaker, today I introduced a resolution expressing the sense of the Congress that the President should not increase the number of F-5 fighter aircraft to be transferred to Turkey as a means of expressing U.S. displeasure with recent actions of the Greek Government.

A few weeks ago, we learned that the administration was considering blocking the transfer of some F-5 fighter aircraft from Norway to Greece. In addition, it was suggested that those planes might be awarded to Turkey instead. Several factors were said to be influencing the administration's thinking: A speech made by Prime Minister Papandreu last May, the release by the Greek Government of a suspected terrorist, and a general feeling that the Greek Government was not cooperating with U.S. efforts to combat terrorism and stabilize the region.

At this point, no decision has been made on the transfer. And we have every reason to believe that the decision is following a normal process within the State and Defense Departments.

I hope that the questions surrounding our current relations with Greece are not needlessly confused by infusing the element of Turkish-Greek relations into the process. If the administration should decide not to allow the transfer of the planes to Greece, there is no need to allow those planes to go to Turkey. If we do that, what was simply a problem between two NATO partners becomes even more entangled. I would hope that the membership of Greece and Turkey in the NATO alliance would serve as a means of resolving their differences. If we award any additional planes to Turkey, it is certain that relations between Greece and Turkey will be exacerbated and NATO will become involved in a manner that is not necessary. Finally, I do not believe that the United States should fuel an arms race in the Aegean region.

I urge my colleagues to support this resolution.

H. CON. RES. —

Whereas the Government of Norway has requested United States permission pursuant to the Arms Export Control Act to transfer 16 United States-origin F5 aircraft to other countries;

Whereas Greece and Turkey are among the countries being considered as recipients of those aircraft;

Whereas while the United States would send a strong message to Greece concerning the current state of Greek-United States re-

lations by denying Greece permission to receive any F5 aircraft from Norway, that message should not include granting Turkey permission to receive the aircraft that would have otherwise gone to Greece;

Whereas the United States goal of encouraging Greece to cooperate more closely with the North Atlantic Treaty Organization is important and ought not to be jeopardized by other issues affecting our relations with Greece and increased military support for Turkey;

Whereas both Greece and Turkey are our partners in the North Atlantic Treaty Organization and their adherence to the alliance ought to be a means of resolving their differences, and not to exacerbate them; and

Whereas the United States ought not to fuel an arms race in the Aegean region: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that, in considering the pending request by the Government of Norway for permission to transfer United States-origin F5 aircraft to other countries, the President should not increase the number of aircraft approved for transfer to Turkey as a means of punishing Greece or showing United States displeasure with Greece.●

THERE MUST BE NO "DAY"

HON. BARBARA BOXER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mrs. BOXER. Mr. Speaker, I would like to share the moving and dramatic experience of Mr. Stephen M. Osborn who was present at the thermonuclear tests at Bikini in 1956. His essay "There Must Be No 'Day'" eloquently describes the horrendous impact of nuclear weapons.

THERE MUST BE NO "DAY"

(By Stephen M. Osborn)

Where does one begin in responding to The Day After? For me, it can have many beginnings. I remember, as a seven or eight year old boy, looking with awe at the Bikini battered ships at the Bremerton Navy Yard. Then, I grew up in the cold war rhetoric of the late forties and fifties.

In 1956, as a young navy man, I was at the thermonuclear tests at Bikini, code named, Operation Redwing. The first bomb exploded was, we were told, a twenty megaton plus thermonuclear device, to be exploded at an altitude of twenty thousand feet. Our observation point was to be aboard ship at a distance of thirty miles from ground zero. That is a long way, about as far as the doctor was from Kansas City when the first bomb went off in the movie. It is not far enough.

Most of the crew was ranged on deck, wearing blast goggles and facing aft, away from the blast. I was not on deck as there were not enough goggles to go around. Instead, I picked a spot in a passageway about thirty feet forward of a light well. Any light coming in would have to come from the direction away from the blast, down about a twenty foot well, then penetrate the passageway. I had my back to the well. During the final countdown, I wrapped both arms across my eyes, one over the other. I could

hear the voice on the ships intercom, 5, 4, 3, 2, 1, Zero.

Suddenly, I could see light, right through my arms! The heat was intense, as though I had my back to an opened furnace door. The silence was deafening. After what seemed like minutes, but was probably a few seconds, the light began to fade. As it grew dark, I eased one arm away from the other and the light was back, but again fading. When it was gone, I moved my other arm. The light through my clenched eyelids was painful, but it continued to fade and I gradually opened my eyes and began backing toward the light well. As the light continued to decrease, it finally got to the point where I could squint up the light well at the sky. The light was brilliant, the sky an intense blue. I climbed out of the well and peeked forward around the shelter of the conning tower, directly at the cloud and the now fading fireball.

My first impression was of a weird beauty. The cloud was sharply defined like a thunderhead and had a fluorescent, amethyst colored glow, which tinged toward a dark red. It is impossible to communicate the scale of the cloud. We were thirty miles away, yet the feeling was similar to when one stands beneath a huge redwood, watching the trunk taper away above you, to be surmounted by a crown of spreading branches far overhead. At thirty miles, it was as though we were right at the base of the cloud looking up, rather than out, at it.

We stood there in the silence, looking at the cloud and quietly commenting on the colors. On the right side, close to the cloud, we could see two bright, stationary lights. They were visible for a short while, then they faded.

Over two minutes had passed, then the voice on the intercom began the countdown for the shock wave. 5, 4, 3, 2, 1, Zero. The pressure wave at that distance was not violent; there was an increase of about one atmosphere, enough to make your ears pop; the sound was a long low rumble lasting about thirty seconds.

The sun began to rise, lighting the outside of the cloud and overpowering the internal glow. The cloud was identifiable for most of the day, with the top being slowly torn to rags by the jet stream.

We steamed back to the atoll, rather sobered by the experience. We were quite curious about the mysterious lights we saw beside the cloud. About a week or so after the shot, I was speaking to one of the scientists that had been aboard. He said they also had been puzzled by the appearance of the lights. They finally concluded that what we saw were two bright stars, essentially as we would have seen them from outer space. Apparently, the heat of the explosion was so great that it literally burned away the atmosphere around the fireball. As soon as the temperature dropped sufficiently, the air collapsed back around the envelope, the starlight was attenuated and disappeared.

We spent, if memory serves, about six months at Bikini. Every so often, we would steam out for a shot. Frequently, we would go out, muster on deck in the predawn, the countdown would proceed, then, "The shot for today has been cancelled," and we would steam back to the anchorage, to try again the next morning. This might go on for ten days or more before they would finally set it off.

Once, the wind shifted after a shot and we were battered below in the stifling heat while the ship tried to run from under the fallout. Personnel that had to go topside

were decontaminated and their clothes were taken for disposal. After a couple of days, we headed for Kwajalein, some four hundred miles away, until it was safe to return to the atoll.

Following one, either underwater or surface burst, the clean up crews told of fish falling out of the coconut palms. The swimming float that had been anchored with huge concrete blocks in the lagoon was found floating at sea. Two of the blocks were found in the middle of the island.

The final shot of the series found us eighteen miles from ground zero. The heat was incredible, though this was a much smaller bomb, possibly a tactical warhead. The shock wave jolted the whole ship backwards several inches and felt as if your whole body was struck with a sledge hammer. The sound was one sharp crack, as though a rifle or firecracker was fired right next to your ear.

After a few days spent dismantling the establishment on Nan Island, Bikini Atoll, we steamed for home.

In later years, I had nightmares of the bombs going off, where I would be standing, crying, realizing that some SOB had finally pushed the button and it was the end of all things. I would wake up covered with sweat, pulse racing and face wet with tears. Gradually, that dream receded, until I saw the rockets blasting out of their silos in The Day After. I was sitting with my arm around my son's shoulder. Suddenly, I began to shake and my eyes filled with tears. Each time another took off, it got worse. I knew what was going to happen, I had been there!

Since the program, it has been continually on my mind. Watching that reptilian Buckley, "Megadeath" Scowcroft and Kissinger sit there speaking in Orwellian doublethink, explaining that more is less and death is peacekeeping made me wonder how long these aging, frustrated cowboys are going to be allowed to determine how much youth and innocence is to die for this "ism" or that one. Weisel, Sagan and even McNamara made sense. This is one fragile green and blue planet.

Buckley and company brought to mind the lectures we got from some Bircher neighbors when taking our children trick-or-treating. We shouldn't trick-or-treat for UNICEF because UNICEF gave milk to "Commie babies!"

There are no commie babies, or free world babies. There are just babies and children and youths and adults, all with their hopes and dreams. The man in the street in Moscow, London, Paris or Athens is no different from the one in New York or in Mill Valley. We are all frightened and we all simply wish to be left in peace. The European and the Russian may want it more, because they have been overrun by war at least twice this century. They know what war on the home front means, something no American has suffered on the mainland since the civil war.

Every man, woman, and child on this planet must let his government and political leaders know that nuclear terror must cease. It is no longer a viable alternative, if it ever was. The odds of a mistake are far too great and there is no way to retrieve the error once an attack/counter-attack has been launched.

By virtue of our alleged intelligence, we have assumed stewardship of this planet and all of the creatures upon it. We have shown great callousness and ignorance in the exploitation of earth's natural re-

sources, the casual dumping of toxic wastes and the wholesale slaughter of entire species. With wisdom and patience, some of these blunders can be retrieved, but with the development of nuclear power, we have met our destroyer, one way or the other, if we do not call a halt to it. We cannot dispose of spent fuel or refining waste in a safe manner. The cancer and birth deformation rate has risen enormously since we began using it, there is no defense against nuclear attack or terrorism and there have been few signs of sanity or good judgment among those entrusted to do our thinking for us. Papers discussing an acceptable number of megadeaths in a nuclear exchange are not of strategic value, they are obscene, visible manifestation of insanity and immorality.

Mankind has always had a tendency for its technology to outstrip its oral growth. It is time we begin to slow down the technical race and begin to think, not of what is expedient, or will show the greatest short term profit, but what will benefit the planet and ourselves in the long run. What kind of agriculture will leave the land fertile and productive for a thousand years or more? What processes can be used that will leave only biodegradable wastes? Does society's existence depend on an endless flow of gadgets and novelties, designed to fall apart almost immediately? Must everything be designed to wear out in two or three years? Is it possible to recycle our mineral resources rather than continually mining more and allowing worn out products to decay, or simply rust in storage? Can't we produce crops and see that they are distributed rather than stored to rot? Why don't we make a major effort to harness and use wind and solar energy for power and make a greater effort to reduce energy needs?

Let us pledge to make a start by informing all world leaders that nuclear war is out. The people of this planet will take no more of fear and terror.

Then, with this as a starting point, let us, as stewards of a fragile planet, begin the process of healing and growing, individually and as a species, to the point where all of this will seem a horrible, impossible nightmare. A lesson to be forever remembered, but never repeated. It is up to us.●

SUPPORT FOR THREE CRIME BILLS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. RANGEL. Mr. Speaker, as chairman of the Select Committee on Narcotics Abuse and Control, I want to express my support for three important crime bills which passed the House on Monday, July 30. While these bills are not directed solely to drug abuse problems, I believe they will have a positive impact in America's continuing effort to reduce drug trafficking and increase the penalties on people who traffic in narcotics.

H.R. 5846, the Criminal Fine Enforcement Act of 1984, would make criminal fines more severe and thereby encourage their more frequent use as an alternative to, or in addition to, imprisonment. Under H.R. 5846, a drug

dealer, for example, could be fined up to the greater of \$250,000 or twice the amount of money made by the dealer as a result of the crime. This provision will reduce the economic incentive for drug crimes. The bill also would make it a criminal offense for a convicted defendant willfully to fail to pay a fine and contains procedural reforms designed to make it easier for the Government to collect criminal fines.

H.R. 5910 would make it a criminal offense to introduce or possess contraband in Federal prisons. Included within the definition of contraband are narcotic drugs, LSD, or PCP—Angeldust—and other controlled substances. Violations involving narcotics, LSD, and PCP would be punishable by a maximum fine of \$250,000 and 5 years imprisonment. Violations involving other controlled substances would be subject to a fine of up to \$25,000 and a maximum prison term of 1 year.

H.R. 5919 is designed to facilitate solving of complicated money laundering schemes involving foreign banks. The purpose of the bill is to make foreign-kept business records more readily admissible into evidence in criminal trials in U.S. courts and to extend statute of limitations and Speedy Trial Act deadlines when prosecutors must try to obtain financial records from banks located in foreign countries.

Drug trafficking generates huge sums of cash that must be laundered. Frequently, drug criminals use offshore banks to wash the proceeds of their illicit activities. H.R. 5919 should help Federal prosecutors obtain the evidence they need to secure convictions against major drug traffickers and financiers.

These bills, by themselves, will not bring the serious narcotics problem confronting our Nation under control. However, they should provide law enforcement personnel with useful new tools to utilize in their continuing battle against drug traffickers. I commend the gentleman from Michigan [Mr. CONYERS] for bringing these measures to the floor.●

DISPOSAL OF SAND AND GRAVEL ON FEDERAL LANDS

HON. DAN MARRIOTT

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. MARRIOTT. Mr. Speaker, the bill I am introducing today in behalf of myself and my Utah colleagues would allow the Bureau of Land Management to dispose of sand and gravel deposits found on unpatented mining claims located on Federal lands administered by that agency.

The Bureau of Land Management is presently prevented from disposing of sand and gravel materials on unpa-

tented mining claims because of a legal interpretation by the Department of Interior which denies such discretion to local BLM land managers. Under this interpretation, sand and gravel deposits cannot be sold, removed, or displaced even when a mining claimholder consents to such removal.

Utah provides a prime example of the problem presented. With numerous speculative mining claims blanketing southern Utah, local communities find themselves with no legal way to obtain common sand and gravel for road construction or other basic construction activities. Of course, not all of the mining claims in southern Utah are speculative; many support viable, ongoing mineral development. Yet, in the Moab Utah district of BLM alone, they are nearly 120,000 mining claims covering the landscape. If even a fraction of the anticipated natural resource development in southern Utah which could occur, does occur, then the pressure to utilize these sand and gravel resources will be overwhelming and without a change in the law, or at least in the interpretation of the law, sand and gravel will simply become a commodity available for a limited few.

I mention the interpretation of law because of the fact that the U.S. Forest Service is presently, and has been for some time, allowing the disposal of sand and gravel on national forests with the consent of the mining claimant under a different interpretation of the same statute—31 U.S.C. 612. From nearly all accounts, this system of disposal works very smoothly in national forests and protects the rights of mining claimants.

This bill would simply clarify that "mineral material surface resources" are eligible to be disposed of by all Federal land managers. It would also protect mining claimants by assuring just compensation for any sand and gravel which they may need but which may have been previously disposed of under this authority.

I am confident that with this simple clarification of current law, the people of Utah and other Western States will benefit by gaining access to a common resource on BLM administered lands which is now denied them.

I urge my colleagues to support passage of the bill.●

THE RIGHTS OF BLIND VENDORS IN THE RANDOLPH-SHEPPARD PROGRAM

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. YOUNG of Alaska. Mr. Speaker, I know my colleagues will want to join me in saluting a recent court deci-

sion that affects the rights of blind vendors in the Federal Randolph-Sheppard Program.

U.S. district court judge, Thomas Curran has granted an injunction that will allow Martin B. Howe of Milwaukee, WI, to move his vending operation from the old post office to the new one. Howe is a blind man who had run his newsstand at the old Federal post office for 24 years until it was moved in July. He was then told that he must bid against other vendors for the newsstand business simply because the post office had changed locations. This decision will allow Howe to operate his business at the new location until further administrative appeals are heard.

I would like to submit at this time, a letter that was written by the president of the National Federation of the Blind that concerns this matter. I call your attention to this landmark decision.

NATIONAL FEDERATION OF THE BLIND,
Baltimore, MD, July 26, 1984.

Re *Howe v. Bolger et al.*, Case No. 84-C-843.
Hon. THOMAS J. CURRAN.

U.S. District Judge for the Eastern District of Wisconsin, East Wisconsin Avenue, Milwaukee, WI.

DEAR JUDGE CURRAN: I am writing to express the gratitude and deep appreciation of thousands of blind men and women who are benefited immeasurably by the decision you reached in the above captioned matter. The ruling clearly sets forth a practical and just solution to protect the interests of blind vendors while administrative appeals can be heard. It underscores the due process rights Congress intended for the blind, and in doing so, the decision clarifies for all concerned the status of blind vendors under the law. Accordingly, I respectfully urge that the appropriate steps be taken to cause this decision to be published in the Federal Supplement.

Blind vendors in the Randolph-Sheppard Program are the intended beneficiaries of a system which depends heavily upon the joint, harmonious cooperation of numerous federal and state agencies. But, what should happen to a blind vendor when these governmental entities (each with varying interests) do not agree or act in consort? clarifying this issue for the respective parties of interest in the Randolph-Sheppard Program is the valued contribution of your decision. The procedural due process safeguards in the statute, absent injunctive relief, are not alone sufficient to preserve the interests of the blind when the responsibility agencies arguably fail to work together or to perform their duties.

In our experience as the largest national organization of blind persons in the country, the law (both before and after the 1974 Amendments) has been the subject of real controversy with regard to the right of blind vendors to injunctive relief, and under what circumstances such relief might be granted. Thus, the task of resolving such issues becomes the proper responsibility of the courts. Yet, in the ten years since the latest amendments were enacted, courts have had relatively few opportunities to address this question, leaving a dearth of judicial guidance. This void is not in the interest of the blind vendors, the property managing agencies, the state licensing agencies, or the

public served by the Randolph-Sheppard Program. Therefore, publishing your decision would fulfill substantial program needs and interests. Of course, publishing would also serve judicial economy by guiding other courts who may face similar issues in the future.

As you obviously realize by now, the blind vending program is enormously complex. Yet, your depth of understanding in sorting out the issues and organizational relationships is plainly shown in the clear language of the decision. Your labors in this regard have made a major contribution to the orderly and fair administration of this important program for the blind. For this, we thank you.

Respectfully,

KENNETH JERNIGAN,
President. ●

A SALUTE TO GOLD MEDALIST JOAN BENOIT

HON. OLYMPIA J. SNOWE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Ms. SNOWE. Mr. Speaker, in the 23d Olympiad in Los Angeles, competition in the women's events have captured the public's attention in a unique way and I join with all residents of Maine in saluting Joan Benoit of Freeport.

In her spectacular win Sunday, Joan Benoit truly demonstrated that in running with the fastest women marathoners in the world, she was the best. She takes her place in Olympic history as the first gold medalist in this event.

Because Joan Benoit has made Maine her home, training there for her winning marathon performances, Maine residents are her greatest fans and see her win Sunday as one of the States greatest athletic achievements.

Leigh Montville, a Boston Globe columnist, captures well the Benoit spirit in an article I would like to share with my colleagues:

BENOIT IS FIRST IN EVERY WAY

LOS ANGELES.—She looked so small. So very, very small.

When she came down the long and dark tunnel and into the sunshine of the Los Angeles Memorial Coliseum she seemed almost to be a child, a precocious child brought into public view. The size of Joan Benoit was the most memorable part of the picture.

Amazing. This tiny person had done such big things.

"I thought . . . I don't know what I thought," her mother, Nancy, said after 27-year-old Joan Benoit of Freeport, Maine, had captured the gold medal yesterday morning in 2 hours, 24 minutes and 52 seconds in the first Olympic marathon for women. "I was just so happy to see her. To pick her out, coming from that tunnel all the way at the end of the Coliseum."

Joan Benoit's white painter's cap had flopped this way and that on her 26-mile trip through the streets and freeways of Southern California to this final 385 yards, giving her the look of a Charlie Brown comic-strip character. Only her no-nonsense

expression gave an indication of how she worked, of what she was doing.

No looks. No winks to the crowd. One smile halfway into the race at a Bowdoin College banner. ("That's spelled B-o-w-d-o-i-n." she said. "Not C-o-l-b-y.") All business. She was on her way to a spot in expanded athletic history. First woman. First women's marathon. First.

"I basically just space out when I run," she explained. "So I really wasn't thinking about anything. I just kind of followed the yellow brick road, so to speak."

She ran this race the way she runs on every day of her life. She hammered. She pounded. She moved away from the crowd, taking herself to the dirt roads of Cape Elizabeth, the back roads of Freeport, the after-dinner quiet of the track at Bowdoin. She ran alone.

"I run most of the time by myself," Joan Benoit said. "So I was very comfortable out there by myself."

The race was as easy to describe as a Sunday afternoon drive up-country. She escaped the traffic in the first three miles and ran away from everyone else. Easy as that. The blimp spots on the television and on the big screen at the end of the Coliseum showed her as a solitary speck, led by a couple of motorcycle patrolmen. No one else was in view.

"We brought a little portable television set to watch the race," said her father, Andre, the owner of a Portland department store. "We got caught in traffic, so we watched the start of the race on the bus and in the parking lot. By the time we reached our seats, she was ahead."

She never planned to run the race this way. She simply did it this way. No one else was moving, so she moved and never stopped.

The chewable, smog-filled, dirty air never was a problem. The other runners never were a problem, not one of them. The heat wasn't a problem and the cheering crowd along the course certainly wasn't a problem and her bulky left knee, the one that almost kept her from this event on this day, was perfect.

She was the hard-boiled athlete who perhaps has resided in women for years and years but never before has been released to show what could be done. She was alone and overpowering and free.

"I used to try to discourage her," Andre Benoit said with a pleasant smile. "She was in this running club and every week she would be taking these interminable bus trips to compete. The Country Runners of Bucksport. That was her group."

"They'd go out of state some place for a race on Saturday, then come back on a Sunday. Every weekend, I'd say, 'What are you doing? You're losing all your weekends with this. By the time you're back, the weekend is shot.' I'd say, 'Have some fun.'"

"She'd say, 'But this is fun. I love it.'"

The boundaries on women's road running were disappearing as she grew up in Freeport, marathons being opened to both sexes, the stereotype of the frail, open-this-for-me woman being forgotten. Joan Benoit, tomboy sister in a family with three brothers, was there to take advantage. Second-generation marathon woman.

From the time she started running to help recover from a broken leg suffered while skiing, she has been captured by the sport. The competitiveness of it. The personal, intimate quality of it. The sheer, physical joy.

Her father's advice never stopped her. Her different background, so far from the ath-

letic mills of America, running at a college with no scholarships, somehow became an asset instead of a hindrance. Her injuries—surgery on both Achilles tendons, surgery on her knee only 17 days before the Olympic trials—have been only so many more challenges.

"Look at her," a sportswriter from New Orleans said as she came running into the Coliseum and the crowd. "Just look at her. And to think that we spend all this time writing about football players, crying about this thing or that. Baseball players. Is there a player in all of baseball who could run this far, not to mention this fast? Look at her."

She ran one lap to finish her race, removing the painter's cap and letting her face break into a smile only on the backstretch. She finished, walked a few steps, then ran and ran some more, a victory lap with a large American flag stapled to a blue broomstick. An other lap to seek and find her parents in their designated spot at the bottom of Section 28.

The crowd was hers. The moment was hers, this tiny woman who will be married in November, who does needlepoint and makes jam, who runs long distances as no woman ever has run. She was alone and first.

"What next?" Joan Benoit was asked at the end of her day.

"The blueberries are late this year in Maine," she said, sitting behind a long press-conference table. "If you want to find me in the next week, find a blueberry patch in Maine, 'cause that's where I'm going to be."

Lovely. ●

MINNESOTA SUPERFUND LAW
ENCOURAGES VOLUNTARY
CLEANUP OF HAZARDOUS
WASTE SITES

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. FLORIO. Mr. Speaker, I am encouraged by recent press reports, such as the transcript that follows, documenting the success of victim compensation provisions contained in State Superfund laws. In order for an individual to recover under the Minnesota law, he or she must prove that the person sued produced the hazardous wastes, that the individual was exposed to them, that the individual sustained an injury, and that there is a reasonable likelihood that the chemical exposure contributed to the injury. Apparently, this substitution of strict liability for negligence has convinced company executives and lawyers to move quickly in cleaning up hazardous waste sites.

The example of Minnesota shows why we must act quickly to incorporate a similar victim compensation provision into the Federal Superfund Program. Not only will individuals be provided an avenue of recovery for their injuries, but more importantly, future injuries will be avoided because companies will act to preclude vast po-

tential liability by cleaning up their wastes.

The legislation I have introduced to expand and extend the Superfund Program, H.R. 5640, contains a Federal cause of action which will provide a uniform national standard for people to recover for their injuries. I hope that all members vote in favor of this legislation which will protect our citizens from the tragic consequences of exposure to hazardous wastes.

An excerpt from the radio broadcast detailing the Minnesota experience follows:

[An excerpt from the Pollution of the Great Lakes Series, transcript of part IV, National Public Radio (NPR), "All Things Considered" and "Morning Edition," originally broadcast in March 1984]

REMOVE NEGLIGENCE AND IT WORKS, THE MINNESOTA SOLUTION TO TOXIC WASTE CLEANUP

(Comments by the reporter have not been placed in quotes.)

This is "Morning Edition." I am Bob Edwards. The recent scandal over the Environmental Protection Agency's Superfund programs suggests how difficult it will be to clean up the nation's hazardous waste dumps. If the EPA continues at its current pace, even some of the worst dumps won't be cleaned up until the year 2000. NPR's Daniel Zwerdling reports one state is taking the matter into its own hands. "I am standing on the field that the Environmental Protection Agency called the Number 1 worst toxic waste dump in the entire United States. It's the FMC Corporation's toxic chemical pits, squeezed between the company's naval weapons factory and the railroad tracks in the town of Fidelity just outside Minneapolis; but this is not going to be one of those depressing stories about oozing chemical drums, and why won't reckless corporations clean up their mess? Because today there is absolutely nothing bad to say about the FMC toxic dump. Less than a year ago, the FMC Company laid out almost \$6 million and cleaned up all the wastes voluntarily, according to Sandra Garderbring, director of the State Police and Control Agency. "It was perhaps the fastest, friendliest, least obnoxious corporate clean-up in history. We negotiated the settlement. They dug the hole, moved the waste and cleaned the place up in something less than 40 days."

What's the secret? Last summer Minnesota enacted a new state Superfund law that puts the federal Superfund law to shame. Sandra Garderbring says that executives at FMC and other companies are so scared of its provisions that they have been moving very quickly to clean up toxic chemical problems around the state. "I think it's been as successful as anyone could have dreamed."

Minnesota decided it had to do something dramatic about its toxic waste problems back in 1980 when the U.S. Congress passed the much-touted national Superfund law. Carter administration officials had made it sound like the law would clean up the nation's toxic waste dumps once and for all, but disappointed state legislators like Dee Long realized the national law would not clean up more than a few of Minnesota's 61 hazardous waste sites. "First of all the funding was insufficient to go anywhere near cleaning up all the problem sites in all the states. It's just a drop in the bucket. And

second," Long says, "the federal law didn't have any provisions to compensate individuals who have been hurt by toxic wastes." So Long and her colleagues in the legislature passed their own state version of Superfund. And after a bitter political battle, it became law last July 1.

And here's what makes companies so afraid of the law. It gives citizens more power than ever before to sue companies whose wastes may have hurt them. Under most state laws it's almost impossible to win if you sue a company because you think its toxic wastes have hurt you because you not only have to prove that the chemicals made you sick, you also have to prove that the company was negligent. In other words, you have to show that the company dumped its wastes in ways that it knew (or should have known at the time) could hurt people, but under the new Minnesota law you don't have to prove the company was negligent at all. All you have to show is that the company produced the chemical wastes, that you were exposed to them, that you got sick and that medical evidence shows there is a reasonable chance the chemicals contributed to your illness. Even if the company dumped the chemicals 10 years ago in ways that were considered responsible and safe at the time, the Minnesota law says the company is liable today for making you sick.

Sandra Garderbring of the Pollution Control Agency: "The point is that companies choose to engage in certain kinds of business, presumably they make some profit from it or they wouldn't choose to do it, and as a prudent business man you should have been aware that this was the kind of activity that was going to make you liable if an injury was caused."

And no company in Minnesota wants to be vulnerable to that kind of multi-million dollar lawsuit. Take the FMC Corporation. In 1980, the State got a confidential tip over its pollution hotline revealing that the company had dumped thousands of pounds of toxic chemicals in a field next to one of its factories. State tests suggested the poisons were leaking into the Minneapolis water supply. FMC executives started negotiating with state officials trying to agree on how to clean up, but even company executives acknowledged that after hundreds of meetings the negotiations weren't getting very far until the state passed the new Superfund law. Suddenly, says company lawyer William Warren, company executives decided they had better move fast to clean up that toxic dump before those personal injury provisions took effect. "If we hadn't gotten it done before July 1, we would be exposed to liability to third persons for injury or disease or death that would be caused by hazardous waste that came from our facility."

Nobody has actually sued the company yet under the personal injury provisions of the law, but the threat has been potent enough. Since Superfund took effect last year, 10 companies have stepped forward and agreed to clean up dangerous chemical dumps. Just a few weeks ago, for instance, the Sperry Corporation, Ford Motor and seven other companies promised the State in writing that they will help clean up a toxic dump site near Minneapolis that community officials have been trying to get cleaned up for five years.

So the state's Superfund law has been good for the public's health. No one in Minnesota disputes that, but the controversial question is how is Superfund affecting business. Ray O'Connell, a lobbyist for the Minnesota Association of Commerce and Indus-

try says he can sum it up in one word. "Catastrophic." Industry groups have bitterly opposed Superfund since the law was first proposed in the legislature. Business executives warned the governor that if they signed it they might be forced to leave the state. "Look", O'Connell says, "businesses don't mind paying special fees as they have to under the new law to help the state clean up toxic dumps." But he says, companies can't afford to live with the law that allows citizens to sue them for millions of dollars over chemicals they dumped years ago. "We don't feel that's fair. Let me give you an analogy. If I were driving say 10 years ago when the speed limit was before, 55 miles an hour, and I was doing 75, and I to be penalized because I did that 75 miles an hour back in 1975 and where with the energy crunch and everything else, they decrease the mileage to 55 miles an hour. In a sense that's the way we sort of look at it."

But now that the Superfund law has been on the books for nine months, the evidence suggests that the corporate threats of leaving have been mainly rhetoric. This is Dick Chapman reporting: "Another major Minnesota employer has announced plans to expand its operations elsewhere. This time it is 3M Company which will locate . . ."

When the multi-national 3M Corporation, the state's biggest employer, announced two months ago that it's building a new facility in Texas instead of Minnesota where the firm is based, business representatives such as O'Connell quickly pointed to the decision as proof that Superfund is driving companies out of the state. After all, the chairman of 3M had led the industry fight against Superfund and 3M is one of the state's biggest generators of hazardous wastes. But 3M's own executives say that they considered 20 different factors before deciding to expand in Texas, factors such as taxes and energy costs and the cost of living.

Russell Sussage, director of environmental regulatory affairs, says Superfund and other environmental laws were only one of those considerations.

"What 3M said is that Minnesota, your business climate, the whole package, the tax climate, the environmental regulation, is anti-business which is not favorable to business growth."

A few weeks ago the Sperry Corporation, another major employer in Minnesota, also announced that it is going to expand out of state, in Colorado, but a Sperry executive told me that the company would have made the same decision even if Superfund never existed. So I called industry representative O'Connell and asked if he could name one company that's left the state because of Superfund. He said he cannot. Still some legislators say they will try to weaken the Superfund law in an effort to make the state's general business climate more attractive. But the political bets are that Superfund will survive in Minnesota. It won't be long, some legislators say, before the rest of the country catches up. A few months ago Massachusetts passed a new toxic waste law a lot like Minnesota's and there is a campaign in the U.S. Congress to change the national Superfund law this year to make it more like the Minnesota law, too. If that happens, there won't be any state in the country where companies can go to get away from tough toxic waste laws." ●

DEFENSE: EVERYBODY'S BUSINESS

HON. DENNY SMITH

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. DENNY SMITH. Mr. Speaker, as a former military officer and as a business executive, I have spent a considerable amount of time during the past few years searching for ways that Congress could ensure that our Nation's military remained strong, but efficient.

In that light, I would like to call my colleagues' attention to a recent article on this subject written by Mr. Stanley A. Weiss, president of Business Executives for National Security, that appeared in the June 1984 issue of the *Journal of Defense & Diplomacy*.

For those of us in Congress looking for some positive suggestions as to how we might "get more bang for the buck," I highly recommend the following article:

DEFENSE: EVERYBODY'S BUSINESS

(By Stanley A. Weiss)

In recent years the United States has embarked upon a major buildup of arms spending to better meet the myriad threats that face us. Or so we're told. But as a business executive who has looked closely at the way this money is being spent, I think it is a misconception to say that a genuine defense buildup is going on. One major reason is the shortage of sound business principles at the Pentagon.

I look at military spending and see practices that stand business sense on its head. Congress and the military have built a system that rewards bureaucratically administered prices and tries in every imaginable way to block competition on prices and equipment reliability. According to the General Accounting Office, only about 6 percent of all defense contracts are fully competitive.

So we create monopoly contractors, and then we buy in small expensive lots. We permit contractors to declare that their bolts and washers are "trade secrets" to cut off any future competition, and then we allow the Department of Defense to accept such absurd declarations. We have a military acquisition system without checks and balances; a system that never cancels anything, no matter how much costs soar or how poor performance is. It even stretches out the most costly, noncompetitive contracts for 20 years or more.

There are two principles that every successful business executive understands but that have never penetrated the system of military buying:

If you offer anyone a subsidy to produce something, you will get more of it, produced with less efficiency;

If you deal with a monopoly supplier, you will always get a higher price, and you will usually get lower quality.

Yes, this military buying system will give you \$435 hammers. Yes, this system will give you \$1,000 bolts. These examples are not aberrations. They are the inevitable result of an inherently flawed process. It does no good to outlaw \$1,000 bolts unless

you overhaul the system that produces them.

The trouble is that the problems are not confined to the weapons systems procurement process. Let's look at readiness. What have we got to show in military readiness after spending over a trillion dollars on defense since 1980? There are indications, even from within the Pentagon, that readiness is down. The best that can be said is that we don't really know whether readiness is up or down. Gen. Charles Gabriel, air force chief of staff, recently told *The Washington Post* that air force pilots now practice firing one heat-seeking and one radar-seeking missile a year. He saw this as an improvement over the less-than-annual practices of the past. A trillion dollars since 1980, and our pilots get two practice shots a year?

Even when allowing for inflation, spending over twice what we spent in 1957 buys us half as many active ships and half as many active aircraft as it would then. It also buys fewer active army battalions than it would then. Nearly all of this debacle in force structure and unit costs has occurred while the loudest calls for a buildup have been in the air. Unfortunately, as the budget statistics make clear, dollars are heading "north" while quantities head "south". The best description of what is going on is that in the area of conventional weapons we are spending ourselves broke as we unilaterally disarm.

Business generally understands the concept of long-term corporate planning. Does the Department of Defense? The United States has not had a top-to-bottom reassessment of its military strategy in more than 30 years. Two former chairmen of the Joint Chiefs of Staff, Gen. Maxwell Taylor and Gen. David Jones, have testified before congress that so many missions have been piled on the DOD over the last generation that the United States does not have a military strategy in the usual sense of the term. If we don't have a military strategy, how can we hope to have military spending priorities linked to military strategy priorities?

Even within these proliferating military commitments and missions, we don't budget soundly. To cite only a few of the points GAO has recently noted:

DOD budget projections presented to congress always assume hardware prices will fall in the future when those prices almost always go up;

DOD chronically underestimates how much it will cost to staff and maintain new weapons systems;

DOD plans for future outlays are based on economic models for which there are no historical parallels;

Funds that are supposed to go into planned program growth in existing programs are frequently diverted into new program starts;

When the inevitable budget shortfalls arrive, programs are never cancelled, no matter how costly they are.

If the business executives I represent spent their investors' and stockholders' money like this, we'd not only be broke, we'd be in big trouble with the Securities and Exchange Commission.

I cannot emphasize strongly enough: throwing more money at this fundamentally flawed budgeting process will not buy us a better defense.

We have already started up a large number of tremendously expensive programs without a clear military strategy for their use and without reliable cost projections. Unless we act quickly and decisively,

this mismatch between forecasting and reality will continue diverging, involving additional hundreds of billions of dollars. This would plunge the U.S. military of the late 1980s into the greatest procurement and readiness crunch in U.S. history. Quite simply, we won't have an extra trillion to pay for this ominous accumulation of budgeting mistakes.

Business executives need to adopt the stance of a skeptical investor, look at the Department of Defense and ask: Does the "firm" have a clear corporate plan linking goals to resources? Are its products of high quality? Does its financial reporting suggest an organizational integrity that inspires confidence? Does the "firm" adapt successfully to a fast-changing and challenging market?

The "firm" in this case is not one a skeptical investor can walk away from. We are dealing with a function that is essential to the security of a free society. That fact must inspire us to fix what's wrong! Those of us who want to strong defense will increasingly need to demonstrate how defense can be both effective and affordable.

Here are some questions that we as business executives should be thinking about:

Why are the defense "lines" diverging? Why do more and more dollars buy fewer and fewer goods?

Are we pursuing a conservative investment strategy that will provide us with the necessary long-term stability in the force structure? Is the pace of modernization sustainable over time?

Do we have a clear, easy-to-implement definition of readiness? How can we better align all the parts of the Department of Defense to work toward a goal of improved readiness?

Not all private-sector experience translates directly into the management of defense activities. But when conservative Republican senators tell reporters that the Pentagon is "rotten with bad management," and when the DOD and the executive branch so ignore the tide of congressional complaints to the point that congress moves ever closer to seizing its blunt instrument of budget authority, someone had better force the DOD to take a hard look at reality.

Stunned by multibillion dollar weapons deals, congress last year directed the DOD to set up an independent office of testing and evaluation. The Pentagon has been dragging its feet in complying. A permanent director of this office should be appointed forthwith, and the office should get its important mission under way.

Congress was also irritated with the amount of "get well" money that was being paid out for poorly performing equipment, so it ordered the DOD to get warranties on its purchases. The Pentagon reacted by trying to slip a repeal of the law into a supplemental appropriations request. The navy, to its credit, is supporting warranties. The rest of the DOD needs to shape up.

In the wake of a barrage of scandals concerning the overcharging for spare parts, congress has finally decided that it can't pass laws against \$435 hammers without addressing the system that produces them. Congress is now trying to reform military procurement—with no help from the Defense Department. Even the most responsible and carefully drawn procurement reform bills are drawing a steady stream of Pentagon naysayers, with the message that such reform isn't needed and/or can't be done. Congress itself has long been a part of the procurement problem; the DOD is miss-

ing an important opportunity to turn congress into a part of the procurement solution.

Last year, the General Accounting Office said that only about 6.6 percent of all 1982 DOD contracts were fully competitive. Despite some promising signs, such as the encouragement of "competition advocates" in the services, the 1983 percentage was actually down to 5.7 percent. Frankly, the business community and the American people are not going to tolerate this kind of performance much longer. We're giving away one of this country's most priceless advantages: it vital, energetic free enterprise system.

Independent testing and evaluation, warranties and procurement overhaul are examples of areas where executives can put their business expertise to work improving the U.S. defense establishment. There are other areas as well—the process of relating strategic goals to resources, for example, and the development of more reliable budget projections. It's time we did so.

Restoring defense excellence ought to be everybody's business. ●

THE LATIN DEBT: A TIME BOMB WHOSE CLOCK IS TICKING

HON. MICHAEL D. BARNES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. BARNES. Mr. Speaker, I would like to share with my colleagues an article that appeared in the New York Times on July 1, on the political problems caused by the Latin American economic crisis. Its author, Ambler H. Moss, Jr., is a well-known expert who also served as U.S. Ambassador to Panama.

Ambassador Moss argues that: "The economic crisis in Latin America has clearly become a far greater threat to United States national security than any foreseeable Soviet or Cuban activities in the hemisphere."

The Subcommittee on Western Hemisphere Affairs, which I have the honor to chair, just concluded a series of hearings on the return of democracy in the region, and all of our expert witnesses argued that the greatest threat to redemocratization is the debt.

I agree with Ambassador Moss: "It is a time that calls for more imagination on the part of the United States Government, better definition and pursuit of its real interests and much more statesmanship."

The article follows:

THE POLITICAL WAVES OF LATIN'S ECONOMICS (By Ambler H. Moss, Jr.)

MIAMI.—It is time that Washington showed greater understanding of the political as well as the economic dimension of the Latin American debt crisis.

Argentina again occupied center stage last week in the now familiar Latin American debt drama. In the latest episode, Buenos Aires arranged at the last minute to pay \$350 million in overdue interest payments by yesterday, or United States banks would

have been required to reduce the size of their declared profits, risking tremors in the international financial structure.

We have seen various Latin American countries go to the financial brink in the last two years. Perhaps we now tend to look at each new crisis as a rerun of "The Perils of Pauline"; We don't worry too much because we know that the heroine never quite drops off the cliff.

But even this new temporary solution for Argentina, in which the consortium of lending banks agreed to another short-term extension of credit and Argentina further depleted its foreign reserves, will not eliminate the real danger—the potential early death of Argentina's newly gained democracy.

President Raul Alfonsín's inauguration last Dec. 10 ended nearly 10 years of mismanagement and terror under a series of military juntas. Chronic economic ineptitude had been compounded by a military debacle in the Falklands (Malvinas) war with Britain in 1982. Moreover, the "dirty war" against domestic insurgents begun by the military in the early 1970's had turned into a blood bath of torture, assassination and "disappearances" of thousands of men, women and children by the regular military and state-condoned death squads.

The return of democracy brought euphoria—and retribution. Three of the generals who had ruled Argentina, including Leopoldo Galtieri (who launched the calamitous Malvinas invasion) were put under arrest awaiting trial, as were a number of military officers associated with the violence against civilians.

Now, there are new clouds on the horizon. Last week, 50,000 Argentine youths marched in the streets of Buenos Aires in protest against the International Monetary Fund and "international usury"—meaning foreign creditor banks. The demonstrations included young members of Mr. Alfonsín's own party and may have been staged in part to back his Government in its stalled negotiations for new credit from the I.M.F. But among the demonstrators were those who called Mr. Alfonsín a "thief for knuckling under the banks."

Mr. Alfonsín's popularity and ability to deal with a wide range of his country's problems are clearly linked to finding early relief from the effects of the financial crisis. If the fate of Argentina really matters to Washington, the United States should do more than watch passively and preach financial austerity. Two weeks ago, hoping to press Argentina to come to terms with the I.M.F., Washington withdrew the promise made on March 30 to guarantee the \$300 million short-term credit extended to Argentina by four Latin American countries. Latin Americans tend to interpret such actions as bullying, and it offers no concrete solution.

The \$350 billion Latin American debt affects all countries of the region in similar ways. This year, depending on United States interest rates as much as \$45 million in interest alone will be paid by Latin America to the banks. Because up to 50 percent, and more in some cases, of export earnings are being spent on interest payments, economies are not growing while populations are. The result is a lowering of living standards and no jobs for young people leaving school. It is a time bomb whose clock is ticking. The United Nations Economic Commission on Latin America has stated that some countries are "close to the critical limits of social tolerance." Riots erupted in the Dominican Republic last April 23, leaving scores of dead and wounded, after negotiations with

the I.M.F. had led to a sudden rise in the prices of staples such as beans, rice and cooking oil.

Thus far, the policies of the United States, the I.M.F. and the large banks of this country have been more or less parallel. They have waited for the United States' economic recovery to stimulate Latin American exports, relied on I.M.F.-prescribed austerity measures to rationalize the finances of the Latin American governments and counted on solidarity and creativity on the part of the banks in the periodic rescheduling of loans. Increasing numbers of United States economists and political experts, including, most recently, Henry A. Kissinger, are now saying that this policy alone will not work. Latin Americans have been saying so for some time.

Financially, it is not working because United States interest rates continue to rise. Each point of increase adds about \$2 billion to Latin America's bill in annual interest payments. The conference of Latin America foreign and finance ministers in Cartagena, Colombia, which ended June 23, insisted that there be a "drastic and immediate drop in interest rates." Yet three days later, the United States prime rate went up half a point, to 13 percent. President Reagan's reaction was simply to chide the banks for their nervousness. Latin Americans are beginning to blame not the International Monetary Fund so much as the United States Government for its inability to manage its budget deficit, which most economists cite as a principal cause of continued-high interest rates.

In Argentina and in other countries, the real question is how long the political and social fabric will hold together as economies stagnate or worsen. Argentina is especially vulnerable, because its democracy is fragile.

An old myth has been thoroughly debunked in Latin America—that military governments can be efficient managers of an economy and can bring order and stability. Now a new one needs equally critical examination—that when a discredited military establishment skulks back to the barracks, democracy has a long-term chance. It may not.

Washington surely realizes that democracy, free enterprise, economic progress and human rights are all essential for stability and prosperity in Latin America. It is in the United States' interest to think beyond the short term—not our strongest national trait—when it comes to preserving democracy in Argentina, or for that matter in the Dominican Republic or Mexico. The economic crisis in Latin America has clearly become a far greater threat to United States national security than any foreseeable Soviet or Cuban activities in the hemisphere.

What could Washington do if it recognized the problem fully? There is no lack of serious debt reform proposals, which range from greater "burden-sharing" among banks, debtor countries and United States taxpayers, to transferring a part of the debt to international financial institutions, to limiting payments to a percentage of export earnings. The guiding principle is that debt service must never result in a halt of economic development or a deterioration of Latin America's political and social situation.

It is a time that calls for more imagination on the part of the United States Government, better definition and pursuit of its real interests and much more statesmanship. ●

TRIBUTE TO LT. COL. A.G.
ADAIR

HON. RONALD D. COLEMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. COLEMAN of Texas. Mr. Speaker, I want to take this opportunity to commend an outstanding resident of Monahans, TX, in the 16th Congressional District: Lt. Col. A.G. Adair, who was just elected president of the Texas State Guard Association during the 41st Annual Conference of the Association in Austin last weekend. As a member of House Armed Services Committee, I understand the unique and invaluable contribution to America's national defense that is made by the Texas State Guard. Lieutenant Colonel Adair's experience and qualifications are best summed up by the following article from the Monahans News, which I urge all my colleagues to read.

The article follows:

[From the Monahans News, August 2, 1984]

TSGA ELECTS A.G. ADAIR AS PRESIDENT

Lieutenant Colonel A.G. Adair of Monahans was elected President of the Texas State Guard Association during the 41st Annual Conference of the Association in Austin the past weekend. He succeeds Col. Kenneth R. Dawson of Midland.

The TSGA is made up of past and present members of the Texas State Guard, individuals who support the organization and many public officials who feel that the work of the State Guard is worthy and who want to lead a hand in perpetuating the state militia tradition.

The State Guard is divided into seven group areas which are identical to the regional areas of the Department of Public Safety. The Association has members in all seven of these areas of Texas.

LTC Rubin Shultz of Corpus Christi was named first vice president and LT Gary Brown of Tyler is the new second vice president. Mrs. Marjorie Keating of Austin is secretary of the Association. CPT Mary E. Adair of Monahans is a member of the board of directors.

LTC Adair is a nine year member of the State Guard and is presently assigned as commander of the 403d MP Bn. with headquarters in Monahans. He started his career in the Guard as first sergeant of Co. B stationed in Monahans, executive officer and commander of Co. B and then was assigned operations and training officer of the 403d when it was stationed in Andrews. After he was named battalion commander the headquarters was moved to Monahans.

The new president has been active in Association almost the same length of time he has been in the Guard. He has served as member of the board, second and first vice president. He holds a life membership in the TSGA.

At the present time, formative plans are being made nation-wide to organize a national association of state guards since state militias are currently being organized in every state in the union. LTC Adair expects his year as president to be a busy one. He has set as his primary goal the complete enlistment and involvement of every member

of the State Guard in the affairs of the Association.

In addition to LTC Adair and CPT Adair, others from Monahans in attendance at the conference were LTC and Mrs. Jimmy C. Marks and SFC Wilma Reynolds. LTC Marks is operations and training officer in Headquarters 5th MP Group and SFC Reynolds is communication sergeant, HQ 403d MP Bn. She will chair a special committee created by President Adair. ●

INADEQUACIES OF AMERICA'S
SCHOOL SYSTEMS

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. PHILIP M. CRANE. Mr. Speaker, as a historian and former history professor at Indiana and Bradley Universities, I find it frightening that American students—including college students—are not familiar with many historical facts. To put it simply, without the knowledge of some of these facts we cannot explain to our youth the importance of American traditions or why our society must be protected and defended.

Recently, an article by Benjamin J. Stein, in an October 1983 edition of the Washington Post, was brought to my attention. It is noteworthy because it clearly indicates where our school systems have failed.

The lack of knowledge by our youth is an alarming problem, and in order to rectify this problem, we must be more sensitive to the inadequacies of our school systems. Failure to correct so basic a deficiency will fertilize the seeds of national downfall. It is knowledge of the basic, fundamental essence of U.S. history that preserves the direction and orientation of our American Republic. Without passing that understanding on to future generations, we will surely pass into the dustbin of history.

At this time, I would like to share with my colleagues the article by Mr. Stein.

[From the Washington Post, Oct. 3, 1983]

THE CHEERFUL IGNORANCE OF THE YOUNG IN
L.A.

(By Benjamin J. Stein)

LOS ANGELES.—I spend a lot of time with teen-agers. Besides employing three of them part-time, I frequently conduct focus groups at Los Angeles area high schools to learn about teen-agers' attitudes toward movies or television shows or nuclear arms or politicians. I meet the friends of the teen-agers who work for me. I make it my business not only to meet those young people, but also to ask them about their lives and about what they know. In the course of two years of this kind of inquiry, I have collected a mass of data about how teen-agers see business (very negatively), how they feel about the likelihood of nuclear war (terrified), how they like Richard Gere (a lot), and how

they feel about American cars (extremely negative).

But all of these specific attitudes pale into insignificance compared with something else I have learned of: the astounding level of ignorance of the Southern California teen-ager. No amount of preparation could possibly cushion the blows of unawareness of even the most elementary current events, history, politics, economics, or just what goes on each day in the world outside of Los Angeles which lurks in the cheerful minds of these children. I have not figured out a way to quantify this ignorance, but I can offer a few examples that might just make you wonder where all that money for public education is going.

Recently a 19-year-old junior at the University of Southern California sat with me while I watched "Guadalcanal Diary" on TV. It goes without saying that the child had never heard of Guadalcanal. More surprisingly, she did not know who the United States was fighting against in the Pacific. ("The Germans?") She was genuinely shocked to learn that all those little people on that island were Japanese and that the United States had fought a war against them. ("Who won?")

Another student at USC did not have any clear idea when World War II was fought. She believed it was some time this century. (She is a journalism major.) She also had no clear notion of what had begun the war for the United States. ("Pearl Harbor? Was that when the United States dropped the atom bomb on Hiroshima?") Even more astounding, she was not sure which side Russia was on and whether Germany was on our side or against us.

In fact, I have not yet found one single student in Los Angeles, in either college or high school, who could tell me the years when World War II was fought. Nor have I found one who could tell me the years when World War I was fought. Nor have I found one who knew when the American Civil War was fought.

Not one could name all the presidents since World War II. Only one could even place the correct decade in which Dwight Eisenhower was president. Not one could tell me who Martin Luther King Jr. was except that he was black. A few have known how many U.S. senators California has, but none has known how many Nevada or Oregon has. ("Really? Even though they're so small?") Of at least 10 whom I have asked, only one could name both of California's senators.

Of the (at least) 12 whom I have asked, none has known within 40 million what the population of the United States is. Only two could tell me where Chicago is, even in the vaguest terms. (My particular favorite geography lesson was the junior at the University of California at Los Angeles who thought that Toronto must be in Italy. My second-favorite geography lesson is the junior at USC, a pre-law student, who thought that Washington, D.C. was in Washington state.) None had even the vaguest idea of where New England is, and several had never heard of Vermont or Connecticut and could not identify them as states of the Union.

Not so long ago, I watched a television news show about the so-called "lifting" of martial law in Poland. On the screen were pictures of Poles in large pen-like enclosures rounded up after martial law was imposed. One of my assistants, a junior at USC, stared at the screen open-mouthed.

"What's going on there?" she asked. "Why are those people in that big cage?"

I explained that they had been imprisoned as the result of a crackdown by the communist government. "Why don't they just leave and come to L.A.?" she asked. I explained that they were not allowed to leave.

"They're not?" she said. "Why not?"

I explained that in totalitarian states, citizens usually could not emigrate.

"They can't?" she said. "Since when? Is that something new?"

After some explanation of that, she asked who "that guy in the uniform" (Wojciech Jaruzelski) was. I explained that he is the dictator of Poland. "He is?" she asked. "Why does he do that?"

She then expressed amazement that there were such things as non-free countries in the world. She had never known that before. She was amazed that there was a whole array of countries around Russia which were controlled by Russia. ("There are? Why doesn't Reagan make them stop?") She was also amazed that people could be and were put in prison for expressing political views in Russia. ("What a burnt idea.") Finally, she wondered why she had never been told about this subject before.

Of the teen-agers with whom I work, none had ever heard of Vladimir Ilyich Lenin. Only one could identify Josef Stalin. (My favorite answer "He was president just before Roosevelt.") Only two could even approximately identify Thomas Jefferson. Only one could place the date of the Declaration of Independence. None could name even one of the first 10 amendments to the Constitution or connect them with the Bill of Rights. Only one knew even roughly when the Great Depression was. None could say even approximately when Lyndon Johnson was president.

Only a few could articulate in any way at all why life in a free country is different from life in an un-free country. None had ever heard of the Warsaw Pact. None could tell me what NATO stood for. ("Aren't they the ones who put up the space shuttle and all those things?")

On and on it went. On and on it goes. I have mixed up episodes of ignorance of facts with ignorance of concepts because it seems to me that there is a connection. If a student has no idea when World War II was and who the combatants were and what they fought over, that same human being is likely to be ignorant of just what this society stands for. If a young woman has never heard of the Bill of Rights, that young woman is unlikely to understand why this is a uniquely privileged nation with uniquely privileged citizens, young and old. If a student has never heard of the Warsaw Pact and has no idea what the Russian system is all about, that student is unlikely to understand why sacrifice is necessary to defend this society.

The examples here could be repeated almost endlessly. (One night in 1982, I watched a TV miniseries about Adolf Hitler. In the series, a demented, defeated Hitler rants that he never wanted war, that it was forced on him by Russia and England. One of my friends at UCLA said to me while watching, "Why did Russia and England do that?") The point is that in a state of such astonishing ignorance, young Americans may well not be prepared for even the most basic national responsibility—understanding what the society is about and why it must be preserved. The kids I saw (and there may be lots of others who are different) are not mentally prepared to continue the society because they basically do not understand the society enough to value it.

None of this means that the children in my circle are bad children or inherently flawed. Far from it. They are fine human beings. Their comments often bring tears of joy to my eyes. Recently, two of them read an article in the newspaper about a militantly anti-Semitic organization. One of them pointed at the word "anti-Semite" and said, "What's this word?" I explained that it was someone who hated Jews for no other reason than that they were Jews. The girl looked at me with genuine amazement and asked, "Why would anyone do that?" The other girl said, "What is it again? I never heard of that."

I respectfully suggest that we should be happy and proud to have such gilded, innocent children in our midst. But unless they are given some concept of why the society must be protected and defended, I fear that they will learn too soon about a whole variety of ugly ideas they did not want to know about. If we are going to upgrade our educational system, if we are going to start teaching again, I hope we will begin by instructing young Americans with historical facts and with concepts about why the society is worth preserving. People who do not value what they have rarely keep it for long, and neither will we. ●

THE 125TH ANNIVERSARY OF THE BOROUGH OF EMMAUS, PA

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. RITTER. Mr. Speaker, I would like to formally recognize the people and the Borough of Emmaus as the 125th anniversary celebration of its incorporation as a borough approaches. I applaud the citizens of Emmaus for their hard work, dedication to their families, and their community spirit. People who hail from Emmaus speak of their town with warmth and affection.

Today, in observance of Emmaus' 125th anniversary, I would like to share with my colleagues and the American people some historical background about the Borough of Emmaus. Having once lived in Emmaus, I experienced a wholesome quality of life and can remember the residents' great sense of pride in their town and its interesting history.

The little village, once called Salzburg, was given its present name of Emmaus by Bishop Spangenberg of the Moravian Church during celebration of the Love Feast on April 3, 1761. The American Revolution brought new tribulations and a great deal of hardship to the residents of Emmaus. The Moravians, who refused to fight in the American Revolution were harassed, fined, and even imprisoned. During this time of persecution, the Moravian community survived these adversities by standing together.

The congregational village grew very slowly because the young people decided to leave rather than endure its aus-

tere religious life. In 1829, Moravian Church roles numbered only 131, but as the decade passed, the city of Emmaus opened its once closed village as the church council began to sell land to non-Moravians. This sale of land to non-Moravians signaled religious moderation by the Moravian settlers. One of the largest churches to organize in the town was the United Evangelical Church, which was the forerunner of a great number of churches found in the borough today.

During the last half of the 19th century, railroad builders reached Emmaus, and the first train passed through the village in the spring of 1859. This same year, Emmaus organized into a borough, and the first local officials were elected on October 31.

Emmaus' industrial history has been varied. Iron ore was mined in the area after 1850, and foundries have been active in Emmaus from 1869 to the present. From 1882 until recent times, silk manufacturing was also a major industry in the borough.

The borough continued to flourish throughout the 19th century and by 1903 had a population of 1,468. Today the borough boasts a population of almost 12,000.

In recent years Emmaus' citizens and their government have shown much concern for the well-being of the community. The East Penn School District is one of the finest school districts in the State of Pennsylvania, and its faculty, students, and parents must be recognized for their outstanding achievements. Such projects as the Emmaus Community Center, the Emmaus Youth Association programs, and the Emmaus Community Park are fine examples of this commitment. The people of Emmaus have demonstrated their pride in their community which dates back two and a quarter centuries. I congratulate them on this the 125th anniversary of Emmaus' incorporation as a borough.●

H.R. 6079, RIGHT TO FINANCIAL
PRIVACY ACT AMENDMENTS

HON. DOUG BARNARD, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. BARNARD. Mr. Speaker, most Members of Congress would be shocked to learn that more than one-half of our Nation's recent bank failures have been due in substantial measure to the criminal misconduct of bank officers, directors, and insiders. Losses from such failures in a recent 2½-year period total almost \$1 billion. What is equally shocking is that many individuals responsible for such insider abuse escape criminal prosecution and civil enforcement action.

The Commerce, Consumer and Monetary Affairs Subcommittee, which I chair, has conducted an extensive investigation, including numerous hearings, into the failure of the Federal law enforcement agencies to effectively prosecute criminal misconduct by bank officials and insiders. During recent hearings, the FDIC, the Home Loan Bank Board, the Comptroller of the Currency, the SEC, several U.S. attorneys, and the Justice Department testified that the Right to Financial Privacy Act is a major impediment to prosecution of insider criminal misconduct in financial institutions.

The act requires notice to an individual who is the target of an investigation and whose financial records form the basis of a criminal referral. The problem arises when the individual under investigation is an officer, director, or other insider who has physical custody of or access to vital bank records and can alter, destroy or conceal them. In order not to provide notice to these insiders, the banking agencies or the financial institutions involved will often provide insufficient financial record information in their criminal referrals and will even refuse to provide staff assistance to the Justice Department. Consequently, U.S. attorneys often decline referrals involving open financial institutions or give them low priority. In sum, the act inadequately distinguishes between the privacy rights of arms-length bank customers and the rights of those who may be defrauding the bank from inside.

Because of the pressing need to investigate and prosecute insider bank fraud, particularly in this climate of increasing bank and thrift failures, I have introduced the "Right to Financial Privacy Act Amendments," a narrowly-drawn bill to address the specific problem of insider abuse. The bill implements two objectives: First, an exemption to the act's notice requirements for insiders or coconspirators who may be guilty of criminal misconduct against a financial institution; and second, the simplification of Justice Department procedures for the production and review of financial records subpoenaed by grand juries. I am attaching a copy of the amendment and a June 19, 1984, subcommittee staff memorandum which explains this matter in detail. I hope that the House Banking Committee will give serious attention to this legislation.

Commerce, Consumer, and Monetary Affairs Subcommittee members cosponsoring this bill are Congressman COLEMAN of Texas, CONYERS, and SPRATT.

H.R. 6079

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Right to Financial Privacy Act Amendments".

DISCLOSURE OF RECORDS

SEC. 2. Section 1113 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3413) is amended by adding at the end thereof the following:

"(1) Nothing in this title shall prohibit any financial institution or supervisory agency (or any officer, employee, or agent of a financial institution or a supervisory agency) from providing to the Department of Justice financial records which such financial institution or supervisory agency has reason to believe are relevant to a possible violation of any law relating to crimes against financial institutions or supervisory agencies by—

"(1) any employee, officer, director, agent, or shareholder of such financial institution; or

"(2) any other person who aids or abets or conspires with any employee, officer, director, agent, or shareholder of such financial institution in the commission of any such crime."

GRAND JURY INFORMATION

SEC. 3. (a) Section 1120 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3420) is amended by striking out paragraph (1) and redesignating paragraphs (2) through (4) as paragraphs (1) through (3), respectively.

(b) Section 1120(2) of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3420(2)), as so redesignated by subsection (a) of this section, is amended by striking out "paragraph (2)" and inserting in lieu thereof "paragraph (1)".

COMMERCE, CONSUMER, AND MONETARY AFFAIRS SUBCOMMITTEE OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, DC, June 19, 1984.

MEMORANDUM

To: Doug Barnard, Jr., Chairman.
From: Peter Barash, Staff Director; Stephen McSpadden, Staff Counsel.
Subject: Legislation to Amend the Right to Financial Privacy Act.

A. SUMMARY

The subcommittee's criminal misconduct hearings in June 1983 and May 1984, provided evidence that the Right to Financial Privacy Act ("The Act") seriously impedes the investigation and prosecution of criminal misconduct in financial institutions by officers, directors, and insiders. This is because the Act prevents banking agencies and banks from disclosing to the Justice Department information derived from customer bank records, unless the customer receives simultaneous notification of the information transfer. When a person suspected of fraud against a financial institution is an officer, director or insider, simultaneous notification permits him or her to: (1) destroy, alter, or generate bank records, (2) impede the investigation by frivolously challenging in court the transfer of those records, or (3) otherwise obstruct an investigation. As the FDIC advised the subcommittee:

... the overall public perception that Congress is more concerned about privacy than about enforcing criminal banking laws cannot have a salutary effect on bringing bank defrauders and embezzlers to trial. (FDIC's 4/27/84 response, p. 18.)

After analyzing the competing interests of privacy and criminal justice, the subcommittee staff recommends the introduction of a narrowly-drawn bill to amend the Act, the language of which might be incorporated into omnibus banking legislation. Our proposal, a draft of which is attached, implements two objectives: (1) an exemption to the notice requirements of the Act for bank fraud by insiders, and (2) simplification of procedures for production and Justice Department review of financial records subpoenaed by grand juries.

The rationale for this amendment is the Financial Privacy Act's legislative history. This history reveals that its primary purpose was to protect the confidential relationship between banks and their "arms length" customers, not insiders who also happen to be customers. In some instances, in fact, a person's status as a customer may be due primarily or entirely to his illegal financial relationships with bank officials. Such a relationship to the bank should not give rise to the same level of "notice" protection accorded "arms length" customers by the Act, particularly when insiders can destroy records or conceal a crime if notified of an investigation.

B. BACKGROUND

Inadequate information in criminal referrals from banking agencies and banks appears to be a significant contributing factor to the low priority U.S. attorneys give bank fraud cases, particularly in open, problem financial institutions. The "notice" requirement of the Financial Privacy Act is universally cited as the reason for the paucity of information and lack of follow-up assistance provided to Justice.

While a prosecutor may obtain these "financial records" by way of a grand jury subpoena, that requires an expenditure of resources and a preliminary judgment that the matter warrants grand jury attention—a difficult determination at an early preinvestigation stage, especially without sufficient information in the referral document. The prosecutor and the FBI agent involved cannot fairly and objectively evaluate a case to understand its relevant importance, unless financial records are available. Therefore, they often give these matters low priority.

The Act also discourages banking agencies from providing effective assistance to Justice even after the referral is made. As the Comptroller of the Currency stated:

"Obviously, an experienced bank examiner can guide a prosecutor through the intricacies and implications of a complicated set of financial transactions only if it is possible to discuss that particular set of facts. Yet, given the scope of the RFPA, even information that is merely derived from customer records is protected. OCC is compelled, in the face of possible personal penalties imposed by the Act, to limit such assistance to bank examiners who know nothing about the facts of the actual criminal case at issue until an appropriate grand jury subpoena is issued. This sort of preliminary assistance is so limited, and susceptible of so many misinterpretations, that it may well impair the quality of the information on which the Department of Justice must make its threshold resource commitment decisions." (From OCC Testimony Appendix, p. 28; emphasis added.)

The U.S. Attorney from the Eastern District of Texas testified that: "The banking agencies could be a gold mine to us if they could be freed up to give us the information.

That would take a tremendous load off the FBI."

Under typical circumstances, the problem of inadequate information arises under the Act as follows: During the course of an examination, a banking agency will uncover evidence revealing a possibly criminal violation by bank officers or directors (i.e., kickbacks for making loans (in violation of 18 USC 215) or misapplication or misappropriation of bank funds by making loans directly to themselves or through fictitious or nominee borrowers (in violation of 18 USC 656¹). The agency considers the relevant financial records pertaining to such loans to be "customers records" within the meaning of the Act, even though the "customer" may be an insider.

C. PROPOSED LEGISLATIVE SOLUTION NO. 1 (NOTICE EXEMPTION FOR INSIDER FRAUD)

We have drafted an additional exemption to the notice requirements of the Act. This would be the thirteenth exemption in the Act and is analogous to the subsection (h) exemption, applying whenever an investigation is directed against the financial institution itself. It would allow financial institutions or supervisory agencies to disclose information to the Justice Department derived from customers' records, without notice, but only when the person suspected of wrong doing is an officer, director, or insider. The disclosing entity would have to have reason to believe that the information or records are relevant to a possible crime against a financial institution committed by an employee, officer, director, agent, or shareholder of such institution,² or by any other persons, such as a borrower, who is in collusion with an insider.

D. PROPOSED LEGISLATIVE SOLUTION NO. 2 (SIMPLIFICATION OF PROCEDURES FOR PRODUCTION AND JUSTICE DEPARTMENT REVIEW OF DOCUMENTS UNDER GRAND JURY SUBPOENA)

The Act requires that financial records obtained by way of grand jury subpoena must actually be returned (i.e., physically turned over) to the grand jury itself. This is a very unusual requirement because subpoenaed records are often not returned to the grand jury, but only presented to it at time of indictment. This "return" requirement is burdensome and costly, and serves no valid privacy interest because grand jury subpoenas were expressly exempted from the notice requirements of the Act. U.S. Attorneys and the Justice Department have justifiably complained about this provision.

Other types of records can normally be returned to the U.S. Attorney's Office when the grand jury is not in session (usually the situation in less populated districts). More importantly, under a grand jury subpoena an FBI agent or a federal prosecutor can review the subpoenaed records on a business' premises (assuming the business consents), deciding which records are necessary and should be photocopied. At present, grand jury subpoenas in bank cases are broad and seek copies of many categories of records, because the prosecutor does not know which will be relevant, and the banks have no choice but to provide all of the information requested. For example, the U.S. Attorney may only want to select checks of certain amounts which look suspicious, but

¹ Often, these violations also involve false statements by the officer, director, or third party borrower. In violation of 18 U.S.C. 1005, 1006, 1007, or 1014.

² Almost all of the statutes applying to crimes against financial institutions cover these five categories of "insiders".

the bank will have to assemble and photocopy all checks written by a customer for several years just to find the ones which are relevant. Reimbursement to the financial institution and the consequent delays caused by scheduling the grand jury and by assembling and photocopying many unnecessary records—sometimes months—are negative and unnecessary consequences of the Act.

Other provisions in the Financial Privacy Act, 12 USC 3420, pertaining to grand jury records, protect against their unwarranted and unauthorized use, and they, together with Rule 6 of the Federal Rules of Criminal Procedure relating to grand jury secrecy, would continue in force. The proposed amendment abolishes only this return requirement.

D. CONCLUSION

The SEC and the Justice Department recommended a major revamping of the Act, including an exemption from the notice requirements for the SEC. We counsel against that at this time. We stand a much better chance of having our primary objectives met—better detection and prosecution of criminal misconduct by insiders—with this narrowly-drawn legislation.●

EDUCATION AMENDMENTS JEOPARDIZED BY SUPREME COURT RULING

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Ms. KAPTUR. Mr. Speaker, in recent weeks all Americans have proudly applauded the accomplishments of our Olympic competitors. However, the door that opened opportunities in the field of sports for so many American women, including those who are winning medals in Los Angeles, may soon be permanently shut. Title IX of the Education Amendments of 1972 has been jeopardized by the Supreme Courts ruling in the Grove City College case. The House has acted responsibly by passing legislation, H.R. 5490, which would simply restore the principal civil rights statutes, including title IX, to their previous scope and coverage. Prompt action on this legislation is needed in the Senate. There are title IX cases pending in the courts now which are affected by the Grove City case. Without passage of this legislation equal opportunity for women will be severely impeded.

I commend to my colleagues an August 6 Washington Post op-ed piece "Thank Title IX for Some of That Gold" by Kenneth H. Bastian, Jr. Mr. Bastian cogently states the case for the Civil Rights Act of 1984.

THANK TITLE IX FOR SOME OF THAT GOLD

(By Kenneth H. Bastian, Jr.)

The whole world is watching American women win Olympic gold medals in Los Angeles, thanks to a dramatic explosion of interest—and money—devoted to women's

sports in the United States. As a firm believer in the private sector, and as one who does not advocate government interference where it has no business, I'd be delighted to report that the catalyst for this growth in women's amateur sports was the same as for me: early encouragement from school athletic programs and generous corporate sponsorships.

Instead, a key reason that Cheryl Miller leads our women's basketball team to one victory after another and that Tracy Caulkins has broken swimming records for our country is that they, like the majority of their teammates, have benefited from a law passed by Congress in 1972.

That law, Title IX of the Education Amendments of 1972, states that "no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving financial or federal assistance."

It forced American schools, colleges and universities to broaden their women's athletic programs, and led to the first athletic scholarships being made available to women. The results have been dramatic: the number of women in intercollegiate athletic programs jumped from 16,000 in 1972 to over 150,000 today. In 1972 only 7 percent of high school athletes were girls. Ten years later, the number had jumped to 35 percent. The quality, as well as the quantity, of their achievements has been spectacular.

For example, men have taken only seven minutes off their best record marathon running time in the past 10 years. Women, many training seriously for the first time thanks to new women's professional coaches in school programs, have taken an hour and five minutes off their 1964 record. The same story can be told throughout the sports world: women finally are beginning to reach their potential as athletes.

Yet even as we cheer these victories, they may be fleeting. This dramatic increase in female athletic achievement is threatened by the U.S. Supreme Court's ruling in the Grove City College case, which struck down the Title IX provision.

Already schools are relaxing their efforts. According to the Women's Sports Foundation, 23 sex discrimination cases—aimed at forcing compliance with Title IX cases in school athletic programs—have been dropped.

"If an administrator takes it into his head that 'basketball is for boys,' he can do away with girls' basketball with no fear of governmental action," says Donna de Varona, a founding member and president of the Women's Sports Foundation, who won two Olympic gold medals in swimming in 1964.

We know what the future could hold without Title IX. After her gold medal victories in Tokyo, she had no real opportunities to train in college. However, Don Schollander, her fellow gold medalist, went on to compete for four more years in the highly developed world of men's collegiate swimming.

In the Grove City ruling, the Supreme Court found that the equality requirements are "program specific," so that if a college receives \$10,000 in federal funds for its mathematics programs, that money must be spent equally for men and women only in mathematics programs. This interpretation allows schools to accept federal dollars through one office while discriminating in another.

Other school programs—including athletics—no longer need to provide equal oppor-

tunity if they don't get that direct federal funding. Many schools, therefore, won't have to comply, since their sports are funded from non-federal sources—student fees, alumni groups, ticket sales and television contracts.

Will they voluntarily continue to fund women's sports in a big way? Many believe not, since enough progress hasn't been made yet to elevate women's sports to the same profit-making level as men's sports. Before Title IX, which aimed at promoting the potential of each individual—whether male or female—in sports, athletic directors historically concentrated on whatever program provided that most public attention and revenue for their schools:

College athletic budgets for women, which grew under pressure from Title IX from 1 percent to 16 percent of the total spent on all college sports, probably will shrink again unless Congress acts.

Many of our future Olympic women athletes might have to retire in their teens, like de Varona, while their male counterparts compete for their colleges and universities. Scholarships may dry up. And this may turn out to be the peak year for U.S. women in the Olympics. Of the more than 200 women Olympians representing our nation in the current games, more than 170 received their training in a university or college athletic program.

It is ironic that this progress should be threatened in the same year that finds a woman on the Supreme Court, women aboard the space shuttle, women in the Cabinet and a woman running for vice president. It doesn't have to happen. Both the Democrats and the Republicans, who claim to offer equal opportunity for all Americans, should support legislation that will reinforce the key provisions of Title IX. In a May 22 press conference, the president voiced his support for Title IX, but the language reversing the Grove City College case is currently stalled in the Senate, and time is running out for passage and for our women athletes. ●

THE LEGITIMATE GUN OWNER DEFENDS HIMSELF

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. PHILIP M. CRANE. Mr. Speaker, all too often when watching the news I learn of a murder that was committed by someone with a gun in the United States. Americans are quite disturbed at this violence and unfortunately many times place the blame for this crime on the legitimate gun owner.

The first outcry by gun control advocates is to ban the sale of handguns. What is almost never mentioned, and what I have stated over and over again, is that we must not deprive people of their right to protect themselves. The correct step in reducing crime in America is to put an end to the leniency of our court system. Until we hold criminals responsible for their actions, instead of the innocent, crime cannot be significantly reduced.

For my colleagues that may not agree with me, I would like to share with them the following article that appeared in the Asheville, NC, newspaper, the Asheville Citizen, on March 9, 1984. This article clearly demonstrates a case where individuals were successful in defending themselves when law enforcement agencies were spread too thin to be of adequate protection.

The article follows:

[From the Asheville (NC) Citizen, Mar. 9, 1984]

"TOUGH" MARION OFFERED FUGITIVES ONLY A FUSILLADE

MARION, NC (AP).—Two fugitives from a Tennessee prison made a mistake when they fled into "a tough community armed to the teeth," says a local district attorney.

Escapee Ronald Sotka, 41, better known as Ronald Freeman, died in this town of 3,680 during an early morning exchange of gunfire Wednesday. James Clegg, 30, was discovered in the basement garage of a private home 11 hours later and surrendered without resistance.

"In my opinion, maybe they made a mistake when they fled on foot into McDowell County," District Attorney Alan Leonard said. "They went into a pretty tough community, a tough community armed to the teeth."

Survival is "kind of a way of life around all small mountain towns," Mayor James Segars said Thursday. "People act out of fear for their lives, property and themselves."

Leonard said everywhere Freeman went early Wednesday—he broke into three east Marion homes—he was shot or shot at.

Leonard said Freeman was hit with shotgun buckshot and birdshot, three .30-caliber slugs and in a finger by a .22-caliber bullet, apparently one of six fired by homeowner Eddie Duncan, 59.

"As he (Duncan) was shooting, Sotka said, 'Don't shoot, don't shoot me again,'" Leonard said Thursday.

Minutes later, Freeman was shot to death when he opened fire on several law enforcement officers who cornered him in an abandoned house.

As armed law enforcement officers swept through still neighborhoods later in the day looking for Clegg, the second escapee, people stayed inside—afraid but vigilant.

Some downtown storeowners, even though open, kept their doors locked and signs taped out front asking customers to knock and be recognized.

"The majority of the people say it's either kill or be killed," said Gene Nichols, 43, who had a loaded gun at his home entrances, the bedroom and basement. "They think that's just the way things are these days."

Added Phil Rice, 45, a Marion factory worker: "They'd shoot in a heartbeat."

By Thursday, the scene of Ronald Freeman's bloody death was already a busy shrine for the curious.

"The cars was coming through here till eight or nine o'clock last night," said Millie Hakala, 55, owner of the green, two-room shack where Freeman died in a hail of gunfire.

"They just want to see the bullet holes, want to see where he was lyin' dead." ●

WOMEN'S EDUCATION AND
OLYMPIC GOLD

HON. PAUL SIMON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. SIMON. Mr. Speaker, I would like to bring to the attention of my colleagues a recent Washington Post article about the correlation between title IX of the Education Amendments of 1972 and the rate at which American women are winning gold medals in this summer's Olympics. The author is Kenneth H. Bastian, Jr., director of east coast operations for the Los Angeles Olympic Organizing Committee. Mr. Bastian credits the success of the women athletes with the early training they received in school athletic programs that were mandated 12 years ago in title IX. He believes the sports programs that schools, colleges, and universities were mandated to establish are now producing very tangible results. Mr. Bastian is concerned about the effect of the Supreme Court's decision in Grove City College against Bell on women's sports programs. He urges passage of the Civil Rights Act of 1984 in the Senate before school relax their efforts; this body passed the bill on June 26, by a vote of 375 to 32. According to the Women's Sports Foundation, 23 sex discrimination cases focusing on school athletics programs have been dropped since the Grove City College decision.

On a more personal note, I have watched the value of the increased emphasis on women's athletics over the past 12 years. My daughter Shelia is one of those who benefited directly from title IX. She was the AIAW, division III high jump champion in 1982.

I commend this article to you as a further justification for passage of the Civil Rights Act of 1984 now.

[From the Washington Post, Aug. 5, 1984]

THANK TITLE IX FOR SOME OF THAT GOLD

(By Kenneth H. Bastian, Jr.)

The whole world is watching American women win Olympic gold medals in Los Angeles, thanks to a dramatic explosion of interest—and money—devoted to women's sports in the United States. As a firm believer in the private sector, and as one who does not advocate government interference where it has no business, I'd be delighted to report that the catalyst for this growth in women's amateur sports was the same as for me: early encouragement from school athletic programs and generous corporate sponsorships.

Instead, a key reason that Cheryl Miller leads our women's basketball team to one victory after another and that Tracy Caulkins has broken swimming records for our country is that they, like the majority of their teammates, have benefited from a law passed by Congress in 1972.

That law, Title IX of the Education Amendments of 1972, states that "no person in the United States shall, on the basis of sex, be excluded from participation in, be

EXTENSIONS OF REMARKS

denied the benefits of, or be subjected to discrimination under any educational program or activity receiving financial or federal assistance."

It forced American schools, colleges and universities to broaden their women's athletic programs, and led to the first athletic scholarships' being made available to women. The results have been dramatic: the number of women in intercollegiate athletic programs jumped from 16,000 in 1972 to over 150,000 today. In 1972 only 7 percent of high school athletes were girls. Ten years later, the number had jumped to 35 percent. The quality, as well as the quantity, of their achievements has been spectacular.

For example, men have taken only seven minutes off their best record marathon running time in the past 10 years. Women, many training seriously for the first time thanks to new women's professional coaches in school programs, have taken an hour and five minutes off their 1964 record. The same story can be told throughout the sports world: women finally are beginning to reach their potential as athletes.

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She knows what the future could hold without Title IX. After her gold medal victories in Tokyo, she had no real opportunities to train in college. However, Don Scholander, her fellow gold medalist, went on to compete for four more years in the highly developed world of men's collegiate swimming.

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Will they voluntarily continue to fund women's sports in a big way? Many believe not, since enough progress hasn't been made yet to elevate women's sports to the same profit-making level as men's sports. Before Title IX, which aimed at promoting the potential of each individual—whether male or female—in sports, athletic directors historically concentrated on whatever program provided the most public attention and revenue for their schools.

College athletic budgets for women, which grew under pressure from Title IX from 1

percent to 16 percent of the total spent on all college sports, probably will shrink again unless Congress acts.

Many of our future Olympic women athletes might have to retire in their teens, like de Varona, while their male counterparts compete for their colleges and universities. Scholarships may dry up. And this may turn out to be the peak year for U.S. women in the Olympics. Of the more than 200 women Olympians representing our nation in the current games, more than 170 received their training in a university or college athletic program.

It is ironic that this progress should be threatened in the same year that finds a woman on the Supreme Court, women aboard the space shuttle, women in the Cabinet and a woman running for vice president. It doesn't have to happen. Both the Democrats and the Republicans, who claim to offer equal opportunity for all Americans, should support legislation that will reinforce the key provisions of Title IX. In a May 22 press conference, the president voiced his support for Title IX, but the language reversing the Grove City College case is currently stalled in the Senate, and time is running out for passage and for our women athletes. ●

OUTSTANDING DISABLED
VETERAN FOR 1984

HON. THOMAS A. DASCHLE

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. DASCHLE. Mr. Speaker, a remarkable veteran and impressive leader, Gene Murphy, was just chosen the "Outstanding Disabled Veteran for 1984" by the Disabled American Veterans organization. I have known Gene for many years and found him a man of integrity, inspiration, and commitment to his family, community, and fellow veterans. He is well known and respected in South Dakota and his recent election as State Commander of the DAV testifies to his leadership abilities. In short, Gene is an excellent and most deserving recipient for this award and I hope my colleagues will read the following article about Gene taken from the August DAV magazine:

OUTSTANDING DISABLED VETERAN FOR
1984 . . .

'A DOER' WHO WANTS TO HELP OTHERS

"After being hit, I felt a burning and stinging feeling. I thought I'd bought the farm."

Gene Murphy of Sioux Falls, S.D., 35, a stocky man of medium height, sits almost complacently in his wheelchair as he recalls the day he was wounded in South Vietnam. It was April 21, 1969. He was only 20 at the time. "I was a sergeant and squad leader in charge of 10 men," he said. "I didn't have to go on that patrol. I had less than 30 days to go in Vietnam, but I told my lieutenant I wanted to go with my men."

That is the spirit that characterizes the life of Gene Murphy, the DAV's outstanding Disabled Veteran for 1984. He will receive the coveted award from National Commander Dennis A. Joyner at the DAV Na-

tional Convention in Washington, D.C., later this month.

His story is one of courage, determination, and dedication. Paralyzed from the waist down because of wounds inflicted by North Vietnamese troops, Murphy has been able to overcome his handicap and to become an example and a leader for other disabled veterans and handicapped individuals in South Dakota.

"I've always felt that it's up to the individual to either sit back and let life pass you by, or to get involved and do something," Murphy says. "I guess I've always been a doer."

Murphy, who was awarded the Bronze Star with "V" device and several other commendations for bravery in South Vietnam, served with Co. C, 1st Bn., 12th Inf. Regt., 4th Inf. Div.

Recalling the day he was wounded, Murphy said: "We were in a thick jungle area. Six of us were hit by small arms fire. They were AK47s." Murphy said he had not worried about being hit all the time he was in Vietnam. "I wasn't even worried about it when I went on this patrol," he said. "A few minutes before I was wounded I told the guy in front of me that I had a funny feeling. About 15 or 20 steps later I was hit. I couldn't feel my legs when I fell, so I moved to see if my legs were still there. When I moved they opened fire again, and I was hit in the ankle. So I quit moving."

Medivac helicopters soon arrived at the scene, but were unable to land because of the thick jungle. They hovered above the tree tops in an attempt to lift out the wounded, but fierce enemy fire drove them away. With night coming on, the 'copters returned to their base.

Murphy and his wounded comrades had to lay in the jungle for 14 hours before they could be lifted out by helicopter the next day. Murphy was the first to be lifted out.

"It was a long night," Murphy said. "They ran out of morphine at 2 a.m., and my lieutenant screamed in pain all night. I wasn't in too much pain, just sort of numb, and I was afraid I was going to die."

Murphy was comforted through the long night by his childhood friend, Lyle Bowes. Born and raised in White, S.D., a small town about 60 miles north of Sioux Falls, the two joined the Army together, and remained together through most of their time in the Army. Bowes now lives in Brookings, about 50 miles north of Sioux Falls. He and Murphy are still close friends.

Murphy, an active youth who liked all types of athletics and hunting and fishing before joining the Army, knows how hard the readjustment to a wheelchair can be. He spent 14 months in four different hospitals: Pleiku, South Vietnam; Yokohama, Japan; Fitzsimons General Hospital, Denver, Colo.; and Wood VA Medical Center, Milwaukee, Wis.

He was at the 71st Evacuation Hospital in Pleiku for 18 days. It was on the fifth day at this hospital that he learned he'd never walk again.

"I told the chaplain and doctors to get the hell out," Murphy says. "I was angry at first. But, I also was glad to be alive, and slowly I began to realize that there were still many things I could do."

"I guess I've had a positive attitude all my life. Looking around and seeing others worse off than I was made me feel very lucky to be alive."

His brother, Robert, an Army lieutenant in Vietnam at the time, visited him while he was in the hospital in Pleiku. "He was a big encouragement to me," Murphy said.

"At every hospital, I kept looking around and seeing others worse off than me," Murphy said. "This was especially true at Fitzsimons, where there were several quad and triple amputees. When I'd look at these fellows, it made me happy to be alive and to be in the shape I was in."

Despite the hours of physical therapy at the hospitals and the self confidence ingrained in him, Murphy had some doubts and fears when he returned to his hometown in a wheelchair in 1970. "I was scared about going home," he says honestly, "I was apprehensive about what I was going to do."

Murphy credits several close friends, all Vietnam War veterans, and his four brothers for helping him to readjust to civilian life in a wheelchair.

"I came home in July, and that fall my brothers began to talk about going hunting," Murphy recalls. "I wasn't planning to go hunting, although I had always gone before. My oldest brother, the one who'd helped me in Vietnam, went down and bought a license for me to hunt from a standing vehicle. They always encouraged me to do the things I'd done before."

Murphy said four close friends, all Vietnam War veterans, always included him in things they were doing. "We just sort of fit in together," he said. "When they'd go to nearby Brookings, a college town, to look for girls, or wherever they were going, they'd just take me along."

Murphy decided to attend college, and enrolled at Dakota State College in Madison, S.D. Before his injury, Murphy had wanted to be a coach. Now he decided that business administration would be more suitable.

He encountered several physical obstacles at Dakota State. "It was an older college," he said. "Most of the buildings were built long before accessibility for wheelchairs was ever thought of. For one class, I had to crawl up three flights of stairs and drag my wheelchair behind me."

While at college, Murphy met his wife, Eldine. She was a nursing student. When she had to move to Sioux Falls in 1972 to continue her studies, the two decided to get married and make the move together.

She is now a registered nurse, and works parttime for a Sioux Falls physician. Murphy continued his studies at Augustana College, a private school in Sioux Falls, and needs only about three courses to complete requirements for his bachelor's degree.

In Sioux Falls, Murphy became active in the local DAV chapter and in the North Central Chapter of the Paralyzed Veterans of America. As a result, he soon found himself being appointed to various committees and boards regarding improving conditions for the handicapped.

"I always felt that it was better to sit on these boards to help make policies and procedures than to be sitting on the outside and trying to change policies and procedures," Murphy says.

He has served on the Governor's Handicapped Advisory Board, Citizens Advisory Committee for Rehabilitation at McKennan Hospital, Barrier, Awareness Committee and Project Mobility for the City of Sioux Falls, Sioux Falls Mayor's Committee on the Handicapped, and others.

"We also developed a speakers' bureau," Murphy points out. "We'd go to various civic groups or to the schools and talk about our experiences, about employment for the handicapped, about accessibility, and other matters regarding the handicapped."

Because of his positive attitude about rehabilitation and his successful readjustment

to life in a wheelchair, Murphy is often called by hospitals and doctors to counsel new spinal cord injury (SCI) victims.

"Sometimes this is a difficult task," Murphy says. "However, it's something I enjoy doing. Some of them want to give up entirely. They don't even want to live anymore. I try to encourage them, tell them of their potential, their abilities. There's still so many things they can do."

Murphy continued his love for sports by competing as much as possible in wheelchair athletics. In 1972, he and two other fellows organized the "Sioux Wheelers," a group of disabled veterans and handicapped individuals who participate in wheelchair basketball, softball, trap shooting, and track and field events.

"We did it primarily for two reasons," Murphy says. "We liked the exercise and the fun of competing, and we wanted to show other handicapped individuals that you don't have to crawl into a corner or sit in a back room at home just because of some physical impairment."

Murphy is one of the team's top competitors, and has been awarded sportsmanship and outstanding player trophies at several tournaments. As one of eight wheelchair veterans sponsored by DAV Chapter 1 at the National Wheelchair Veterans Games in Long Beach, Calif., last year, Murphy won a gold medal in trap shooting and a bronze medal in the slalom.

When his wheelchair is not speeding around a basketball court or an athletic field, it most likely will be rolling down the halls and into the offices of state legislators at the State Capitol in Pierre. A respected lobbyist for legislation affecting disabled veterans, veterans, and handicapped individuals, Murphy has testified on as many as 28 bills in one year.

The DAV has been his first love since becoming a life member in 1970, and he's held every elected post in the chapter and several at the department level. He's been department adjutant since 1982 and chapter adjutant since 1983. He was elected department commander this year.

As department senior vice commander last year, Murphy was in charge of the department's membership campaign. Through his organizational and inspirational efforts, the department has grown from about 3,300 to nearly 4,000 members this year, becoming the first DAV department to surpass its membership goal.

Likewise, DAV Chapter 1 in Sioux Falls has grown at a phenomenal pace, jumping from 600 members a few years ago to nearly 1,400 today. The chapter home, a modern 80-by-140-foot structure, has had three additions in recent years to accommodate the many services offered for its members and special events for the public. It is completely accessible for the handicapped.

"As far as my life is concerned," Murphy says, "I have confidence in the Lord. My life could easily have ended over there in Vietnam. But, I believe He sent me back for a purpose, and that is to help other individuals like myself." ●

THE POSITIVE EFFECTS OF
IMMIGRATION

HON. ROBERT GARCIA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. GARCIA. Mr. Speaker, I realize that we have debated the issue of immigration reform at great length. I, nonetheless, believe that two articles published in the August 2 edition of the New York Times reinforces the position that I, and many of our colleagues, have taken.

I submit these articles for my colleagues so that they may better understand my opposition to H.R. 1510, the Immigration Reform and Control Act. I hope these articles are of some use, particularly in light of the fact that we may have to consider a conference report on H.R. 1510.

The articles follow:

DON'T FEAR JOB LOSS

(By Julian Simon)

WASHINGTON.—The Simpson-Mazzoli immigration legislation has come unstuck. A conference committee must now decide how to reconcile the Senate and House bills, amid unexpected pressures from the Democratic ticket. This affords an opportunity for Congress to consider some new evidence bearing upon a key premise of Simpson-Mazzoli—that immigrants increase unemployment by displacing natives from jobs.

Displacement is the most emotional and influential fear about immigration. A headline in a Florida newspaper reads: "Haitian Refugees Take Away Jobs." In Texas, the winner of a Senate primary asserts that "Sixty-five Americans lose their jobs for every 100 undocumented workers who are here." In Colorado, Gov. Richard D. Lamm says that importing more labor would be "demographic and economic insanity." And early on, the AFL-CIO, went on record that it would fight the "hiring of foreigners as temporary workers."

The complaint is ancient. John Toland wrote in 1714: "The vulgar, I confess, are seldom pleas'd in a country with the coming in of Foreners. . . . from their grudging at more persons sharing the same trades or business with them." The complaint also seems to make sense: If jobs are limited and immigrants occupy some, there must be fewer jobs for natives. Some displacements and some reduction in wages must occur when potential workers are added to an occupation, whether laboring or doctoring.

There are, however, two opposing forces at work—expansion in aggregate demand and creation of new businesses by immigrants. The income immigrants earn increases the demand for goods and for workers to produce them, which in turn produces more income and more new jobs. This continues until the economy approaches a new equilibrium, with the same rate of unemployment as before. Toland understood this process well: "We deny not that there will thus be more taylors and shoemakers; but there will also be more suits and shoes made than before."

Immigrants also start new businesses. These are usually small ones, but an astonishing 66 percent of new jobs arise in firms with 20 or fewer employees. A Canadian

sample found that 5 percent of adult immigrants started businesses within their first three years. Each 100 adult immigrants create new businesses that open up 30 new jobs, many of them filled by natives. So even if one native Canadian were pushed out of a preexisting job by each five immigrants—an improbably high number—this effect would be more than made up by the new jobs created by the immigrants and occupied by natives.

The direct evidence about displacement is of two kinds—within specific industries and within the economy as a whole. A reliable study of the effects of the Bracero guest-worker program in the Southwest from 1942 to 1964 showed that one native agricultural worker was displaced for each four Mexican guest workers. But this greatly overstates total displacement because some or most displaced workers find jobs elsewhere, and some would be displaced by machines if not by Mexicans.

The Immigration and Naturalization Service conducted two mass, forcible removals of illegal immigrants from jobs in California. Later checks on the illegals' jobs showed a low rate of substitution of natives for the illegals. And, in another study, Thomas Muller of the Urban Institute found no evidence of increased unemployment in California due to Mexicans, though he did find evidence of lowered wages.

With Stephen Moore, I examined how the rates of immigration into a large number of cities in the United States from 1960 to 1976 related to changes in unemployment rates. We found that no matter how we looked at it, the effect was either very small or non-existent. While our study has not been examined in detail by colleagues, we believe it contains much more solid evidence on the matter than provided by previous studies that have been cited in the newspapers but also have not been available for scrutiny.

In sum, workers in a particular industry may be injured. But in the economy as a whole, immigrants not only take jobs, they make jobs. Their income adds to total demand, creating new jobs, and they open businesses that employ natives as well as other immigrants and themselves. Job displacement is mainly a false fear, and rational Americans should not let this fear influence immigration legislature.

DON'T CLOSE THE DOOR

(By Tibor Machan)

SANTA BARBARA, CA.—Amidst all the debate about illegal aliens and how to punish those who hire them, we have failed to develop a principled approach to immigration in general, based on the idea of a free society. This approach should be based on the idea that, outside of matters of national security, no limit should be placed on immigration for those wishing to make a new life here.

One could think me biased, since I am a refugee from Communist Hungary, perhaps just clearing my own conscience for "invading" these shores. But there are very good reasons, consistent with the American political tradition, for not barring people from making their living in a free society if they so choose. And there are very good reasons for pardoning all those who entered "illegally"—that is, in violation of an unjust law barring them from entering a supposedly free country—and for abandoning the revolting idea of punishing the American employers who make a living possible for such immigrants. It is wholly unbecoming of a society whose gateway is the Statue of Liberty

to follow anything other than an open-door policy.

The major objections to such a policy have been forcefully stated. Foreign workers will displace native workers, add to an already overburdened welfare state, exhaust the patience of our taxpayers and accelerate the degradation of the environment. Finally, it is argued, it would be morally wrong to pardon illegal immigrants when legal immigrants were subject to severe restrictions and told to wait their turn.

These arguments carry great appeal across the country, but they aren't good enough to support abandoning one of America's most important historical missions and the fundamental principle of liberty. Government was established not to secure our right to a certain standard of living, but to secure our right to liberty.

Recent studies have challenged the assumption that immigrants threaten American living standards. But even if the "threat" to American employment exists, it should not be repelled at the expense of liberty. In a free, competitive society one has no more right to one's job or level of income than an athlete has to keeping "his" world record. And isn't there something obscene about complaining about a temporary setback in one's standard of living when those who would compete with (not rob) us are fighting for bare subsistence?

As to immigrants going on welfare, many who come to this country are probably in need and would turn for help to our many government and public service institutions. But here too, the matter does not end with the figures alone. If it is indeed morally proper to accommodate the needy, shouldn't all persons benefit from such moral convictions? Restricting humanitarianism to Americans is certainly a phony moralism.

As to the overpopulation issue, the morally acceptable way to cope with it is to seek out new frontiers, including new solutions to old problems—yes, even outer space. For that, no greater resource exists than the talents of the most eager people of the world, those who want to make a real change in their lives. No other group fits that description so well as immigrants, who by definition are people who are willing to assume risks so as to bring about a brighter future.

Finally, the matter of pardoning illegal aliens should be thought of as righting a mistaken policy. It should not be difficult to understand once we appreciate the principles at stake here. We complain about other nations—the Soviet Union, for example—closing their doors to those who wish to leave. But this is a hollow complaint if we, in turn, close our doors to those who wish to enter with good will and the determination to do well in life. How could they help but be an asset to our society?●

UNNECESSARY GOVERNMENT
SUBSIDIES

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. PHILIP M. CRANE. Mr. Speaker, an article by William D. Grampp in a May 14, 1984, edition of the Chicago Tribune was recently brought to my attention. It is noteworthy because it

is just one example of unnecessary Government subsidies.

Americans should be outraged with the problem of continuous excessive spending by their elected officials. The cost of subsidizing so many small-interest groups is the diversion of Federal dollars that could be spent in more needed programs. The practice of taking money away from the majority to subsidize a few must be stopped. The time to put an end to this is now.

As Congress continues to consider ways to reduce our trillion-dollar deficit, I would like to share with my colleagues the following article by Mr. Grampp, which clearly indicates one program that needs to be reevaluated.

ART FOR SUBSIDIES' SAKE
(By William D. Grampp)

The federal government in several hundred ways assists the arts directly. There were 252 programs in 1975 when the last inventory was made. Indirectly it assists the arts by tax concessions to arts organizations and deductions to taxpayers who make gifts to them. There also are state and local programs.

Whether any of them are a proper function of government is asked by Prof. Edward C. Banfield in his new book, "The Democratic Muse: Visual Arts and the Public Interest" (Basic, 1984). He argues against federal programs, and an argument also may be made against the others.

Neither argument appears to interest the Arts Caucus of the House of Representatives, some 200 members who do not doubt the propriety of government assistance and consider only how much there should be. Congress soon will act on the appropriation of the National Endowment for the Arts, which received just over \$3 million when it began in 1965 and \$162 million last year.

Among its original purposes was bringing the arts to more people. While it never aspired to making the arts a mass phenomenon, it now wants to do more with its subsidies than "to encourage those on the edges." If Congress does not care to ask whether the people should provide for themselves in the article of art, it might consider how well the government has provided for them. It could begin with information collected by the NEA itself and go on to other sources. All make the same report.

The people who are interested in art today are those who were interested in it before 1965, and they are the kind of people who have been interested in it throughout history. They always have been a minority of the population and have been privileged. The American government, after all of its millions have been spent, has not altered the fact and could not have done so. It should have known as much and would have if it had consulted the experience of time and if its purpose had truly been to improve popular culture. Not even ancient Greece, with its magnificent drama, could bring the common people into the theater without paying them to attend. It did just that but mistakenly set the amount equal to the daily wages of a soldier, so that men went to the theater instead of into the army. Still, to pay people to experience art would be quite in order if it were the invaluable asset it is said to be by some who advocate subsidies.

The NEA published in 1978 a survey of 272 audience studies, two-thirds of them

made in the '70s. They showed that the median income was 15% to 30% above the population median; that about 85% of the audiences had been to college while only 26% of the population had; that 56% of the audiences were in professional occupations while only 15% of the labor force were; that blue-collar workers comprised 7% of the audiences and 47% of the labor force, and that the "data do not reveal any striking changes in the composition of audiences" between 1960 and 1977.

A survey reported in Museum News last year stated that hundreds of studies made over 50 years show that museum visitors "are likely to be in the upper education, occupation, and income groups." The Australian economists, C.D. Throsby and G.A. Withers, claim that "when attending a concert or play in New York, London, or Sydney, you are likely to be sitting among a group of people whose financial status, education, and occupation are strikingly similar." They also report that these people are more in favor of arts subsidies than the people you are not likely to be sitting next to. That fact, while not surprising, is instructive because it indicates that the support for subsidies comes from people who benefit by them. They are not only the audiences. They include musicians, conductors, actors, dancers, composers, stagehands, artists, museum employees, the people in government who dispense the money and their betters in the national legislatures who, by authorizing the spending, show themselves to be persons of taste, refinement and aesthetic sensibility—all, of course, at no expense to themselves. Have all of these people read D.H. Lawrence?—"Not art for art's sake, but not art for the people's sake either. Art for my sake."

The subsidies do not outrage the electorate because they are such a small part of government spending that no voter would take the trouble to mount a campaign against them. Nevertheless they have a cost, and it is borne by everyone. The cost is the things that could be produced in place of the subsidized art. Some people want subsidized art, of course, and they are fortunate because they get it at a cost that is paid in good part by the majority that does not want it but still must pay for it. The effect is to take income from people who do not like art and give it to those who do, a curious redistribution. Perhaps the Maecenas's of the Arts Caucus will find a moment to reveal the principle on which they act.●

HONORING AL BARRY

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. MURTHA. Mr. Speaker, it has been a distinct pleasure for me to work over the past few years with Al Barry, Deputy Assistant Secretary of Defense/House Affairs. Al has served the Department and the American people with high honor and dedication, and as he retires from that position this week, we will surely miss him in the House of Representatives.

During the many important defense debates we have had in the House I always found Al to be responsive, incisive, and responsible. As Deputy As-

sistant Secretary he served as the principal adviser to the Secretary and Deputy Secretary of Defense on all matters pertaining to the House and the Department, and he helped promote the mutual understanding and debate that is essential for us to reach the best decisions.

Al and I share a concern for America's future defense as well as a background in the Marine Corps. Al served 21 years of active duty including tours with all three active Marine divisions. He retired as a lieutenant colonel in 1979. In the Southeast Asia conflict, he spent two tours, first as an aerial observer, then as a battery commander, later a battalion operations officer, and finally as the assistant regimental operations officer.

I certainly wish Al well, and I thank him for the excellent job he performed at the Defense Department and for his excellent career in the service of his country.●

HAWKING DEMOCRACY

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. OTTINGER. Mr. Speaker, today we once again debate the need for, and the mischievous nature of, the National Endowment for Democracy. Last Sunday's Washington Post featured an excellent column by Mary McGrory which eloquently details why this \$18 million boondoggle is not needed. I commit Ms. McGrory's column to the attention of my colleagues.

HAWKING DEMOCRACY

(By Mary McGrory)

You wonder why we have a deficit? Greedy welfare mothers? Shiftless seniors? Not entirely.

Let me explain—and I'm not even going to mention the Pentagon, which once again this week demonstrated why it will never give up the trophy for shameless profligacy. Our bold warriors paid \$2,043 for a "common hexagon-sided threaded nut," which is available at Hechinger's Home Improvement store for 13 cents.

No, I speak of a much more modest assault on our common sense and our pocket books, the National Endowment for Democracy, which last year got an appropriation of "only" \$31 million.

And what is NED? One of its enemies, Sen. Warren Rudman (R-N.H.) calls it "a slush fund for political hacks who like to travel to warm climates in cold weather."

And why, when we are \$200 billion in the red, do we have a taxpayer-supported Club Med? Who's to blame?

It turns out that it is just everybody who counts in Washington: the president, the Congress, the Democratic Party, the Republican Party, the Chamber of Commerce and the labor unions.

The range of its sponsorship is, of course, the explanation for its survival. Reagan loyalists, to begin with, wish to nurture NED

because it was his idea—floated in a London speech two years ago as an effort "to foster the infrastructure of democracy" in other countries.

This simply reflects a deeply held conservative conviction that the superior merit of democracy is a truth hidden from the rest of the world. Never mind the track record, which so copiously attests to the contrary—has anyone seen a German storming the Berlin Wall from the western side?

But just as the right is convinced that the Soviet Union is leagues ahead in armaments, it is sure that the Russians have the drop on us in the field of "winning hearts and minds."

Those not anxious to support the president have to fend off other supplicants in behalf of NED: the chairmen of both parties, lobbyists for the Chamber and the AFL-CIO, and such influential board members as Dante Fascell of Florida, Chairman of the House Foreign Affairs Committee, from whom every colleague is bound to seek a favor sooner or later.

Sen. Orrin Hatch (R-Utah), a leading right light, is chairman of NED's board. He says that "if the NED never gets off the ground, the biggest round of applause will come from the Kremlin."

One House member, Dan Mica (D-Fla.) in artless and chilling fashion, presented NED as a peaceful substitute to the CIA, whose current way of "fostering the infrastructure of democracy" is on view in Nicaragua, where U.S. surrogates and mercenaries are shooting peasants and burning their houses down in a "covert war."

Granted that it's better to send clipboards instead of guns, don't we have agencies like the State Department and the USIA to spread the word about our excellent way of life?

NED reflects the attitude held by many in both parties that the U.S. has a God-given right to interfere in the internal affairs of other countries.

And, to the mortification of NED's friends, it turned out that that was just what NED was doing. It is not easy to find out about its activities—NED is exempt from the Freedom of Information Act, and, despite a recently proclaimed policy of "openness," closes its meetings to the public.

But, thanks to a leaked cablegram from our ambassador to Panama, Everett Briggs, we learn that the labor institute of the AFL-CIO, using \$20,000 from its NED kitty, intervened in the recent, close election in Panama. The military-supported candidate, with U.S. labor sponsorship, won by 1,700 votes.

Ambassador Briggs, who doubtless spends much of his time assuring the Panamanians that the United States would never meddle in its electoral process, cabled an urgent appeal to Washington to suspend such operations "before the U.S. government is further compromised in Panama."

The House was sufficiently stirred to vote to kill NED on May 31.

But it was revived by the Senate, which was sufficiently embarrassed to authorize the cut of \$10 million granted to the Republican and Democratic parties, but not enough to put the Endowment out of its miserable mischief.

Sen. Paul Laxalt (R-Nev.), who doesn't think NED has the right to exist, nonetheless voted to save it, because of "the president's commitment."

Rep. Hank Brown (R-Colo.), who with Rep. Richard Ottinger (D-N.Y.) led the suc-

cessful House fight, wants to turn all its money over to Fulbright scholarships.

"People around the world don't need to be sold on the virtues of our democracy," he says. "They can't wait to find out how you do it."

But NED proves that once you have funded a foolish notion and given enough gray to enough people, it will live forever, and hang the deficit. ●

CHANGING FARM POLICY

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington report for Wednesday, August 8, 1984, into the CONGRESSIONAL RECORD:

CHANGING FARM POLICY

The past few years have been hard ones for farmers. They have had to cope with low earnings, sagging exports, and the threat of bankruptcy. Yet when they turn to federal farm programs for help, little is forthcoming. These programs, combining measures to support prices, maintain incomes, and reduce surpluses, cost the taxpayer \$18.8 billion last year, six times the average annual cost in the 1970's, but they did not improve the basic situation of farmers all that much. Prospects in 1984 are better, but the problems now besetting agriculture will recur.

The basic farm law will be up for a rewrite next year. Many experts think that federal farm programs, established as they were to deal with conditions in the 1930's, have not kept pace with changes in agriculture. Some programs no longer seem capable of doing what they were set up to do—making adequate supplies of food available to consumers at reasonable prices while permitting farmers to get fair returns on their investments. Several changes in the agricultural environment are worth noting.

First, the profile of the typical farm has changed. When federal farm programs were set up 50 years ago, they applied to a homogenous system of family farms. Now we have a three-tiered system: agribusiness operations, comprising 5 percent of all farms but accounting for 50 percent of all farm products and 95 percent of all farm income; family operations, comprising 35 percent of all farms and accounting for 45 percent of all farm production; and part-time operations, comprising the remaining 60 percent of all farms, whose average net farm income is negative, whose owners work off the farm to support themselves, and whose costs can be covered only by prices two and one-half times higher than those charged by the largest farms. Second, agriculture has been integrated into the general economy. Key factors of production once produced on the farm are now produced in the city, making farms more sensitive to changes in general labor and transportation costs. In addition, many farmers have borrowed to expand their operations and improve their efficiency, and the variable rate loans that they hold leave them vulnerable to rises in interest rates. Third, farmers are much more productive today, but their ability to produce two and one-half times what they did in the 1930's has caused them to fall victim to their own efficiency. Farm production often outstrips demand and drives

prices down. Fourth, low income and low rates of return on investment were the major concerns 50 years ago, but average farm income has increased from 30 percent of the non-farm level to nearly 90 percent, and return on farm resources equals or exceeds those in the non-farm sector. The farmer's sharply fluctuating income from year to year is a dominant concern today.

These are not the only important changes to be kept in mind. Farmers today are less dependent on federal farm programs for sustenance than they have been in past years. The current farm family, for example, earns two-thirds of its income off the farm. Also, federal farm programs are less able to meet their goal of ensuring reasonable prices to consumers. This is because the prices received by farmers today constitute only one fourth of the retail food dollar. Another factor in recent years has been the high number of investors engaging in "tax-shelter" farming. The real farmer pays for this activity indirectly whenever it leads to excessive production of commodities. Finally, and perhaps most important, agriculture has been internationalized. One out of three acres is producing just for export, but as a result farm prices and incomes have become highly sensitive to events abroad—from changes in weather to shifts in the policies of foreign governments to swings in the exchange rate.

All the changes increase the vulnerability of farmers on many fronts. They have made federal farm programs less efficient and effective, and less useful to farmers than before. However, we should not be deceived into thinking that we will find a panacea in the form of a perfect federal farm program. Improvements will come as much by what we do on the larger macroeconomic questions and foreign policy questions as by what we do on the 1985 farm bill. More than anything else, Congress must come to see how decisions on matters traditionally thought to have nothing to do with agriculture can directly affect the health of the farm sector. For example, the general fiscal and monetary policies of the last 40 months have produced the greatest deficits in our nation's history, and there is no relief in sight. The deficits keep interest rates high and push up the dollar's value, adding up to 40 percent to the cost of our exports. The effect on agriculture is devastating. Controlling deficits may be the best thing the federal government can do for farmers.

There are several specific things that Congress should do. First, we must revise our price support programs, making them more market-oriented. High price supports make our crops uneconomic in the world marketplace and encourage expanded production of crops overseas. We must also make sure that both the young farmer and the family farmer are receiving their fair share of benefits from the programs. Second, we must improve our effort to export farm products. This means resisting political pressures to embargo grain sales, expanding trade by barter, fighting unfair trade practices by foreign nations, providing better credit to foreign buyers of our food, as well as resisting protectionist pressures from other sectors to avoid retaliation against our agricultural exports. Third, we must improve our domestic credit policies to make sure that the good, efficient farmer is not driven off the land during difficult times. We must change provisions in the tax code that are being exploited by nonfarmers to the detriment of farmers. Finally, we must expand scientific research in agriculture. More work

on crops that need fewer expensive pesticides and fertilizers, as well as development of new crops with high convertibility to fuel, could open major new markets for farmers.

While other sectors of the American economy are becoming less competitive, the farm sector retains clear global leadership. Our farmers are without equal in the world. Federal farm programs must be amended to enhance their excellence.●

MANDATORY FISH INSPECTION

HON. BYRON L. DORGAN

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. DORGAN. Mr. Speaker, I'm introducing today a bill designed to place fish and shellfish inspection on equal footing with Federal meat and poultry inspection.

Currently, the inspection of fish is a crazy quilt of Federal voluntary control; some State inspection programs; and less-than-comprehensive Food and Drug Administration oversight. The result is the only 20 percent of the fish consumed in this country has undergone Federal inspection.

In contrast, we are all aware that meat and poultry undergo rigorous mandatory Federal inspection during processing. Over the years, this program, administered by the U.S. Department of Agriculture, has been extremely effective in ensuring a wholesome supply of meat and poultry. This disparity in inspection standards between meat and fish means that consumers do not enjoy the same health protection for similar food products, nor can taxpayers feel confident that the variety of agencies and standards result in economical and effective regulations.

I recently requested a Congressional Research Service study to look into what the economic and health consequences of these differing inspection standards might be. The findings of that study have convinced me that Congress should initiate a mandatory Federal fish and shellfish inspection program administered by the Department of Agriculture. Among the findings of the CRS study are:

Fish and shellfish are the only commercially-produced flesh foods in the U.S. not subject to mandatory inspection for wholesomeness. Yet, seafood is highly perishable and prone to dangerous bacterial contamination during handling and processing.

The Centers for Disease Control's report *Foodborne Disease Surveillance for 1980* indicates that there were 605 food-related illnesses that year. Seventy were linked to red meat and poultry, of which the average American consumes more than 200 pounds annually. Another 70 outbreaks were linked to fish and shellfish, which have a per capita consumption of about 17 pounds (emphasis added).

The Food and Drug Administration apparently recognizes the greater potential for

fish-related health problems. Its inspectors examine a far higher percentage of imported seafood than any other regulated import.

Mandatory fish inspection is an idea gaining favor with segments of the fishing industry as well. Among other groups, the presidentially-appointed National Advisory Committee on Oceans and Atmosphere endorsed mandatory inspection in their 1982 report *Fisheries for the Future*.

I urge my colleagues to give serious attention to the need for mandatory fish and seafood inspection and to the approach my bill recommends.●

TRIBUTE TO DONNA FOSTER

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. OTTINGER. Mr. Speaker, I would like to share with my colleagues the remarkable achievement of Donna Steele Foster, whose retirement celebration I attended last evening.

Donna Foster was born in Republic, PA, and started her career at the Veterans' Administration as a GS-2 at age 17. She continued an outstanding career of Federal service in such agencies and departments as the Internal Revenue Service, Department of the Army, Wage Stabilization Board, International Corporation Administration, and then to the Peace Corps where she was Executive Assistant in the Latin American Division working with me.

From that experience, I can testify what an extraordinarily able person she is, keeping track of some 20 programs in a dozen Latin American regions; shuttling me and the other Washington representatives to far away corners of the countries we administered; keeping in touch with training programs all over the mainland United States and Puerto Rico; and seeing to it that country directors got the backup help they needed. She was always on top of the thousands of details that are involved in these complex programs and always kept me abreast of the various crises that inevitably arise—and always managing this tense pressure with grace and good humor. She is a thoroughly delightful person.

Donna went from the Peace Corps—accompanying her husband who was in the Army—to El Paso, TX, where she worked at Biggs Air Force Base and Beaumont General Hospital. Later she and her husband returned to Washington and she went to work at the Community Relations Service, Department of Justice, and then to the Department of Health, Education, and Welfare, before returning to the West with her husband. When the Air Force returned Donna and her husband to Washington, she was employed at the National Urban Coalition before resuming Federal service at the National

Oceanic Administration, Department of Housing and Urban Development, and the Department of Health and Human Services from which she retired on July 3, as a GS-15, to become a registered representative at First Investors Corp. in Arlington, VA, and a real estate broker.

Donna Foster has served the Government and her country well and sets a fine example of the best in our civil service.●

MAJORITY IN COUGHLIN POLL SAY PRESIDENT'S ECONOMIC POLICIES HELP NATION

HON. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. COUGHLIN. Mr. Speaker, in sharing the results of my yearly questionnaire poll to citizens of Pennsylvania's 13th Congressional District, I note that a majority of those responding believe that President Reagan's economic policies are helping the country.

The results—tallied after the July 31 deadline—show a continuing concern with key national and international issues. In addition to a heavy questionnaire response, constituents have followed up with letters expressing their views and offering suggestions on questions ranging from the Federal deficit to the nuclear arms race.

A total of 13,910 individual responses were received.

Questionnaires were mailed to homes and postal boxes throughout the district which includes 27 municipalities in Montgomery County, and two wards and part of a third ward in the city of Philadelphia.

Major findings of the survey are:

Fifty-eight percent believe that President Reagan's economic policies are helping the Nation while 62 percent foresee the national economy somewhat better or about the same a year from now. In a third part of the question on the economy, 50 percent indicate they are better off now than a year ago.

On reducing the estimated \$176 billion Federal deficit for fiscal 1985, No. 1 choice of five presented for reducing the red ink was a 65-percent showing for cutting defense spending.

Responding to two environmental questions, a majority do not believe the Federal Government has moved effectively to alleviate the dangers of hazardous waste sites while a plurality said they'd be willing to pay more Federal income tax if the moneys were used to eliminate toxic threats to our water supplies.

An interesting division is apparent in a three-part question on our balance-of-trade deficit. A majority oppose

continued protection for the domestic auto industry, but do favor quotas on imported steel where foreign firms are subsidized by their governments. A majority also oppose a get-tough policy by the United States if it means higher prices at home or a curb on our own exports.

On the critical question of arms control, two-thirds of those responding do not believe a unilateral freeze by the United States on nuclear arms modernization would result in serious Soviet Arms negotiations. A majority, however, favor a mutual moratorium on weapons testing against targets in space.

Constituents remain split over Central American policy with a plurality favoring limited military aid to El Salvador, but with a plurality opting for a cutoff of an aid to anti-Sandinista rebels in Nicaragua.

On other questions, almost 50 percent are willing to pay more taxes to maintain medical care levels for older citizens; two-thirds oppose paying more taxes to hike teacher pay in basic courses, a majority favor a flat income tax; a plurality oppose giving the States another chance to ratify the equal rights amendment; a majority approve of stiff penalties on employers who hire illegal aliens, and a majority think judges should be permitted to keep defendants accused of nonviolent crimes in jail if judges believe they may commit further criminal offenses.

As usual, I also will supply the White House with a copy of the results.

QUESTIONNAIRE RESULTS—1984

1. Continued economic growth is important to all of us.

A. Do you feel that you and your family are better off now than a year ago?

Yes..... 50%
No..... 42%
Undecided..... 8%

B. On balance, do you feel that President Reagan's economic policies are helping the country?

Yes..... 58%
No..... 31%
Undecided..... 11%

C. How do you feel the national economy will be a year from now?

Much better..... 7%
Somewhat better..... 26%
About the same..... 36%
Somewhat worse..... 24%
Much worse..... 7%

2. With the Federal Government deficit for fiscal 1985 estimated at \$176 billion, what actions would you take to cut the debt burden? (one or more)

Raise personal income taxes..... 22%
Cut defense spending..... 65%
Reduce social program funding..... 44%
Adjust retirement benefits..... 24%

(Totals more than 100%—more than one choice available)

3. Safeguarding our environment remains a prime concern.

A. Have Federal agencies moved effectively to alleviate the dangers of hazardous waste sites?

Yes..... 16%
No..... 64%
Undecided..... 20%

B. Would you be willing to pay more Federal income tax if the monies were used to eliminate toxic threats to our water supplies?

Yes..... 47%
No..... 39%
Undecided..... 14%

4. The issue of free but fair trade with other nations grows more important as our balance-of-payments deficit worsens.

A. Does our domestic auto industry merit the continued protection of insisting on limiting the number of Japanese cars we import?

Yes..... 42%
No..... 50%
Undecided..... 8%

B. Should quotas be imposed on steel imports where the U.S. can prove that foreign steel exporters are being subsidized by their governments?

Yes..... 72%
No..... 17%
Undecided..... 11%

C. Do you favor a U.S. get-tough policy against foreign imports even if it results in higher consumer prices here or a curb on our own exports?

Yes..... 34%
No..... 52%
Undecided..... 14%

5. U.S.-Soviet negotiations on arms control remain stalled.

A. Do you believe a unilateral freeze by the U.S. on nuclear weapons modernization would result in serious arms control negotiations by the Soviets?

Yes..... 20%
No..... 66%
Undecided..... 14%

B. To avoid an arms race in space, should the U.S. refrain from testing anti-satellite weapons against an object in space so long as the Soviets also refrain from such tests?

Yes..... 58%
No..... 34%
Undecided..... 8%

6. Our Central American policy continues to be a source of controversy and indecision.

A. Should the U.S. continue to supply limited military aid—but not troops—to the newly-elected government of El Salvador?

Yes..... 47%
No..... 35%
Undecided..... 18%

B. Should the U.S. cut off all aid to the anti-government forces it has been supporting in Nicaragua?

Yes..... 44%
No..... 32%
Undecided..... 24%

7. As our elderly population increases, would you be willing to pay more Federal income tax to maintain present levels of medical care benefits for senior citizens?

Yes..... 49%
No..... 38%
Undecided..... 13%

8. In response to criticisms of our educational system, would you be willing to pay more Federal income tax to increase pay for elementary and secondary teachers, particularly in basic reading, math and science?

Yes..... 25%
No..... 67%
Undecided..... 8%

9. Do you favor a flat rate for income taxes (10% or 15%, for example) even if it means ending major deductions such as mortgage interest, state and local taxes, and charitable contributions?

Yes..... 52%
No..... 33%
Undecided..... 15%

10. Should Congress again pass the Equal Rights Amendment to give the states another opportunity to vote to ratify it?

Yes..... 44%
No..... 46%
Undecided..... 10%

11. To prevent illegal aliens from taking U.S. jobs, should there be a stiff penalty on our employers who hire such aliens?

Yes..... 76%
No..... 14%
Undecided..... 10%

12. Even if they have not been brought to trial, should defendants accused of non-violent crimes be held in jail if judges believe they may commit further criminal offenses?

Yes..... 59%
No..... 26%
Undecided..... 15%

THE PANAMA CANAL: 70 YEARS OF SERVICE TO SHIPPING

HON. CARROLL HUBBARD, JR.

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. HUBBARD. Mr. Speaker, 70 years ago, August 15, 1914, American technology and ingenuity overcame enormous difficulties and converted a dream of several centuries into a reality: The construction of a canal joining the world's two great oceans, the Atlantic and Pacific.

But possibly more important than that historical milestone is the fact that the canal has been providing uninterrupted and efficient service to the maritime industry, enhancing world commerce, for that same 70 years.

This extraordinary record is a tribute to the dedication and skill of those who built the waterway and those who have operated, maintained, and improved it since then.

Far from becoming an obsolete link in the maritime transportation chain, the Panama Canal, today, is a modern transportation system that incorporates state of the art technology and has kept pace with the industry it serves so well. One of the major changes that occurred during its last decade was the new relationship between the United States and Panama that was established by the 1977 Panama Canal Treaty. The 5 years since the implementation of the treaty provide clear evidence that the agreement between the two countries is working well.

Great strides continue to be taken by the Panama Canal Commission toward improving efficiency and productivity, accomplishing key maintenance projects, and expanding essential training programs for Panamanian employees. In addition, in the past 2 years, cost reduction measures have been carried out aimed at keeping operating costs down and balancing these with revenues which had been reduced because of the world recession.

Even during the period of decline in maritime trade, the Commission has continued to take measures to improve service to users and ensure the adequate capacity of the waterway. These measures have included modernizing the tugboat fleet and other floating equipment, installing high mast, high intensity lighting at the locks to effectively extend the transit day, and channel deepening to avert restricting draft of ships.

During these seven decades, many things have changed in the Panama Canal. One important aspect, however, has not changed—the firm commitment of the canal management to transit vessels of all nations safely and efficiently between the two great oceans.●

**SUPPORT FOR AN INDEPENDENT,
BOARD-GOVERNED
SOCIAL SECURITY ADMINISTRATION**

HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Ms. OAKAR. Mr. Speaker, last week Chairman PICKLE's Subcommittee on Social Security held a hearing on the congressional panel on Social Security organization's recommendations to establish the Social Security Administration [SSA] as an independent agency. I congratulate Congressman PICKLE for his leadership in taking the first concrete legislative step toward ensuring formal independence for SSA. I also commend the congressional panel, chaired by former Comptroller General Elmer Staats, for its comprehensive study of the feasibility of implementing such a proposal.

Witnesses at the hearing expressed near unanimity on the need to make the Social Security Administration independent from the Department of Health and Human Services. However, there was little support for the panel's specific recommendation that the independent agency be headed by a single executive appointed by the President to a 4-year term coincident with the President's term. Even the GAO stated that:

We are not confident that the Panel's solution will achieve a key goal—the effective,

efficient management of the Social Security Administration. . . . It is very difficult to expect that a single administrator can carry out both a policy and managerial role given the types of management problems Social Security must solve.

By far the preferred alternative was identical legislation, H.R. 5904/S. 2778, introduced by Congressman EDWARD R. ROYBAL, chairman of the House Select Committee on Aging, and Senator DAVID PRYOR of Arkansas. I am proud to be an original cosponsor and architect of this legislation because I believe that an independent Social Security agency should be governed by a bipartisan board and administered by a professional commissioner appointed by that board for a 5-year term.

If my colleagues read through the testimony I think they will be as impressed as I am by the level of agreement among Social Security experts and administrators for more independence for Social Security. Their unanimity should motivate the 98th Congress to move as far as possible toward enabling legislation to create an independent agency governed by a bipartisan board.

Robert Fleminger, president of the National Council of Social Security Managers Association, represents almost 4,000 managers in over 1,300 Social Security field offices. He chose this topic and this hearing to present his association's first ever testimony to a congressional committee—

because most of our current problems are a result of unstable cabinet level leadership and our being only one part of HHS. As a result, the National Council of Social Security Managers Association fully endorses an independent SSA along the lines proposed by H.R. 5904 and S. 2778. A board of directors, a longer term-appointed Commissioner, and independent status could again make us a great agency.

Kenneth Blaylock, national president of the American Federation of Government Employees which represents 72,000 Social Security employees, agrees with the SSA Managers Association that:

The real difficulties in Social Security are management problems—poor administration of the disability programs, for example, or bad office conditions or outdated computers. Our own experience with management has taught us that here is an organization not in control of its programs, its own resources, or budget, or its own policy.

In a June 14 letter to me, Mr. Blaylock stated that a full time board—would work to prevent the tyranny of administrative fiat by which the Social Security programs have so recently been perverted, especially the disability programs. We expect that legislation to establish an independent Social Security Administration will be a major objective of our union in the next Congress.

Ainsworth Brown, vice president of the Association of Social Security Administrative Law Judges stated that:

Due to the abuses visited upon the (appellate hearing) process, we believe that the Social Security Administration has forfeited its right to manage the hearing activity.

Judge Brown referred to the court records in the association's civil suit against the Social Security Administration to show how a single, Presidentially appointed Commissioner's "hand-picked head of the Office of Hearings and Appeals creates an unhealthy and too close relationship," which severely injures the integrity of the SSA's appeals process.

Robert Myers the Reagan administration's former Deputy Commissioner of Social Security and the Executive Director of the 1983 National Commission on Social Security Reform, testified that the layered organizational structure which includes HHS and OMB has the result that—

necessary and desirable action is often delayed so long as to be useless. An outstanding example of this is the infamous notch situation in the OASDI program which could have been directly alleviated by a feasible legislative change in 1981—or even earlier—but never surfaced from the layers of review.

Mr. Myers reasserted his longstanding recommendation that SSA should be an independent agency governed by a board "who would be full time and would be appointed on a bipartisan basis."

Wilbur Cohen, Secretary of HEW during the Johnson administration, testified on behalf of the "Save Our Security" coalition and stressed the necessity of a board-governed organizational structure of SSA. His testimony was endorsed by Arthur Flemming, Secretary of HEW during the Eisenhower administration; Robert Ball, Commissioner of SSA in the Kennedy, Johnson, and Nixon administrations; Nelson Cruikshank, Special Assistant to the President on Aging in the Carter administration; William Bechill, Commissioner on Aging in the Johnson administration. They favor an independent board, in part because it would help to restore public and congressional confidence in the program.

Furthermore, the "Save Our Security" coalition stated—

that if there had been a board administering the disability provision of the Social Security program in 1981, we would not have had the unfortunate recent experience with the administration of the disability program. With a bipartisan board, there very likely would have been a whistle blower on the Board who would have revealed or moderated the precipitate and uncompassionate implementation of the 1980 amendments.

Mr. Cohen went on to "endorse the thrust of H.R. 5904 . . . (and) urge your favorable support of the basic principles embodied in this bill."

The legislation introduced by myself, Congressman ROYBAL and Senator PRYOR will insulate the administration of Social Security from the ar-

bitrary pressures too often seen over the last few years. The board governed organizational structure proposed by this legislation is endorsed by the SSA Managers' Association, SSA Employees' Union, former Secretaries of HEW and Commissioners of SSA and the beneficiaries represented by the "Save Our Security" coalition. As an original cosponsor, I ask my colleagues to join with me in urging the relevant committees to move H.R. 5904 and S. 2778 through the legislative process.●

CAROL FORBES, BEARER OF
GOOD NEWS

HON. BERYL ANTHONY, JR.

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. ANTHONY. Mr. Speaker, so many times we here in Washington are accused of being unresponsive and creating fear among our constituents with our legislative actions. I would like to bring to your attention something good that is happening in our country for a change and it originated from a former staff person of the U.S. House of Representatives. Carol Forbes came to Washington in 1972, received her doctor of laws from American University, was first counsel for the congressional rural caucus, then subcommittee counsel for our U.S. House of Representatives Committee on Agriculture, subcommittees on Family Farms and Rural Development and Dairy and Poultry. She also conceived the idea of the Congressional Clearinghouse on Women's Rights sponsored by my colleague Representative CHARLIE ROSE and was its director until 1979. Then she conceived the Farm Women's project and was its director at USDA for 18 months. Following a successful career as an independent legislative consultant and operating her nonprofit organization, Friends of Agriculture, Ms. Forbes started on a new adventure, the Good News Network.

GNN's sole purpose is to record only stories of a positive, uplifting nature for radio, TV, and the print media. They are used to counter the overwhelming negative news we see, hear and read today. We here in Congress know too well how today's press looks only for the negative in our legislative actions, rarely the positive.

GNN stories are by local people about the good things they are doing for each other on a daily basis. They do not have to be saints or experience "incredible" things to be recognized for the loving acts they perform. GNN simply records their stories in their own voices and airs them through a national sponsor/syndicator approach. In that way, by sharing good things, people will feel better about them-

selves, their neighbors, their communities and their world. Ms. Forbes incorporated GNN in Delaware on August 1983, then went on the road for 6 months collecting stories. Now, under her continued able leadership and management, GNN is securing a national sponsor/syndicator to underwrite the ongoing shows.

As a Member of Congress and the Agriculture Committee upon which I sat at the time Ms. Forbes worked for us, I am proud of this work being undertaken by such a farsighted person. We in America need to hear more good news. We in Congress need to support such efforts at reducing any level of fear our political actions might be producing in the minds of our constituents.

If any of your constituents have stories about the positive and friendly actions they or their neighbors are performing for each other—stories that remain unsung yet might help others to feel better about their world, please contact my office or GNN at P.O. Box 2538, Fort Myers Beach, FL 33931, (813)-463-2600.●

SUPERFUND

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. LaFALCE. Mr. Speaker, when H.R. 5640, "Superfund Extension," is considered by the full House of Representatives, I intend to offer an amendment to ensure that implementation of this important legislation follows Congress' intent in regard to the Love Canal area.

There is no question that it is essential to increase the size of the fund from its current level of \$1.6 billion to more than \$10 billion over the next 5 years; the growing needs of affected sites and communities must be met. There is also no question that the intent of Congress to assure fair implementation of the law has not always been met.

I am only too familiar with the excuse of insufficient funds and only too familiar with the inequities that result from previously inadequate funding of the Superfund law.

Superfund was passed in December 1980—7 months after President Carter had declared the Love Canal area in Niagara Falls, NY, an emergency area for the second time, and 2 months after President Carter and New York State Governor Carey had signed a permanent location agreement to acquire certain properties in the emergency declaration area.

Because of limited State and Federal resources available at that time, only owner occupied properties were covered by the Carter/Carey pre-Super-

fund relocation agreement. The Federal Government assumed that the Environmental Protection Agency would make a definitive statement on the habitability of the Love Canal declaration area within a reasonably short period of time and those property owners not covered by the 1980 agreement would be provided a fair remedy at that time.

Unfortunately, those persons not covered have waited 4 years for a definitive habitability statement, watching helplessly as the value of their holdings has steadily declined. The EPA has simply failed to meet the implicit obligation to issue a timely, definitive habitability statement. One \$8 million environmental study was all but officially retracted. Presently a panel of representatives from the EPA, the Centers for Disease Control, and the New York State Departments of Health and Environmental Conservation has been established to make habitability recommendations beginning in 1985; ultimate authority for habitability decisions now rests with the State health department.

If history is our judge, recommendations and decisions will drag on well into the next decade. As the process lingers, Love Canal commercial property owners, the two area churches, owners of rental and investment properties, the Frontier Volunteer Fire Department, and owners of other property will continue to suffer and will unjustly remain the losers in the Love Canal tragedy.

In December 1983, Senator D'AMATO, Senator MOYNIHAN, and I wrote to Lee Thomas, Assistant Administrator for Solid Waste and Emergency Response. We requested \$4 million to purchase these remaining properties in the Love Canal declaration area. In January 1984, I wrote to William D. Ruckelshaus, Administrator of the EPA, reiterating that request. Then, on May 10, 1984, I met with Mr. Ruckelshaus in my office to review the issues. Mr. Ruckelshaus agreed that EPA had the moral responsibility to honor the purchase. Indeed, he told me directly that the equities were on the side of the people of Love Canal. I also argued that the law provided ample authority for the administration to deal with the inequities of this case. Neither EPA nor Mr. Ruckelshaus has even denied this.

Nevertheless, on August 2, 1984, Mr. Ruckelshaus, in apparent disregard of his prior position, denied the request. He maintained that limited Superfund dollars should be used for remedial action rather than for the purchase of property from owners who have suffered severe economic hardship. His letter did not and could not deny legal authority to fulfill the Government's obligation to purchase the Love Canal properties.

My amendment calls upon the Administrator of the National Contingency Plan to establish as a high priority the acquisition of all properties in the Love Canal emergency declaration area.

H.R. 5640, including my amendment, will provide the resources so that congressional intent to ensure equity is met. I strongly urge my colleagues to approve H.R. 5640 with my amendment. ●

THE CASE FOR A SUPERFUND
"WASTE END" TAX

HON. RON WYDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. WYDEN. Mr. Speaker, I am an original cosponsor of H.R. 5640 and a strong supporter of the bill as reported by the Energy and Commerce Committee.

The substitute title V recommended by the Ways and Means Committee, however, has a serious flaw, which Congresswoman SCHNEIDER and I seek to remedy with an amendment on the House floor.

Very simply, in the Ways and Means Committee's title V, the Congress will simply get another study of the waste-end tax, instead of a powerful new tool in the war against hazardous waste. Under the committee's bill, the Congress would have to come back in a separate piece of legislation and vote to enact a waste-end tax. To my mind we thus lose a golden opportunity to affect a bottom-line, economic incentive for firms to recycle, reuse or not produce hazardous waste in the first place.

The Ways and Means substitute basically, perpetuates the status quo as far as raising funds to finance the Superfund. And at present, what we have is a "toxic waste merry go round" where taxpayer money is spent moving hazardous waste from one Superfund site to another landfill. As recent articles in the Washington Post and Wall Street Journal have highlighted, these new landfills soon leak or otherwise fail, thus becoming the Superfund sites of future—for which of course Congress will be expected to raise even more cleanup money.

There is no such thing as a safe landfill or underground injection well. Under the Ways and Means title, however, land disposal will remain the cheapest disposal option—certainly cheaper than recycling, reuse or process changes that the waste-end tax promotes.

It is the belief of the Energy and Commerce Committee, Congresswoman SCHNEIDER and myself, that this Nation needs to create direct economic incentives to bring about positive

changes in the way we—as a society—manage our hazardous waste. We are convinced that the Energy and Commerce Committee's waste-end tax will accomplish this objective and is an appropriate, effective and substantial step to avoid mortgaging our future with endless waste cleanup demands.

Regulation on top of regulation alone will not rid America of hazardous waste. All too often it simply pushed it out of sight. The Office of Technology Assessment in their 1983 comprehensive report on strategies for future hazardous waste control recommended the use of economic incentives to encourage alternative technologies to land disposal. OTA also notes that upwards of 75 percent of all hazardous waste currently going in our landfills can be recycled.

RCRA provides us with a strong regulatory system for the "cradle-to-grave" management of hazardous waste. But we believe a strong regulatory program which is complemented by a bottom-line economic incentive to produce less waste will produce even better results.

What more powerful incentive is there than one which says: Those who produce less waste pay less taxes?

Congresswoman SCHNEIDER and I as well as the staff of the Energy Committee have spent well over 1 year refining our original waste-end tax proposal into a workable, administratively feasible proposal that will provide a valuable revenue supplement to the feedstock tax.

Mr. Speaker, we should reverse the roles in the Ways and Means substitute: Let Congress demonstrate leadership and adopt a waste-end tax, instructing Treasury to report back 1 year before its effective date on any changes they feel are necessary in order to facilitate the implementation. Under the Ways and Means Committee title, the "no or go" decision is left to the Treasury. I think that Congress ought to call the shots rather than the Treasury.

Specifically, our amendment mirrors the waste-end tax structure as contained in the Energy and Commerce bill, but with some revisions. The waste-end tax would take effect January 1, 1987 and Treasury would report to Congress by April 1985—giving Congress more than a year to enact any changes necessary to the waste-end tax. This timetable is identical to the one in the Ways and Means substitute.

To keep the overall revenue target in the Ways and Means substitute the same, our amendment would replace the January 1, 1987 automatic scheduled increases in the crude oil and petrochemical feedstock tax. This automatic increase was put in to meet the \$1.2 billion the Ways and Means Committee estimated the waste-end tax would raise. It was put in as a safeguard in the event no waste-end pro-

posal is adopted by Congress by July 1, 1986.

Finally, our amendment dedicates 50 percent of all surplus revenues raised beyond the \$1.2 billion target to be applied against the \$2.3 billion taxpayer contribution the Ways and Means Committee has included. As both the Energy and Commerce Committee and the CBO's revenue estimates show substantially more than \$1.2 billion being raised, there should be quite a bonus for taxpayers.

Mr. Speaker, in our Energy Committee's version of H.R. 5640, we have crafted an integrated feedstock/waste-end tax that will provide significant advantages for our national hazardous waste disposal system. To keep it simple, it has been crafted in accordance with existing definitions and recordkeeping requirements already present under the present Superfund and RCRA laws.

It will produce a bedrock of revenue for the Superfund and also provide the economic incentives needed to move business decisions toward environmentally preferable waste management practices.

For the first time, we will put incentives in the marketplace for recycling hazardous waste and for adopting methods for not producing it in the first place. It would give corporate managers tangible, financial rewards for looking at other alternatives than land disposal.

The groundswell of public concern over hazardous waste dumps is tremendous. Ask any person on the street about how Congress should deal with the problem, and I am sure you will hear that we should be taxing those dumping the waste in our land.

Let's make it possible for the Members to go home in August and tell our constituents that we passed new Superfund legislation and that those who actually dump the waste will be taxed for doing so. ●

RUTH PASSEN: AN OUTSTANDING
CITIZEN OF SAN FRANCISCO

HON. SALA BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mrs. BURTON of California. Mr. Speaker, San Francisco dazzled the Nation during the Democratic Convention with its natural beauty and the hospitality of its people. The city is also the most livable of American cities, in no small part due to the tireless efforts of the people who are active in preserving and enhancing its wonderfully diverse neighborhoods. One of these people is my good friend Ruth Passen.

Potrero Hill's inhabitants share not only magnificent views of the city and bay, but a strong sense of community ties unique even for San Francisco. Ruth Passen and her family have lived and worked in Potrero Hill for many years. She is managing editor and the driving force behind San Francisco's oldest community newspaper, the Potrero View. The paper has helped unify this neighborhood, providing its people with crucial information on issues affecting their lifestyle and environment.

Ruth Passen is a crusader whose mission is to improve the lives and surroundings of the residents of San Francisco. Over 30 years ago she led a fight to save a local playground when a major street was being widened. In recent years, she has pushed for affordable housing, fought against a proposed pornography district, opposed a large electric utility pumping station in the neighborhood, and many other issues.

She recently received the Daniel Koshland Award for outstanding community work from the San Francisco Foundation. Ruth also received the Media Award from the Mental Health Association of San Francisco. Next month, I will be speaking at a testimonial dinner honoring her commitment to the community.

Ruth spends most of her time with the newspaper and community causes but also is an avid San Francisco 49ers fan—a season ticket holder since 1966—and has a deep interest in the arts—theatre, symphony, opera, museums. I am pleased to bring the accomplishments of this outstanding woman to the attention of my colleagues.●

CRITIQUE OF UNLAWFUL ACTIONS BY THE POSTAL SERVICE

HON. BARBARA BOXER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mrs. BOXER. Mr. Speaker, I join my colleagues in expressing my dismay at the misguided if not unlawful position taken by the Postmaster General and the management of the U.S. Postal Service during the ongoing contract negotiations. Clearly their actions in attempting to unilaterally mandate their two-tier salary schedule for new postal employees and also reduce sick leave and other benefits of new hires indicates contempt for the collective bargaining process mandated in law and disdain for the thousands of hardworking postal employees whose efforts have put the Postal Service in the black in recent years.

We often hear officials of the Reagan administration attack what they call the arrogance of big govern-

ment, yet their actions surely reflect the true situation. Obviously respect for the law and for the rights of the little people, the ordinary employee, are a very low priority for the Reagan appointees at the Postal Service. Over the last months and weeks they have repeatedly and unmistakably made clear their determination to impose their point of view despite the requirements of the Postal Reorganization Act of 1970 and in the face of the complete willingness of the employees to bargain in good faith with them.

As our esteemed colleague Mr. FORD, the chairman of the Committee on Post Office and Civil Service pointed out in a recent letter to the Postmaster General, Mr. Bolger, "private sector labor law is clear: when an impasse is reached, management may implement its final offer. The union, however, has the concomitant right to strike, thus insuring parity of bargaining power. In this case though, the unilateral action destroys parity. The postal unions are barred from striking. The act's factfinding and arbitration procedures exist not merely as a substitute for private sector labor's rights to strike, but also as a substitute for private section's right to unilateral implementation. I believe that the unilateral changes that the Postal Service intends to implement are unlawful under the Postal Reorganization Act."

I totally agree with Chairman FORD's assessment of the Postmaster General's proposals and hope that the Members of this House will strongly respond to this latest administration flouting of law. For despite all of their traditional rhetoric and posturings the administration should remember the words of Clarence Darrow, who once said, "True patriotism hates injustice in its own land more than anywhere else."●

SOCIAL SECURITY COST-OF-LIVING RAISE

HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. FOGLIETTA. Mr. Speaker, soon the House of Representatives will be considering legislation to guarantee the Nation's 36 million Social Security beneficiaries a cost-of-living raise this January. I will be supporting this effort. Because last year's Social Security rescue package postponed cost-of-living adjustments from July 1984 to January 1985, without specific legislation beneficiaries might not receive an inflation raise for 2½ years.

When the House addressed the Social Security rescue package last year, I opposed delaying the Social Security COLA. I noted at the time that a 6-month COLA delay would reduce

benefits. Although the rate was coming down then and is low now, inflation is increasing prices and the elderly, on fixed incomes for the most part, still find it difficult to keep up.

I am pleased President Reagan is supporting this effort on behalf of senior citizens. I must admit, however, to some uneasiness. After all, it was President Reagan in his first year in office who recommended eliminating the Social Security minimum benefit. And less than 1 year after Congress acted to put Social Security on a firm financial footing, it was President Reagan on March 29, 1984, who said—and I quote—" * * * what we need to do is a revamping of the program."

By supporting legislation to give Social Security beneficiaries a cost-of-living raise this January, I hope President Reagan is signaling at last his willingness to join Congress in the effort to banish what Franklin Delano Roosevelt called the "spectre of old-age destitution."●

TRIBUTE TO MR. AND MRS. JOHN COWDEN

HON. JAMES R. "JIM" OLIN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. OLIN. Mr. Speaker, I would like to take this opportunity to recognize the fine efforts of two very historically minded residents of the Sixth District of Virginia. Mr. and Mrs. John Cowden of Millboro, VA, have on their own initiative restored Fort Lewis, the 18th century plantation home of Col. Charles Lewis. Colonel Lewis gave his life at the Battle of Point Pleasant in 1774, which is widely recognized as the first battle of the American Revolution.

Fort Lewis, located in Millboro, stretches for 950 acres in a remote valley along the Cowpasture River in what is now Bath County. Colonel Lewis left his wife and four children there in August 1774, to join his Augusta County regiment at Warm Springs, VA. Soon the 13 companies of the regiment joined other units of the Southern Division and moved westward. Their destination was Point Pleasant in what is now West Virginia, where it was hoped that a united force could succeed in putting down Indian terror on the frontier.

On the morning of October 10, 1774, the Colonials were met with a surprise attack by a large force of the Confederacy of Indian Nations. During 12 hours of fighting, 46 men of the Virginia line were killed or mortally wounded, including Charles Lewis. Happily though, despite being greatly outnumbered, the Colonial troops were victorious.

These men who fought and died at Point Pleasant will be honored this year at the first of what will be an annual celebration at Warm Springs, August 24 through 26. As part of the program, the manor house that's been restored by the Cowdens will be open to the public for the first time. This restoration is a fitting tribute to the men who gave their lives in that battle, particularly Colonel Lewis who led the initial charge.

Fort Lewis occupies land which was part of the original Lewis land grant of 1742. The land grant represented the beginning of the western area of the State of Virginia. The manor house was built in 1762, and following Colonel Lewis' death, his family remained there. The property had several different owners until the Cowden family of Dayton, OH, purchased the estate in 1958. Surprisingly, the land and buildings have never been changed. It is said that if Colonel Lewis were alive today, he could return to his home and find the land and buildings exactly as they were in 1774.

The Cowdens announced their plans to renovate the manor house in 1978, and their work was finally completed earlier this year. Mr. and Mrs. Cowden and their children now live in the home, much of which has been restored with items from the original dwelling. Now that the manor house is finished, the Cowdens have begun work to renovate the old grist mill on the property.

Again, I would like to commend the Cowdens for their efforts in restoring Fort Lewis, an important historical site in the Sixth District.●

AN IMPORTANT ROWING WIN FOR THE UNITED STATES

HON. OLYMPIA J. SNOWE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Ms. SNOWE. Mr. Speaker, we in Maine are proud of the U.S. team which won an Olympia gold medal Saturday in the women's eight-oar race, because in the No. 2 seat was Harriet Metcalf of Arrowsic.

That team, described as the fastest and toughest the United States had ever boated, won the first U.S. gold medal in any women's rowing event since female Olympia rowing competition began in 1976 and it was the first rowing gold medal for any American in two decades.

Harriet began participating in rowing while a sophomore at Mount Holyoke College in Massachusetts and has been on the U.S. national team for 3 years.

In Saturday's competition, the pressure was on the U.S. team to stop a

six-race sweep by the Romanians in other women's finals.

We are very proud of the members of this team and the honor they have brought to their country. One senses a heightened national pride as the result of hosting the 23d Olympiad, in which our teams have made such a spectacular showing.●

A TRIBUTE TO CAPT. JACK GUEST, COMMANDING OFFI- CER OF THE COAST GUARD MARINE SAFETY OFFICE

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. ANDERSON. Mr. Speaker, on August 16, 1984, a luncheon will be held at the Reef Restaurant in Long Beach, CA, to honor Capt. Jack Guest, commanding officer of the Coast Guard Marine Safety Office, who will be retiring after many years of service.

Captain Guest, the son of a career Navy man, was born in San Pedro, CA, in 1926. He lived in many different locations until he graduated from Cour d' Alene High School, Cour d' Alene, ID, in 1944. At that time he joined the U.S. merchant marine, as an ordinary seaman. Jack obtained his third mate's license in 1948, and received his master's license in 1954. He also holds master licenses issued by the Republics of Panama and Liberia.

In 1957, Jack joined the U.S. Coast Guard as a lieutenant (jg.), under the direct commission program, and was ordered to duty on board the USCGC *Ponchartrain* at Long Beach. He was subsequently active in the merchant vessel and port safety programs at San Francisco, Ketchikan, San Diego, Washington, DC, and Seattle, before assignment to his current duties as captain of the port, and officer in charge at Los Angeles/Long Beach. He has also been stationed on board the Coast Guard cutters *Minnetonka*, at Long Beach and *Klamath*, at Seattle.

Captain Guest is an active member of the Elks Club, the Propeller Club, the Port Engineers, the Bilge Club, the Council of American Master Mariners, and a Seattle maritime men's club, "The Meridies."

Captain Guest is married to the former Gloria J. Young, of Wellington, NY. They have one son, Trevor. It is also good to know that Captain Guest plans to remain in the Long Beach area following his retirement. I join with my wife, Lee, in wishing Jack Guest, his wife Gloria and son Trevor, all the best in years to come. His many contributions to the Ports of Los Angeles/Long Beach will not be forgotten.●

RULE NOTICE FOR H.R. 4277

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. DINGELL. Mr. Speaker, I take this opportunity to advise the House of the intention of the Committee on Energy and Commerce to seek from the Committee on Rules a modified open rule providing for the consideration of H.R. 4277, the National Gas Market Policy Act of 1984.●

MOUNTAINEERS STRIKE GOLD

HON. NICK JOE RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. RAHALL. Mr. Speaker, all Americans are filled with a special sense of pride, as we witness each evening the ultimate thrill of victory for athletes from the United States, the winning of an Olympic gold medal.

However, West Virginians are doubly proud, for each of the two Mountaineers participating in the Los Angeles games have won gold medals.

Ed Etzel, who is the rifle team coach of West Virginia University scored an incredible 599 out of 600 in the small-bore rifle competition to capture the gold medal.

Ed, a resident of Morgantown, started shooting at the age of 10, but only recently broke into the international scene. He has won two national championships and tied a world record in his event by shooting a perfect 600 during the Olympic trials.

In addition, Ed Etzel has led his team at West Virginia University to two consecutive NCAA championships.

The other gold medalist from my State, hails from Fairmont, and her impact on the sport of gymnastics will be felt for many years to come. I am, referring, of course, to 16-year-old Mary Lou Retton.

Early last week, Mary Lou was part of the American Women's silver medal winning team all-around effort. But last weekend, she alone stole the hearts of everyone when she scored a perfect 10 in the vault and a perfect 10 in the floor exercises.

As she noted in newspapers all over the world these past few days: "In the evolution of gymnastics as one of the Olympics' most popular sports, Mary Lou Retton has succeeded with a different style than previous champions—now everybody will be looking for another like her. But there will never be another quite like her. Mary Lou will always be an American original."

So Mr. Speaker, I offer my heartfelt congratulations to two fine Americans,

and two great Mountaineers. Way to go for the gold, Ed and Mary Lou. You done West, by gold, Virginia well.●

MAYOR JOE WAGER

HON. HAL DAUB

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. DAUB. Mr. Speaker, the time has long passed since serving as mayor of one of America's smaller cities required only a good smile and a strong handshake. The demands and challenges of local government today require professionalism, leadership and the ability to solve a host of long-term and short-term problems within the parameters of a tight budget.

For the past 15 years, the city of Ralston, NE, has been served by a mayor with a good smile and a strong handshake, but Mayor Joe Wager has also demonstrated that he is an astute problem-solver, an energetic leader, and a dedicated professional.

Including his 6 years as a city councilman, Joe Wager has served the city of Ralston for over two decades—two decades that have witnessed incredible growth in Ralston and incredible changes in city government. Joe has met the challenge on every occasion, and the citizens of Ralston have endorsed his accomplishments by returning him to office so often that he is known in our area as the "Dean of Mayors."

Joe has not limited himself to the demands of the mayor's office. He has also served as president of the Metropolitan Area Planning Agency's Council of Elected Officials and as chairman of its Goals Process Committee. He has also served on its board of directors and its Policy Review Committee.

Joe's other public service includes membership on the Regional Economic Development Advisory Committee, the Papillion Water-Coordination Committee, the Omaha/Douglas County Criminal Justice Commission and the chairmanship of the Air Quality Technical Committee.

Along with his extraordinary wife, Charlotte, and their two children, David and Sheila, and their seven grandchildren, the Wager's are Ralston's first family, and though Joe has announced his forthcoming retirement, his record of achievement stands as a lasting tribute to his years of public service to our region.

It is indeed a privilege to call to the attention of my colleagues the outstanding career of this impressive public servant and fine gentleman.●

EXTENSIONS OF REMARKS

HONORING RUSS SNYDER

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. MURTHA. Mr. Speaker, the history of our great Nation is many times written less by the acts of the Government, than by the individual acts of the American people.

Our national character, integrity, compassion, and commitment comes from the individual acts of millions of Americans who take time to help others and contribute to their communities by improving the lives of others.

I wish to take a moment to recognize a friend of mine who has fulfilled that description—Mr. Russ Snyder of Jeanette.

I recently completed working with Russ on the first Westmoreland/Fayette Council "Manpower for Boy-power" dinner to aid the area Boy Scouts.

Such hard work for the Boy Scouts is not new to Russ. He was an Eagle Scout himself and an Assistant Scoutmaster and Assistant Explorer Advisor. He entered the professional service of the Boy Scouts with the Philadelphia Council in 1952 serving in various capacities. In 1969 he became executive director of the Westmoreland/Fayette Council.

This past August 4, Russ announced his retirement from the council because of a disability. But I know Russ will never stop caring for his fellow citizens and working to improve their lives as he has through Scouting.

It has been a pleasure for me to work with Russ on Scouting, and I look forward to continuing my association with him to help our area, and it is my pleasure to honor him today for the work he has done so well.●

HONORING BEL AIR, MD

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. LONG of Maryland. Mr. Speaker, it is a great honor for me today to announce that the town of Bel Air, MD, in my district, has been awarded the U.S. Department of Housing and Urban Development's National Merit Certificate. This certificate of merit is only given to a very select number of local governments throughout the country that have created public and private partnerships in order to stimulate investment, revitalization, and development in their community—achieving results far beyond what Federal dollars alone could accomplish.

Through HUD's Community Development Block Grant Program, Bel Air

was able to initiate a cleanup and revitalization program for Alice Anne Street, a deteriorated, low-income residential neighborhood adjacent to the downtown shopping area. As in any community effort, a number of obstacles had to be overcome. However, with the active participation and enthusiasm of local residents, the Alice Anne Street neighborhood revitalization project was able to restore vitality to the area, establishing 12 new housing units, rehabilitating eight houses, improving sidewalks and curbs, and creating a small park. The individual and collective efforts for beautifying Bel Air will always be remembered by the residents of this town as they live, work, and shop along Alice Anne Street.

I take great pride in acknowledging the endeavors of the residents of Bel Air and the spirit of cooperation that guided this project. The Alice Anne Street neighborhood revitalization project is a shining example of government and private sector working together to improve the quality of life in a community—other communities should follow their lead.●

WALTER FLOWERS: HE LOVED THE NATION HE SERVED

HON. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. COUGHLIN. Mr. Speaker, I want to take this opportunity to share with the House a perceptive and heartfelt article written by a former colleague, Otis Pike, about our late beloved colleague Walter Flowers. It says something both about Walter Flowers and about the Congress that is important and expressed with an eloquence only Otis Pike could summon.

The article follows:

WALTER FLOWERS: HE LOVED THE NATION HE SERVED

(By Otis Pike)

WASHINGTON.—On April 12 in McLean, Va., a good friend died while he was playing tennis with his son. He reached down to pick up a ball and never came up. People who are supposed to know about such things say he never felt a thing.

Outside the state of Alabama, Walter Flowers was not a well-known name. He was elected to Congress easily in 1968, running as a Democrat in a Democratic district in a year when his governor, George Wallace, was running for president. Wallace was on the American Independent Party line in most states, but had the Democratic line in Alabama. Against five opponents, Flowers got 56 percent of the vote.

So here was this red-neck Dixiecrat reaction joining the 91st Congress right?

Wrong.

One of the first things bright Yankees learn when they get to Congress is that Congress is absolutely full of bright South-

erners. Dumb Yankees never learn, and they pay.

Walter Flowers had been Phi Beta Kappa. He had studied international law at the University of London. He had been president of the student government at the University of Alabama. He was a skilled and successful attorney.

He brought all that to Washington, and no one who knew him had any doubt about where he would come down when confronted with a tough issue.

He faced a tough issue in 1974 as a member of the House Judiciary Committee. There was an impeachment proceeding against a president who was very popular back home. Richard Nixon had carried Flowers' district by better than 3 to 1 in 1972. The president called Governor Wallace to intercede with Walter Flowers. Wallace declined. The president has said that's when he knew he was through. Wallace has said he didn't think a call would have changed Flowers' mind.

When anyone prominent dies, newspapers get out the clippings from what they morbidly call "the morgue" and write obituaries. Since most of the clippings in this case pertained to impeachment, that's what the obituaries were about. But that doesn't begin to tell you what Walter Flowers was about.

When a former member of Congress dies, someone usually says something nice about him on the floor. Rep. Lawrence Coughlin, R-Pa., organized a tribute for Flowers. That told you something. It may have happened before that a Republican organized a tribute for a Democrat, but I didn't recall it. Coughlin knew Flowers well, however, and is the sort of congressman who doesn't let politics get in his way when something ought to be done.

On May 2, 30 congressmen took the time to honor Walter Flowers, who had been out of there for six years. The ones who knew him best and loved him most didn't talk much about Watergate and impeachment. They talked about what a gentleman he was, what a leader, what a friend, and of the laughter and joy and style he carried with him.

They laughed at some of his more successful and outrageous publicity ploys (all politicians are hams). They talked about him in the gym, and of what a competitor this studious intellectual was.

Flowers had one bad campaign, in 1978. It was a Democratic primary for the Senate. It got mean and dirty. There were allegations that Walter had a loving relationship with a lady in Washington who was not his wife, which was completely true. There were charges that he had been in Washington so long that he had forgotten Alabama, which was completely false. He breathed Alabama.

He lost that election by a wide margin, and it hurt. He was deeply in debt from the campaign and his marriage was fatally wounded. If you live life hard, you get hurt sometimes, and he insisted in living every day of his life. He picked himself up and lived some more.

He got a fine job and was held up as an example of how much more money congressmen could make in the private sector. Some could. He paid off all his debts. He and his wife were divorced and he married the lovely lady in Washington.

Way back in the mid-50s, when Flowers was head of the student government, the University of Alabama was ordered by the courts to integrate. A very large and very loud contingent yelled, "Never." A crowd of

more than a thousand marched from the campus to Flagpole Corner downtown. One observer described the gathering as "white-collar Ku Klux Klan."

Flowers climbed up on the flagpole's pedestal and made an impassioned speech. He spoke of the necessity of obeying the law of the land. They booed him and hissed him. He begged them not to embarrass their university or their state. They heard him, and thinned out.

Flowers never became really famous. He was one in a long line of strong, brave, decent and hard-working human beings, complete with love and laughter and strengths and weaknesses, who come from Alabama and all over this broad land and keep the nation going when famous people disgrace it.●

THE GOUGEON BROS. WEST SYSTEM SUCCESS STORY

HON. BOB TRAXLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. TRAXLER. Mr. Speaker, I rise before this House in tribute to an innovative and growing firm in my district. Many of my colleagues have noticed the large wood-composite blade structure now displayed in front of the U.S. Department of Energy building here in Washington. The blades are used to generate electricity and were developed and manufactured by Gougeon Bros., Inc., located in my hometown of Bay City, MI.

The wood-composite blades on display at the Department of Energy were used in Hawaii and generated an impressive 850,000 kilowatt-hours of electricity. Three other Gougeon Bros. blade systems were used in Puerto Rico, New Mexico, and Rhode Island. Together the four-blade systems generated 3.6 million kilowatt-hours of energy. Although these blade systems were developed as part of a joint NASA/Department of Energy project, Gougeon Bros. also manufactures smaller blade systems for use in the private sector, including "wind farms" in California.

The blades are 60 feet long and are composed of a wood/epoxy composite exclusively developed by Gougeon Bros. The epoxy is produced by the company under the trademark West System. Gougeon Bros. West System wood-composite work is noted for its light weight and great strength, most particularly as the material for the hulls of pleasure craft, as well as other applications.

Gougeon Bros. was established in the early 1970's and has grown from 4 employees in 1974 to 93 today, with more new jobs planned in the coming year. Considering Michigan's high unemployment rate, Gougeon Bros. deserves to be commended for its contribution to the community in creating new jobs.

Michigan brings to mind the automotive industry, but it is often not realized that our State is a leader in the development of new technologies. Gougeon Bros., Inc., is a leader in both Michigan and the Nation in field of wood composite and alternative energy technologies. I want to take this opportunity to commend their innovative work and wish them every success in the future.●

CELEBRATING THE 150TH ANNIVERSARY OF THE ALLEN CHURCH IN SOUTH JAMAICA, NY

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. ADDABBO. Mr. Speaker, I would like to call to the attention of my colleagues, a remarkable church in South Jamaica, Queens, that this year is celebrating its 150th anniversary.

The Allen A.M.E. Church is a house of worship that has become very much the center of our Queens community. Historically, the black church has played an important role in the black community, and under the dynamic leadership of Rev. Floyd Flake, the Allen Church continues to assume this role.

During a period of high unemployment and rising interest rates, the Allen congregation created a modern day miracle by raising through their tithes, offerings, and fundraising activities more than \$1 million to build a \$3,800,000 school for prekindergarten through the eight grades. This money has also been used for a multipurpose educational center for various community functions.

The charismatic Reverend Flake has not only worked with church and community members to build this structure but he has also been the catalyst for expanding the membership of the church. Under Reverend Flake's leadership the members has grown from 1,400 to 3,000 parishioners. He has also been responsible for the formation of the Allen Bible Institute which provides the community with an opportunity to study the Scriptures in depth.

Reverend Flake and the Allen Church has extended itself far beyond its membership. On Thanksgiving eve, the church's outreach program provided 5,400 dinners to needy residents. In addition, the formation of the Allen Housing Corp. whose goal is to revitalize abandoned homes in Jamaica, has recently purchased 10 stores enabling us to ensure stability in our community as well as afford respectable establishments the opportunity to set up shop. The Allen Neighborhood Preservation and Development Agency also purchases and rehabilitates homes to

offer our community residents affordable living space.

Other activities run by the church include a jobs referral service and free transportation for senior citizens to shopping malls, grocery stores, restaurants and banks.

Mr. Speaker, on this occasion of celebrating the 150th anniversary of the Allen Church, I take particular pride in congratulating Reverend Flake and his parishioners as they are a dedicated and constructive force in the Jamaica community. I have enjoyed working with them in the past and look forward to this continued relationship in the future.●

WOMEN'S EQUALITY DAY

HON. HAL DAUB

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. DAUB. Mr. Speaker, later this month, on August 26, the Nation will recognize Women's Equality Day. Great advances have been made by the women of America toward full equality, yet inequality does continue in a number of significant areas.

In 1984, 54 percent of women are working outside the home; that contrasts with 39 percent in 1965. In numerical terms, the number of women in the work force has almost doubled since 1965—increasing from 26 million then to 50 million today.

Increasingly, women are going into business for themselves. The number of women starting their own businesses increased by 10 percent between 1982 and 1984 compared to 1 percent for men. In the last decade, the percentage of women lawyers has tripled and the percentage of women engineers has quadrupled. In 1973, 18 percent of managers and administrators were women; today that figure is 32 percent.

However, the wage gap persists despite the fact that women have made impressive gains in fields dominated by men. Women average only 62 cents for every dollar men make, and over a third of families headed by women fall below the poverty line.

In the political field, women have made extraordinary advances—tripling their numbers in the Nation's State legislatures since 1969 and serving as mayors of some of the Nation's largest cities. Women hold the governorship or lieutenant governorship in four States and in recent years have broken the barriers in space, on the Supreme Court and on the Presidential ticket of a major party. Two women serve in the U.S. Senate and three in the President's Cabinet.

Special note should also be taken of the great successes chalked up by America's women athletes during the

1984 Olympics—victories that can be traced to the equality in sports mandated by title IX.

Thus, while there is progress yet to be made and barriers yet to be broken, the incredible advances made by American women in the last decade are a matter of record and have opened up a whole new world of opportunities and challenges for our daughters and granddaughters.●

GOVERNMENT EMPLOYEES HOUSING IN PANAMA

HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Ms. OAKAR. Mr. Speaker, today I am introducing legislation which will amend the Panama Canal Act of 1979.

The purpose of the legislation is to amend section 1217(d) of the Panama Canal Act of 1979, which implemented the Panama Canal Treaty of 1977. This section of the act precludes payment of any overseas differentials and allowances to an employee whose permanent duty station is in the Republic of Panama and who is employed by an executive agency of the U.S. Government.

Mr. Speaker, pursuant to the Panama Canal Treaty of 1977, a number of functions and associated personnel were transferred from the Panama Canal Company and Canal Zone Government to the Department of Defense. These transfer-of-function employees, principally school teachers and medical personnel, were permitted to remain in, and continue to rent Panamanian-owned housing under the control of the Panama Canal. That right, however, was limited by an Executive agreement between our Government and the Republic of Panama to a 5-year period ending October 1, 1984.

Mr. Speaker, with the October deadline fast approaching, I have been informed by the Department of Defense that insufficient housing is available for the new transfer-of-function employees and others who may be eligible for housing support. My amendment would remedy this problem by authorizing housing allowances for these employees so that they may obtain suitable housing.

Mr. Speaker, the new allowance will be composed of the employee's annual expenses for rent and utilities reduced by the amount of rent the employee would be obligated to pay if he or she occupied U.S. Government owned or leased quarters, not to exceed the maximum amount authorized by Department of State regulations. I believe that this reduction is necessary to ensure equity between employees living in U.S. Government owned or

leased housing who pay rent and utilities at the fair market value and those who will receive assistance in meeting local housing costs.

Mr. Speaker, as you may know, suitable housing in Panama is extremely expensive and beyond the means of many Department of Defense employees. Without the ability of the Department of Defense to provide adequate housing support to this group of employees, I am sure that significant loss of personnel would result and recruitment of replacements would be next to impossible.

Finally, Mr. Speaker, I believe it is very significant that this legislation has bipartisan support and, moreover, is fair, equitable, and economical. A total annual outlay of only \$5 million will permit our Defense Department employees to secure appropriate housing in the Panamanian economy.

Mr. Speaker, I urge all my colleagues to support this very important legislation.●

FOREIGN SALES CORPORATIONS

HON. RON de LUGO

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. DE LUGO. Mr. Speaker, I join my colleague, the Honorable PETE STARK, chairman of the Subcommittee on Select Revenue Measures of the Ways and Means Committee, in sponsoring an amendment to the Foreign Sales Corporation [FSC] legislation directing the industries seeking FSC tax benefits to locate in U.S. possessions which are outside of the country's customs territory. The proposal would guarantee that the possessions reap the economic benefits which would flow from the presence of these export companies.

The proposal is consistent with Congress' express interest in the economic health of the territories. The trade and tax incentives which the territories offer industry have had a limited success in building these offshore economies. Requiring the exporters to locate in the territories will, apart from the benefits of their FSC presence, focus industry attention on the territories. This would give the territories the boost that they need to cultivate in the industrial market.

The legislation introduced today could do more for the economies of the U.S. territories than any other single piece of legislation. I would like to thank my good friend PETE STARK for his interest in assuring that, if the General Agreement on Tariffs and Trade requires U.S. exporters to locate outside of our customs territory in order to gain an export subsidy, the benefit of their corporate presence will accrue to U.S. citizens.●

IMPASSE IN POSTAL SERVICE
NEGOTIATIONS

HON. RONALD D. COLEMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. COLEMAN of Texas. Mr. Speaker, on July 20, 1984, an impasse was reached in the negotiations over the terms of successor agreements to the national contract between the U.S. Postal Service and the four major postal unions—the American Postal Workers Union, the National Association of Letter Carriers, the National Rural Letter Carriers Association, and the National Post Office Mail Handlers. I am concerned that in light of this impasse, the U.S. Postal Service has gone forward in implementing a major bargaining matter—a 23 percent pay cut and reduction in benefits for newly hired workers. At the same time, the Postal Service is operating in the black and giving out bonuses to its management.

This action is clearly divisive and serves only to heighten tensions and lower morale. It violates the spirit of the Postal Reorganization Act of 1970, which does not permit a strike but instead envisions good faith bargaining as equal partners under the provisions of the old contract until a new contract is agreed upon by arbitration.

I urge the U.S. Postal Service and its Board of Governors to operate within the intent of the Postal Reorganization Act and both sides to reach a workable agreement.●

IN HONOR OF KOVR-TV

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. MATSUI. Mr. Speaker, I wish to extend my deepest congratulations to KOVR-TV (channel 13), now celebrating its 30th anniversary of outstanding and dedicated television service to the communities of Sacramento and Stockton, CA.

KOVR-TV has progressed steadily from a small independent station that had no network affiliation to its present position as one of the three major network affiliates in the 20th largest media market in the country.

In its 30 years, the station has operated under several owners, including the Gannett Co. of Rochester, NY, and McClatchy Newspapers. In May 1980, the station was sold to the Outlet Co. of Providence, RI, now known as Outlet Communications, Inc., a subsidiary of the Rockefeller Group. The sale is worthy of notice, Mr. Speaker, because for the first time in the history of television broadcast-

EXTENSIONS OF REMARKS

ing, the ownership responsibilities fell to two different groups—the Outlet Co. in their role as majority owners and also to a group of minority investors whose participation in the station's management represents a healthy sign of American entrepreneurship.

Mr. Speaker, KOVR-TV continues to show excellent judgment and good sense and taste in their news and entertainment programming. On behalf of the community of Sacramento and its citizens, I extend my thanks and congratulations for a job well done and my best wishes for many more years of successful programming.●

QUILTERS

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mrs. SCHROEDER. Mr. Speaker, I would like to alert my colleagues to an important piece of Americana.

First performed at the Denver Center for the Performing Arts, "Quilters" has now come to the Kennedy Center Terrace Theater.

This musical play is a moving tribute to the agony and the joy of frontier life in America. With captivating candor and sensitivity, the remarkable women of "Quilters" tell a universal story. It is an exquisite dramatic patchwork of our own heritage. We see ourselves and our own intimate history in each special block of the quilt.

Near the end of the play, the character Sarah quotes from Proverbs: "Give her the fruit of her hands and let her own works praise her in the gates." I urge my colleagues to attend this performance of "Quilters". It is a play well worth praising.●

THE SITUATION IN POLAND

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. LIPINSKI. Mr. Speaker, the plight of political prisoners in Poland remains an important concern of mine. I have strongly urged the declaration of amnesty for political prisoners in that embattled country, and the present regime appears to have responded in a favorable manner.

Since there appears to be some positive signal being sent by the Polish Government, I believe it is incumbent upon us to respond in kind to their actions. One step taken, with which I agree, is to approve Poland's entry into the International Monetary Fund [IMF]. Their economic health remains poor and the suffering is placed dis-

August 8, 1984

proportionately upon its people. By allowing the Polish economy a chance for growth and improvement, this could precipitate further granting of more liberal treatment of its people. It is important to remember that other Communist nations are members of the IMF, and this should not serve as an obstacle to admitting Poland.

Additional sanctions, which have been in place since 1981, could also be removed, further showing their efforts are not unnoticed. Easing the curbs on scientific cooperation and regranting landing privileges to their national airline are positive steps.

If we see continued progress by the Polish Government toward improving human rights and freedoms—particularly, restoration of solidarity as an independent labor movement—then additional curbs could be lifted.

It is certain that the situation in Poland will be closely monitored and further progress must be made before any additional concessions will be made. I remain optimistic the freedom loving citizens of Poland will continue with their unbreakable spirit and convince the current regime of the error in their repressive form of government.●

A TRIBUTE TO GEORGE
FRANCHOCK

HON. WILLIAM F. CLINGER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. CLINGER. Mr. Speaker, today I rise in admiration and respect in calling to the attention of my colleagues the outstanding volunteer efforts put forth by a citizen of Pennsylvania's 23d Congressional District. The untiring energy and dedicated sense of purpose which George Franchock of Glen Hope has exhibited should not go unrecognized.

Over the past 8 years, Mr. Franchock has donated over 10,000 hours of his time and energy toward improving the quality of life in Glen Hope, by working in their senior citizens center, park, fire hall, and borough building. George is a very civic minded volunteer who has donated considerable time and money to such noteworthy projects as organizing a volunteer fire company, of which he is a chief, the building of the Glen Hope Fire Hall, construction of Caldwell Memorial Park, and renovation of the Glen Hope United Methodist Church. He has also served as a member of the Moshannon Valley School Board for the past 12 years.

For his outstanding personal commitment, untiring efforts, and immeasurable contribution to the quality and way of life for the people of the Glen Hope area, I salute this distinguished

community leader and great American. ●

SUPPORT THE FREEZE

HON. EDWARD F. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. FEIGHAN. Mr. Speaker, Americans have always been known for their common sense. That common sense is convincing more and more of us that the best way to stop the nuclear arms race is to simply stop building new, nuclear weapons. Millions of our citizens at town meetings and on state ballots throughout the country have decided to fight the threat of nuclear war by voting to enact nuclear freeze resolutions.

This House followed their lead last year when it passed the nuclear freeze resolution. Now it is time to take the next step.

That is why I am an original cosponsor of the Comprehensive Nuclear Weapons Freeze and Arms Reduction Act of 1984. This bill would establish a mutual and verifiable moratorium between the United States and the Soviet Union on the testing, production, and deployment of all nuclear weapons. Strict verification procedures are provided for in the legislation, and the moratorium would be conditioned on strict Soviet reciprocity. We would freeze only if the Soviets followed suit. Congressional oversight is guaranteed throughout the process.

I commend this legislation to all of my colleagues as a valuable alternative to the Reagan Administration's Orwellian proposal to build down our nuclear arsenal before proceeding to a freeze and real arms reductions. Under build-down, we would retire two nuclear warheads for every new one put into service. It sounds attractive, but I oppose build down for several very simple reasons: It won't stop the MX or the Soviet SS-19; it won't stop Pershing II or the SS-20; it won't stop the B-1 or the Backfire; it won't stop the testing, production, and deployment of the D-5 missile, "Star Wars," or any new Soviet or American nuclear weapons programs.

Two-for-one build-down is no bargain. History shows how it works: When gunpowder was first invented, shrewd war planners would trade in 10 crossbows for a rifle; later on 100 rifles could be thrown away for every machine gun put into service; and Hiroshima showed that the atomic bomb has made entire divisions obsolete.

But the world has changed since 1945. Today, launching a nuclear weapon means suicide, not victory. The military sense that tells you to trade in two old weapons to make way

for a more sophisticated substitute is not common sense in the nuclear age. The logic of build-down refuses to acknowledge this simple truth. Build-down does nothing to stop the rush for killer technology that fuels the arms race, and it would pave the way for a new generation of faster, more powerful and more accurate weapons.

Of course, we all want to reduce our nuclear arsenals, not simply freeze them. But a freeze agreement now offers the best hope for reductions later. It is more negotiable and easier to verify than build-down. The freeze runs the arms race into a dead end; build-down offers only a detour on the expensive road to a world where weapons are poised to destroy all we know on a moments notice.

I urge all of my colleagues to cosponsor the Comprehensive Nuclear Weapons Freeze and Arms Reduction Act of 1984. ●

U.S. FOOD ASSISTANCE AND AGRICULTURAL DEVELOPMENT

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. HAMILTON. Mr. Speaker, I would like to bring to the attention of my colleagues an article which appeared in the Wall Street Journal July 10, 1984, by James Bovard entitled "Free Food Bankrupts Foreign Farmers" and three responses to that article. Letters written by the Executive Director of CARE and a State Department official appeared in the July 27 Wall Street Journal. A letter by a representative of the Agency for International Development remains unpublished.

This statement by Mr. Bovard raises serious charges about the effectiveness and utility of what has been regarded as an important instrument of American foreign policy. I felt these charges should be answered directly by the United States.

The Wall Street Journal article and the three replies to it follow:

JULY 10, 1984.

HON. M. PETER MCPHERSON,
Administrator, Agency for International Development, Washington, DC.

DEAR PETER: I attach for the comments and response of your Agency the attached article which appeared in the July 2, 1984 Wall Street Journal entitled "Free Food Bankrupts Foreign Farmers."

This article makes several damaging statements about the P.L. 480 programs and U.S. food assistance policies and raises serious questions about the effectiveness and utility of what has been regarded as a major foreign policy instrument of the United States. I believe a prompt and detailed answer to the charges in this article by AID is necessary.

I appreciate your consideration of this matter.

With best regards,

Sincerely yours,

LEE H. HAMILTON,
Chairman, Subcommittee on Europe
and the Middle East.

[From the Wall Street Journal, July 2, 1984]

FREE FOOD BANKRUPTS FOREIGN FARMERS

(By James Bovard)

Food for Peace is probably our most harmful foreign aid program. Each year the federal government dumps more than \$1 billion of surplus commodities onto Third World countries. This food occasionally feeds people who otherwise would go hungry, but the usual effect is to undercut poor farmers and disrupt local agricultural markets.

Food for Peace has always been a bit of a mongrel program, serving whatever purpose politicians choose at that moment. Until 1980, it gave surplus tobacco to poor countries! The program currently helps avert starvation by giving away Agriculture Department surplus cotton. Food for Peace (also known as PL 480) is jointly administered by the USDA and the Agency for International Development, and the two often quarrel.

Food for Peace originally was designed in 1954 to help the Eisenhower administration get rid of embarrassingly large farm surpluses. The original law included a cargo preference provision requiring half of all PL 480 food to be shipped in American-flag ships. This provision supposedly helps ensure a healthy merchant marine for national defense emergencies. But a 1983 Senate Agriculture Committee report concluded: "Rather than encouraging the development of improved U.S. vessels, the program encourages the continued use of semi-obsolete and even unsafe vessels which are of little use for commercial or defense purposes." Due to inflated U.S. shipping costs, cargo preference adds more than \$50 million to the program's cost.

MISCONCEPTIONS ABOUT AID

Many Americans have the impression that most U.S. food relief goes to areas hit by foreign disasters or emergencies. Actually, only 14% of PL 480 food went to such areas last year, and even that aid is often counterproductive, disrupting local economies and discouraging governments from reforming destructive agricultural policies. The usual routine for other PL 480 programs, as one congressional staffer described it, is for an AID person to come into a country, find an excuse for a project and then continue it for 15 years, regardless of need or results. Many such programs have fed the same people for more than a decade, thereby permanently decreasing the demand for locally produced food and creating an entrenched welfare class.

In the 1950s and 1960s, massive U.S. wheat dumping in India disrupted the country's agricultural market and bankrupted thousands of Indian farmers. George Dunlop, chief of staff of the Senate Agriculture Committee, speculated that food aid may have been responsible for millions of Indians starving. Mr. Dunlop and Reagan administration officials insist that the program no longer puts farmers in recipient countries out of business, but the evidence does not flatter their contention.

PL 480 is still often run with the goal of giving away the most food in the shortest time. The Kansas City Times reported that

in 1982 the Peruvian agriculture minister pleaded with USDA not to send his country any more rice, fearing that it would glut the local market and drive down prices for struggling farmers. But the U.S. rice lobby turned up the heat on USDA, and the Peruvian government was told that it could either have the rice or no food at all.

The same type of policy fiascos occur in sub-Saharan Africa, which received 14% of PL 480 donations in 1983. Most African governments force farmers to sell their crops to the government at a third to a half of their market value. Per-capita food production in Africa has decreased 20% since 1960, and PL 480 donations have helped governments perpetuate the destructive status quo. The easier it is for governments to get welfare, the less incentive they have to reform their own policies.

Haiti is another country wounded by U.S. free food. A development consultant told the House Subcommittee on Foreign Operations a few years ago, "Farmers in Haiti are known to not even bring their crops to market the week that [PL 480 food] is distributed since they are unable to get a fair price while whole bags of U.S. food are being sold." Where there is a sharp increase in the supply of food, prices will inevitably fall and local farmers will be hurt.

PL 480 also is often ineffective in international disasters when a speedy response is essential. People have starved while bureaucrats haggled and decrepit boats puttered across the ocean.

In 1976 an earthquake hit Guatemala, killing 23,000 people and leaving over a million homeless. But just prior to the disaster, the country had harvested one of the largest wheat crops on record, and food was plentiful. Yet the U.S. dumped 27,000 metric tons of wheat on the country. The U.S. "gift" knocked the bottom out of the local grain markets and made it harder for villages to recover. The Guatemalan government finally had to forbid the importation of any more basic grains.

PL 480 aid is divided under three titles. Title I sells food to countries at concessional prices, roughly 65% lower than market price. Title II donates food to be used for local development projects and for malnourished groups. Title III donates food but only on condition that countries are making an effort to improve their development policies. Very few countries have applied for Title III conditional aid, as they know they will get free or cheap food regardless of what policies they follow.

Roughly a quarter of Title II donations go for the Food for Work (FFW) program. FFW recipients receive food in return for working on labor intensive projects. These projects are supposed to be designed to increase agricultural productivity.

But workers often labor to improve the private property of government officials or of large landowners. An AFD analysis of FFW in Bangladesh, which has the largest number of FFW projects, concluded that FFW "results in increased inequity" and "strengthens the exploitive semi-feudal system which now controls most aspects of the village life. . . ." Workers were underpaid, and the government of Bangladesh used U.S. wheat for other purposes and paid laborers with poor quality, infested wheat. A 1975 Food and Agriculture Organization report concluded that FFW projects in Haiti "have extremely deleterious effects on the peasant communities and cause great erosion of the reservoir of mutual service relationships of the traditional peasantry."

In many areas, rural residents neglect their own farms to collect generous amounts of food for doing little or no work on government-supervised projects. FFW has, like food stamps in the U.S. contributed to a shortage of agricultural labor at harvest time.

Much of the donated food is targeted for school food or health programs for mothers and their children. AID claims that this prevents displacement of local production and reduces malnutrition. But an AID audit of targeted assistance in India, which has the largest program, concluded, "The maternal/child health program has not improved nutrition and the school feeding program has had no impact on increasing school enrollment or reducing the drop-out rate. . . ." Another AID audit concluded that "program methodology in Kenya (and elsewhere in Africa) creates an unlimited demand for food. . . ." The long-term feeding programs in the same areas for 10 years or more have great potential for food production and family planning disincentives. . . . In other countries, such as Haiti, the local AID office has never even attempted to determine the impact of PL 480 food on recipients' nutritional status.

If the USDA really believes that giving food to the poor has no effect on local farmers, then presumably Agriculture Secretary John Block would not object if the European Economic Community sent over a billion pounds of surplus cheese to feed all the hungry Americans they hear about.

Recipient governments often sell PL 480 food and use the proceeds for various doubtful purposes, such as buying arms. Mauritius insisted on receiving only the highest quality rice—and then used the donated food for its hotel trade. In other cases, food aid is squandered because of government price controls. According to one former AID official, bread is so cheap in Egypt that American PL 480 wheat is baked into loaves and fed to donkeys.

When food aid does not undercut local farmers, it often replaces food that the recipient country would have purchased on international markets anyway. One analysis found that almost 90% of PL 480 donated to Brazil simply replaced grain that nation would have purchased from the U.S. and other grain exporters. The General Accounting Office reports that many countries have decreased their commercial purchases from the U.S. while continuing to receive PL 480 handouts.

OPPOSITION IS WIDESPREAD

Not only does PL 480 hurt Third World farmers, it also helps perpetuate floundering U.S. agricultural policies. USDA price supports have led to the government accumulating a huge wheat stockpile and billions of pounds of slowly rotting dairy products. PL 480 gives congressmen a respectable-looking vehicle for disposing of the evidence of our farm policy failures.

Opposition to food aid is widespread among even liberal activists—the same groups that often favor handouts on principle. The Canadian Council for International Cooperation recommends that "except in cases of emergencies, food aid be abolished." Laurence R. Simon of OxfamAmerica, a liberal self-help development agency, concludes: "We haven't seen convincing evidence that food aid can be effectively employed as a development resource." Tony Jackson, author of "Against the Grain" and a former AID consultant, believes that food aid almost never does more good than harm, except during disaster relief.

PL 480's main beneficiaries are American farmers and the U.S. merchant marine. PL 480 has bankrupted poor farmers, encouraged the welfare ethic in recipient countries and squandered billions of tax dollars. If this is our humanitarianism, God help the Third World if we ever decide to get rough with them.

AGENCY FOR
INTERNATIONAL DEVELOPMENT,
Washington, DC, July 31, 1984.

HON. LEE H. HAMILTON,
Chairman, Subcommittee on Europe and the Middle East, Committee on Foreign Affairs, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter of July 10, 1984, regarding the Wall Street Journal article, "Free Food Bankrupts Foreign Farmers."

On July 6, A.I.D.'s Assistant Administrator for Food for Peace and Voluntary Assistance, Julia Chang Bloch, sent a response to the editors of the Wall Street Journal. The response, which addresses the inaccuracies and errors in Mr. Bovard's article, has not yet been published in the Wall Street Journal. The editorial page staff has received her letter and has it under consideration.

A copy of that letter is enclosed. I have also included a copy of a response submitted by Dr. Philip Johnston, Executive Director of CARE, to the same article.

If I can be of further assistance, please let me know.

Sincerely,

M. PETER MCPHERSON.

JULY 6, 1984.

EDITORIAL PAGE EDITOR,
Wall Street Journal,
New York, NY.

DEAR SIR: The recent editorial page article by James Bovard failed to point out how the Food for Peace program has helped millions of poor people in developing countries.

Your readers deserve a fair and accurate account of the program.

Food for Peace—Public Law 480—celebrates its 30th anniversary July 10. Since its inception, while continuing to serve multiple objectives, the program has evolved, matured, and effectively addressed the concerns of Mr. Bovard. In these 30 years, the number of people dying of hunger on this planet has decreased, despite the dramatic increases in population. The United Nations reports lower infant mortality in virtually every country. The largest and poorest countries of Asia, which historically suffered recurrent famines, today enjoy relative food security. The Food for Peace program has played a major role in these developments.

From its start, the program has used U.S. agricultural abundance to help the overseas poor. As early as 1966, Congress deleted from Public Law 480, the Food for Peace legislation, any reference to U.S. surpluses, increasing the emphasis on using the program to combat hunger and malnutrition abroad.

In the 1970's and 1980's amendments to PL 480 further refined the development focus of the program, mandating (1) clearly defined self-help efforts in recipient countries and (2) careful attention to avoiding disincentive effects on the agricultural production of recipient countries.

In the 1980's in particular, the U.S. has taken the lead in using food aid to help developing countries undertake policy reforms and to integrate PL 480 into the overall de-

velopment strategies of the recipient countries. For example, Cape Verde, Upper Volta and Mauritania use food aid to eliminate inappropriate prices policies and other root causes of chronic food emergencies.

In Zambia, food aid has improved incentives to small farmers to increase food production, particularly corn. In Bangladesh, food aid supports an open market sales program which stabilizes prices and, at the same time, maintains a buffer stock to assure food security for this emergency prone country. India, despite Mr. Bovard's allegations, is now generally self-sufficient in food grains. Once the largest beneficiary of U.S. food aid, India produced 52 million tons of food grains in 1950; today total production is more than 133 million tons.

Increased emphasis also has been placed on assuring that food aid programs are well targeted, properly designed, and coordinated with U.S. development assistance and other donor resources. Already we are seeing the results of these efforts. Contrary to Mr. Bovard's assertions that Title II Food for Work programs benefit the elite, a comprehensive evaluation of Food for Work in India shows that 68 percent of the beneficiaries are small farmers. A recently completed study of Food for Work roads in Bangladesh documented that road construction has stimulated economic and social development throughout rural Bangladesh and provided employment to hundreds of thousands of landless laborers.

Additional evidence supports the positive impact of other Title II programs. A 1983 evaluation of the Haiti Seventh Day Adventist World Services Maternal Child Health program found significant impact on the nutritional status of severely malnourished children. Other evaluations in Sri Lanka, the Philippines, Morocco and Senegal demonstrate that food aid can effectively reduce malnutrition. A 1984 study of the School Feeding program in India suggests a positive causal relationship between school feeding and student enrollment, particularly for girls.

Food for Peace helps the people of the United States, as well as poor people throughout the developing world. It supports broad foreign policy objectives, creates new markets for U.S. agricultural products, and strengthens U.S. exports and our balance of trade. In short, Food for Peace is among the best examples of compatibility between American compassion and American productivity. Americans can be proud of the U.S. Food for Peace program.

Sincerely yours,

JULIA CHANG BLOCH,
Assistant Administrator, Bureau for
Food for Peace and Voluntary Assistance.

[From the Wall Street Journal, July 27,
1984]

LETTERS TO THE EDITOR—DOES FOOD FOR
PEACE STUNT GROWTH?

James Bovard's "Free Food Bankrupts Foreign Farmers" (editorial page, July 2) contains misconceptions regarding the Public Law 480 Food for Peace Program.

PL 480 does not, as Mr. Bovard asserts, "undercut poor farmers and disrupt local agricultural markets." When the program was initiated in 1954, recipients included Germany, France, Italy, Poland, Yugoslavia, Greece, Spain, and Norway. The program did not destroy their agricultural economies and the will to grow food. In fact, several of these countries now contribute food through the EEC for similar programs.

Also, a study by Dr. H. W. Singer of the University of Sussex found that in India—long the largest recipient of food aid—"theoretical analysis gives no proof that food aid, if properly handled, has serious disincentive effects on food production."

India illustrates the effectiveness of food for work programs. In 1976 CARE introduced FFW projects there. These mostly involved soil conservation, flood protection, irrigation and school construction. Initially 235,000 recipients in hundreds of projects consumed 71,000 tons of PL 480-wheat. This program continued through 1979 and in its peak year, 1977, had 1,180,000 recipients in food for work activities that resulted in the distribution of 297,000 tons of wheat. CARE was able to end its participation when two very successful crop years made it possible for the Government of India to take over the program with its own resources. CARE's food for work programs have now been made a regular part of the Sixth Five-Year Plan. It is expected to generate 300 million to 400 million mandays of work annually.

Mr. Bovard said that the U.S. Agency for International Development in Haiti "has never attempted to determine the impact of PL 480 food on recipients' nutritional status." Actually such a study is being conducted by Joel Cotton for AID and the first phase has been completed.

Contrary to Mr. Bovard's assertion, a study by Prof. Frederick Bates of the University of Georgia showed that there was, indeed, a food shortage associated with the earthquake in Guatemala in 1976. Also, instead of grain prices dropping at the time, as Mr. Bovard claimed, prices increased. The Bates study was far more comprehensive and rigorous than the impressionistic Jackson piece cited later in the article by Mr. Bovard.

Also, far from having food "dumped" on it, India today purchases food when needed in the international commercial market and is increasingly supplying its maternal/child health program and midday meal program from its own resources. The government is scheduled to take over this program completely within 10 years.

PHILIP JOHNSTON,
Executive Director, CARE.

NEW YORK.

Public Law 480 embodies humanitarian, development, export promotion, and foreign policy objectives. These objectives have been and are being met.

Under Title I, contrary to Mr. Bovard's understanding, the U.S. provides long-term (20-40 years) credit at concessional interest rates (2% to 4%) to facilitate purchases of U.S. agricultural output at market prices by friendly developing countries. The food is sold locally, with the proceeds used to fund economic development. Since Title I generates local (often non-convertible) currencies, it is difficult to see how, without taking the notion of fungibility to absurd lengths, Mr. Bovard imagines these monies being used by governments to buy arms.

As to food production disincentives, the law requires the Secretary of Agriculture to determine that distribution "will not result in a substantial disincentive to or interference with domestic production or marketing. . . ." Title I agreements contain a series of "self-help measures," tailored to the situation of the recipient country, which spell our specific actions to be taken to foster economic development. These measures are not always easy or painless; they often encourage price decontrol, market reliance,

added attention and resources to the private agriculture sector, and elimination of consumer subsidies.

Title I is highly prized by food-deficit developing countries that lack the foreign exchange to meet food needs through normal commercial imports. The food deficit might be chronic and self-reliance might be a generation away, even with the proper help. In other cases, a normally self-reliant country may need short-term help to deal with a natural or man-made disaster.

Title II donates food to the world's neediest. Even here, though, every effort is made to maximize the contribution to development of this humanitarian program.

Title III is similar to Title I, except that it calls for added policy reform or other developmental progress in exchange for a multi-year food aid commitment and forgiveness of the food-aid debt. Since the enactment of Title III, however, Title I's economic development conditions were toughened, and the difference between the developmental impact of the two Titles has lessened markedly.

Mr. Bovard suggests that U.S. food aid has hampered agricultural production overseas, and that somehow, without food aid, countries would be motivated to produce more domestically. The fact is that a real hunger problem exists in the world today, which even Mr. Bovard cannot wish away.

Food aid has not prevented the dramatic increase in food production in the developing world over the past few decades. Population, unfortunately, has increased even faster. Developing countries' import needs (commercial purchases plus food aid) total about 95 million tons per year. The U.S. sells about 40 million tons to the developing world, and provides somewhat over five million tons in food aid. It is hard to argue that the five million tons is a significant disincentive to domestic production.

DENIS LAMB,

Deputy Assistant Secretary, Trade and
Commercial Affairs, State Department.
WASHINGTON.●

CONGRATULATIONS TO A
BRAVE HERO

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. ROGERS. Mr. Speaker, I want to call to the attention of the House an outstanding individual from my district in Kentucky, who has recently been honored for heroism.

Back on May 14, 1983, Pamela Graves was involved in a boating accident near Irvine, KY. She was clinging to a partially submerged tree about 8 feet from the bank of the swollen Kentucky River.

With the water swirling around her and threatening to drown her, a nearby farmer, Gary Freeman was alerted. He arrived on the opposite river bank, and ignoring the danger to himself, jumped into the rushing waters.

With difficulty because of the strong current, which took him off course as he swam, Mr. Freeman swam 300 feet

across the river, then ran to a point on the bank near Mrs. Graves. Using a branch, he pulled Mrs. Graves to the bank and out of the river. She was then taken to a local hospital to be treated for shock, but she recovered.

At its recent awards meeting, the Carnegie Hero Fund Commission awarded a special medal to Gary Freeman of Irvine, KY, in recognition of this life-saving effort.

Mr. Speaker, such heroism is one of the things America has long stood for. This brave act, at risk to his own life, by Mr. Freeman is to be saluted by all of us.

I call upon my colleagues in the House of Representatives to join with me in congratulating and thanking Gary Freeman for his selflessness and bravery. Our world is a better place thanks to him and others who give of themselves to those in need.●

NATIONAL PORT WEEK

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. BIAGGI. Mr. Speaker, today I join with the other leaders of the congressional port caucus—Mr. HOWARD, Mr. ROE, and Mr. JONES of North Carolina—to introduce a resolution authorizing and requesting the President to proclaim the week beginning October 7, 1984, as National Port Week. This resolution—similar to resolutions passed by each session of Congress since 1978—recognizes the important role of our ports to the economic health and defense of our great Nation.

During the last several years, we in Congress have heard from the mayors and representatives of our port cities who are greatly concerned about issues such as dredging and Federal/State cost sharing. The level of activity surrounding these issues gives some indication of the contribution of our ports to the economic life of the State and local community. The willingness of the Federal Government to contribute a portion of the cost of dredging and other waterway projects underscores the importance of ports to our national defense—and to the economic health of our Nation as a whole.

Ports are directly responsible for the creation of over 1 million jobs throughout our Nation. They generate more than \$66 billion in national income—and pay \$12 billion in Federal, State, and local taxes. When we recall that trade amounts to 10 percent of our gross national product—and that one out of every six workers in agriculture, manufacturing, and services is dependent on trade, we realize the importance of our national system of ports through which 95 percent of our trade passes.

It is impossible to deny the linkage between trade and our ports. The 189 ports of our inland river system and the four sea coasts are the conduits through which international trade passes. Without the contributions made by the American port community, U.S. trade would still be tied to the inefficient and expensive techniques of the past.

Ports—through their commitment to expansion and intermodalism—have facilitated the growth of international trade and have assured that the cost of U.S. exports remains competitive on the world market. The expansion of foreign trade is vital to the economic health of our Nation, and ports play a major role in assuring that expansion.

We should also recognize the ports for the role they play in our Nation's security. The stability and efficiency of American ports assures peace through strength. The diversity, depth, and efficiency of our ports contribute to our Nation's defense. Our ports enable quick movement of troops and cargo from a wide range of areas.

In these times of high military spending, we should rejoice in the existence of our ports—a vital defense resource, costing the Federal Government practically nothing. National Port Week, therefore, also recognizes the importance of our ports to our Nation's deterrent strategy.

In conclusion, I invite my colleagues to cosponsor this resolution which commends our ports and shows our appreciation to the 1 million workers who strive for excellence at our 189 inland, coastal, and Great Lakes ports.●

ROWDY GAINES BRINGS HOME THE GOLD

HON. ANDY IRELAND

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. IRELAND. Mr. Speaker, I want to take this opportunity to share with my colleagues in the House of Representatives, the excitement and pride my hometown of Winter Haven, FL, feels for Rowdy Gaines, a member of the U.S. Men's Olympic Swimming Team.

Last week, Rowdy, 25 years old and the senior member of the team won an individual gold medal for his impressive performance in the 100-meter freestyle event. He then went on to earn his second and third gold medals with strong anchor legs in the 400-meter free and 400-meter medley relays.

As did many of our athletes in 1980, Rowdy felt the disappointment and sense of disenchantment with the games when the United States made the decision not to participate in the

Moscow Olympics. Rowdy seriously considered quitting his swimming career then, and again, as recently as a year ago contemplated giving up the sport.

We all owe our thanks to Rowdy who decided to stick with it—a determination, which, in this case, literally "brought home the gold."

At the conclusion of the Olympic games, Rowdy and other medal winners will tour the United States. He will be enthusiastically welcomed back to Winter Haven when he comes home in late August. His swimming career will be over. But, none of us will forget this glorious occasion in Winter Haven's history or the person who made it all possible—Rowdy Gaines.●

MEMORIAL DAY SERVICES

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. LIPINSKI. Mr. Speaker, on May 28, I had the opportunity to participate in Memorial Day services in my district. This moving ceremony honoring our war veterans included such activities as the offering of a holy Mass, a parade, and the dedication of a memorial monument.

The ceremony was held by the Catholic War Veterans, Five Holy Martyrs Post No. 500, and the organizations and persons who participated included: Five Holy Martyrs Boy Scout Troop No. 485, Cub Pack No. 3465, Mr. Paul Tawech, organist and director of the Five Holy Martyrs Parish Choir, the Sea League Circuit No. 7, the Polish Highlanders Circle No. 2, the Five Holy Martyrs Parochial School Band and the Maria Lonopniczka Polish Language School.

The Mass celebrant was Father Walter Szczypula.

This Memorial Day tribute to the many brave veterans served as another reminder of the freedom we have and how many sacrifices were made to insure that freedom. The turbulent years of the Vietnam war can be laid aside, and today we can pay proper respect to those brave veterans who failed to receive the recognition upon their return.

Part of the ceremony I participated in contained the dedication of a memorial monument honoring the veterans of the Korean and Vietnam conflicts. In conjunction with this dedication, a poem was read that was written by a young helicopter pilot, Capt. Michael O'Donnell, killed in action while trying to rescue eight American soldiers in Vietnam. I would like to enter into the CONGRESSIONAL RECORD the poem, "A Tribute to Veterans."

A TRIBUTE TO VETERANS

If you are able, save for them a place inside of you and save one backward glance. When you are leaving for the places they can no longer go.

Be not ashamed to say you loved them, though you may or may not have always.

Take what they have left and what they have taught you with their dying and keep it with your own.

And in that time when men decide and feel safe to call the war insane,

Take one moment to embrace those gentle heroes you left behind.

—CAPT. MICHAEL O'DONNELL.

Capt. Michael O'Donnell was a helicopter pilot during the Vietnam conflict. He was killed in action March 24, 1970, trying to rescue eight American soldiers near Dak To, South Vietnam. Captain O'Donnell was awarded posthumously the Distinguished Flying Cross, Air Medal, Bronze Star, and Purple Heart. He was 24 years old. The above poem was found in a notebook among his personal belongings.●

HERMITAGE, PENNSYLVANIA'S
NEWEST CITY

HON. THOMAS J. RIDGE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. RIDGE. Mr. Speaker, today I wish to recognize Pennsylvania's newest city, Hermitage, which became an incorporated municipality on January 1, 1984. The citizens of Hermitage are to be commended for their outstanding community spirit, and I am proud to represent them in the House of Representatives.

Hermitage is strategically located within a 1-day drive of 52 percent of the country's population, between Pittsburgh and Erie. The city is near many major routes of transportation, and its 30 square miles of land makes it the third largest municipal land area in the Commonwealth of Pennsylvania. The citizens have worked to build excellent educational, medical, and recreational facilities, in addition to making the most of their natural resources.

Hermitage's history began with its founding in 1832, during the administration of President Andrew Jackson. The city's original name, Hickory, was derived from Jackson's nickname. The current name, Hermitage, was the name of President Jackson's estate in Tennessee.

A portion of the Erie Canal, which opened in 1844, passed through Hermitage, and one of the locks still remains. The city was the site of the first steel mill in the Shenango Valley, built by F.H. Buhl. Coal was discovered and mined during the first half of the 19th century.

Several years ago, the city received a great deal of national attention when

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its patriotic citizens responded to the Iranian hostage crisis by erecting one American flag for each day of the hostages' captivity. The Avenue of Flags at Hillcrest Memorial Park became a national symbol of faith and hope for the duration of the crisis. At a time when some are concerned about a decline of patriotism, the flags still fly in Hermitage.

The sesquicentennial in 1982 was a happier occasion, and now the citizens have another reason to celebrate, since the town has become an incorporated municipality. I wish to offer my sincere congratulations and best wishes.●

CONGRATULATIONS TO TECHNICAL SYSTEMS, INC., ON AWARD

HON. HAROLD S. SAWYER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. SAWYER. Mr. Speaker, much too often we read of defense contract overruns and spare part fiascos that cost taxpayers millions of dollars and lead to a declining faith in Government.

It is with deep pride and great pleasure that I call to your attention a small company that is ready, willing and able to handle military contracts and to handle them in blue-ribbon style. This small business, Technical Systems, Inc., is a recent recipient of the Outstanding Small Business Supplier Award for 1984, presented annually by the Department of Defense.

Located in Kentwood, MI, Technical Systems, Inc., was chosen among thousands of small businesses, spread throughout Ohio, Michigan, Kentucky and parts of Pennsylvania, to receive this prestigious award.

In its short 15-year existence, the highly respected firm has been judged by the Department of Defense as an outstanding military supplier with excellent capabilities in financial management, quality, timeliness of delivery, value engineering, and labor relations. Technical Systems, Inc., has also successfully participated in the Defense Department's Spare Parts Breakout Program, which further reduces abusive spending by encouraging competition among small businesses for military contracts.

I offer my congratulations to this outstanding organization, and I am sure you will agree that Technical Systems Inc., produces results pleasing not only to the Department of Defense, but to the Congress and to the American taxpayer, as well.●

SHELBY SOLOMON: A TRUE
PUBLIC SERVANT

HON. BOB TRAXLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. TRAXLER. Mr. Speaker, today, I rise to pay tribute to Mr. Shelby Solomon, a personal friend and a key advisor to the Governor of Michigan, as he prepares to leave government to pursue graduate study at Stanford University.

Mr. Solomon has ably served the people of Michigan since 1975 when fresh from earning a degree at James Madison College at Michigan State University, he joined the staff of then freshman Congressman James J. Blanchard. Mr. Solomon was first a congressional intern for Congressman Blanchard, and served as a case worker, a legislative assistant, and subsequently administrative assistant in Congressman Blanchard's office. Mr. Solomon was Jim Blanchard's principal aide during the tough months of 1979 and 1980 when the two of them spent virtually all of their waking hours guiding the critical Chrysler Loan Guarantee Act through Congress.

When Jim Blanchard ran for Governor of Michigan in 1982, Shelby Solomon served as a principal advisor during the rigorous and ultimately successful campaign. Upon Governor Blanchard's inaugural, Mr. Solomon was appointed to a variety of key positions in the office of the Governor: director of policy, assistant for strategic planning, and most recently director of personnel.

During all of these years, the members and staff of the Michigan congressional delegation and his many other friends here in Congress and in this city have come to appreciate Mr. Solomon's talents. I know that he plans to pursue his next challenge, earning an M.B.A. at the Stanford Business School, with the same diligence he has pursued all of his past responsibilities. Moreover, I hope that he intends to use what he learns at Stanford to return to public service at some time ahead. The public sector has benefited from Shelby Solomon's presence in it, and will surely benefit from his return. On behalf of his friends in the Michigan congressional delegation and in Washington, I wish him the very best and much success with his new efforts.●

SUPERFUND DESIGNED TO HELP PEOPLE, NOT BUILDINGS

HON. WILLIAM J. HUGHES

OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 8, 1984

● Mr. HUGHES. Mr. Speaker, as the Congress considers legislation tomorrow to reauthorize and strengthen the Superfund Program to clean up hazardous wastesites, one major point should also be considered as we debate the merits of the bill, H.R. 5640. The Environmental Protection Agency's [EPA] efforts in formulating regulations that protect persons who are injured by exposure to toxic chemicals has been virtually nonexistent.

In a story published today in the New Jersey Star-Ledger, this important point was emphasized very effectively by our colleague from New Jersey, JAMES J. FLORIO, in a speech he gave to the American Bar Association's annual convention in Chicago Monday.

In the article, Mr. FLORIO makes several important observations about the American public's demand for stronger liability laws against manufacturers, haulers, and disposers of toxic products. Many of us in this Congress feel the public has a legitimate right to expect no less from its elected Representatives.

Mr. Speaker, I urge our colleagues to support passage of a strong Superfund Program tomorrow and I commend the Star-Ledger article to their attention.

[From the Star-Ledger, Aug. 8, 1984]

FLORIO SEES LITTLE EPA HELP ON LIABILITY FOR VICTIMS OF TOXIC CHEMICALS

ABA HEARS OF THE NEED FOR LAWS TO DEFINE INDUSTRY RESPONSIBILITY
(By Herb Jaffe)

CHICAGO.—Rep. James J. Florio (D-1st Dist.), in an address before the American Bar Association, cited the "virtually nonexistent" efforts of the U.S. Environmental Protection Agency (EPA) in formulating regulations that would protect persons who are injured by exposure to toxic chemicals.

Florio charged that as a result of EPA's "repeated failures," there has been an increase in public pressure for stronger liability laws against manufacturers, haulers and disposers of toxic products.

But he asserted there have also been simultaneous efforts by the chemical industry to weaken corrective legislation pending in Congress.

"The two conflicting efforts are being played out in different legislative contexts, but it's only a matter of time before these contradictory efforts clash," Florio told his audience of liability and insurance lawyers.

He noted that pressure to enact federal legislation that would standardize state product liability law is emerging from three sectors.

One of these efforts, he explained, developed as a result of Johns Manville and other companies which manufactured asbestos products filing or threatening to file bankruptcy petitions. Florio said the question of

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who would pay for the injury of workers suffering from asbestosis and related diseases was then dropped on Congress.

He explained that members of Congress began to develop proposals for an alternative compensation system to be funded by industry and the federal government.

"But the effort soon foundered on the threshold question of whether such an administrative system would preempt worker access to the courts, and it remains stuck on the shoals of that fundamental dilemma to this day," the South Jersey congressman stated.

Florio said the second effort was spearheaded in the Senate by the National Association of Manufacturers, which he said prefers a uniform national product liability law that would preempt all state laws in this area.

"Most opponents of this legislation, including most large national consumer organizations, do not necessarily oppose the concept of uniform national product liability standards. They are disturbed, however, by the content of the bill which they argue would turn the clock back," Florio said.

He added the third effort has drawn growing support in the House as a result of public exposure to "hazardous substances in the workplace, the home or, most frightening of all, from the thousands of abandoned dump sites which leach daily into our drinking water, our soil and our air."

Florio then outlined the dimension of the problem which he said has stimulated the interest of many in Congress. He alluded to a report released by a special study group two years ago that was critical of state liability laws in the toxic waste area.

"The substantial problems faced by those who must document not only how long but also how much their groundwater was contaminated by some bizarre toxic soup of chemical wastes, and then must prove the chemical soup's known effects on human health, have stymied many state court judges and will continue to frustrate the bar and the judiciary for years to come," Florio asserted.

He added, "the study group concluded that careful attention should be paid to the need to forge new legal principles so that such victims are both fairly and fully compensated for years of careless product and waste management practices which we are only now beginning to realize have taken a pervasive and tragic human toll."

Florio said that two bills which he has introduced would deal with the toxic waste victims.

One, which would amend the Toxic Substances Control Act, would establish "strict, joint and several liability for injury caused by exposure to all the chemical substances and mixtures regulated under the control act."

The second is legislation to reauthorize The superfund program, which Florio said is scheduled to be voted in the House today.

"The simple fact is that no matter how badly some may wish it, these issues will not disappear or even dissipate in the years to come," Florio stated. ●

August 8, 1984

CARL PERKINS: A CONGRESSMAN FOR ALL AMERICANS

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 8, 1984

● Mr. GAYDOS. Mr. Speaker, last Friday, we lost a friend and colleague, the Honorable Carl Perkins of Kentucky. I know we all feel saddened by this loss. But, at the same time, we should feel great pride in the honor Carl brought to each and every one of us just by his service in the House for 36 years.

Carl Perkins stood head and shoulders above many people. His legislative accomplishments alone speak to his stature as a Member of Congress.

Yet, for all of those accomplishments, few people outside of this body and his Kentucky district knew him.

Just think of the millions of American schoolchildren who have benefited from the Elementary and Secondary Education Act of 1965; just think of the millions of American schoolchildren who received a school lunch, for some the only hot meal of the day.

Just think of the mine workers who have been saved and their families who have been helped because of Carl's insistence on passing mine health and safety legislation and black lung legislation.

Just think of all those untold millions of working men and women from one end of this great country to the other whose daily lives are better because Carl Perkins cared about them, their families and their futures.

Millions of American youth were able to receive a college education because Carl Perkins supported student aid programs, including Federal scholarships, work-study programs and student loans.

Hundreds of thousands of Americans are able to read and learn because Carl Perkins insisted on providing aid for public libraries in the rural areas of this country.

His efforts as chairman of the House Education and Labor Committee, a post he held since 1967, and as chairman of the Subcommittee on Elementary, Secondary and Vocational Education insured that many of America's disadvantaged were given a chance, an opportunity to receive an education and to succeed; an opportunity they would not have had if not for Carl Perkins.

Carl Perkins was not a flamboyant Congressman. He didn't rant and rave. He spoke to America about the need to help those who were less fortunate. But he spoke quietly, knowing that right was on his side and knowing that because of that right, he could convince his colleagues; and he did, time and time again.

When I came to the Congress in 1968, Carl was already chairman of the Education and Labor Committee and I was but a freshman member of that committee. Yet, Carl always showed me the same respect he showed everyone else. He made sure that everyone was treated equally and fairly.

Today, I still serve on the Education and Labor Committee and chair the Subcommittee on Health and Safety and I am sure in my own mind that without Carl Perkins' guidance and assistance over the years, I wouldn't be as successful a Member of Congress as I am.

All of us in this body owe a great deal to Carl Perkins. He served with dignity throughout his 36 years and that dignity reflected on this body and its Members. His integrity has never been questioned and neither has his concern for America and its people.

I'm sure many of us will be asked to define Carl's greatest legislative triumph. Well, I'm not sure how I would answer such a question. In reviewing Carl's legislative record, I was most impressed by the number of measures he sponsored that became law. Many of us take great pride in introducing a lot of bills, but I don't know how many of us can match Carl's record of getting bills passed and signed into law. Just trying to list all of those would take more time than we have available.

I do know that Carl took great pride in his efforts on behalf of the Landmark Elementary and Secondary Education Act of 1965. And his handiwork can be counted just by reviewing the record. The subcommittee he then chaired drafted the key changes in the bill so well that only one amendment was offered and passed on the House floor and none were passed in the Senate. Carl's efforts insured quick passage and an early signing of the bill by then—President Lyndon Johnson.

His knowledge of House rules and his ability to work with his colleagues, without arm-twisting, enabled Carl to eliminate opposition to key legislation, such as the Adult Basic Education Act, which was blocked by the Rules Committee until Carl worked his magic.

In some ways it's too bad that Carl wasn't a more outspoken Member of Congress because, then, more of the Americans who have benefited from the programs he sponsored and nurtured through the House and its committees would know him and be able to pay him the honors he so richly deserves.

But, at least, we know what he accomplished over the years. We know and can take pride in Carl's work, in his efforts to insure that many deprived Americans received the benefits of this country.

I believe we all should thank Verna, Carl's wife, who allowed us to have

Carl here with us in Washington even though it meant difficult times for her, Carl, and their family.

Carl has been an example to all of us. His concern for America and for Americans is second to none and his legislative accomplishments prove that time and again.

Carl Perkins was my friend and colleague. I shall miss him, his insight, his determination to keep this country great, his concern for all Americans and, especially, the children and youth of this Nation as well as its working men and women.

I am proud to have had the opportunity to serve alongside Carl in the House and on the Education and Labor Committee and to call him my friend.●

REDUCED POSTAGE ON PACKAGES TO POLAND AND THE SOVIET UNION

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. BIAGGI. Mr. Speaker, today I am introducing a bill to reduce by half the postage on parcels of food, clothing, and medicine sent from the United States to Poland and the Soviet Union.

This legislation is actually an amended version of a bill introduced earlier this Congress by my distinguished colleague from Michigan, Mr. TRAXLER. That bill, H.R. 4639, would allow discount postage rates on packages sent to Poland from the United States. Mr. TRAXLER's idea was a good one, and I was proud to cosponsor his bill.

H.R. 4639 was motivated by a compelling sense of compassion for the plight of the Polish people. The Poles have not only been deprived of basic human rights, but also of basic human needs, such as food, clothing, and medicine. Reports indicate widespread malnutrition in Poland, and a 30-percent decline in the standard of living since 1981. In fact, it is estimated that approximately 11 million Poles—30 percent of the total Polish population—are living at or below the subsistence level.

However, the situation in the Soviet Union, particularly for its 2.5 million Jewish citizens, is equally distressing. That is why I am introducing my bill today to broaden the discount postage proposal to include packages sent to the Soviet Union. It should be noted that the measure I am offering today was first suggested to me by Mr. Glenn Richter, national coordinator of the Center for Russian Jewry with Student Struggle for Soviet Jewry. When hearing about my cosponsor-

ship of H.R. 4639, Mr. Richter wrote me, saying,

As a measure of support to the tens of thousands of persons in the U.S. who send parcels to relatives and friends in Russia, and to help relieve the burden of postage—which can grow rapidly since the Soviets often return packages for no reason, and the return postage must be paid by the sender—extending H.R. 4639 to parcels to Russia would be a great help.

Clearly, we should do everything possible to encourage people in the United States to send food, clothing, and medicine to the Soviet Union because those items of subsistence are desperately needed. Consider, for example, that many Soviet Jews who apply to emigrate are routinely dismissed from their jobs and must rely on others for basic consumer goods. These packages sent from the United States, then, serve as a vital lifeline to many in the Soviet Union.

Further, it is important to note that the Soviet Government is doing everything possible to discourage packages from being sent to their country, particularly if they are mailed to Soviet Jews. Packages are often returned, at great cost to the sender, as Mr. Richter points out, or the contents are often removed before the packages reach their intended destination. Now, the Soviet Union is trying yet another ploy to discourage packages from being sent. As of August 1, the Soviet Union has banned all duty-prepaid parcels to their country. This means that the recipients, who have such meager resources to begin with, must now pay exorbitant and often prohibitive duty fees on packages that are sent to them from abroad.

Although many of us have filed formal protests with Soviet officials and with the Universal Postal Union about the Soviet Union's repressive mail policies, we are clearly limited in our ability to influence how the Soviet Union treats mail once it arrives. However, we can and must do everything possible to encourage mail and packages of subsistence to be sent. Countless reports from Soviet Jews indicate the mail and packages they receive from abroad are their only source of hope. That hope must be allowed to continue and the bill I am offering today helps make that possible.

According to the U.S. Postal Service, some 98,102 parcels were sent from the United States to the Soviet Union in fiscal year 1983. The average weight of each of those parcels was 8.1 pounds, significantly more than the average weight of parcels sent to other countries. As a result, the expenses are also more. Consider, for example, that it costs \$54.90 to send a 10-pound package by airmail from the United States to the Soviet Union. Under my proposal, that cost would be cut in half, or would cost \$27.45.

Similarly, it currently costs \$37 to mail a 10-pound package from the United States to Poland. Under my measure, that same package would cost half as much, or \$18.50 to mail.

Mr. Speaker, as the leader of the free world, we have a responsibility to do whatever is possible to make life a little easier for those repressed people who are forced to live under Soviet tyranny. Certainly, measures such as mine to encourage personal assistance between the United States and persons in Poland and the Soviet Union are consistent with that vital objective. I am hopeful this measure receives the prompt and favorable consideration that it deserves.●

TRIBUTE TO WILLIAM GREER

HON. JOE KOLTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. KOLTER. Mr. Speaker, today I rise in recognition of the unselfishness, dedication and hard work of a resident of the Fourth Congressional District of Pennsylvania.

William Greer, a senior citizen, retired Teamster and resident of 3007 Old Pittsburgh Road, New Castle, has dedicated himself to the organization and operation of a food bank for the unemployed, disadvantaged and the elderly.

Mr. Greer, who is chairman of the Lawrence County organized labor food bank, has been instrumental in obtaining funds, supplies and necessary food for the 5,000 men and women the food bank assists.

Because of Mr. Greer's noble actions, the food bank has remained in operation for 2½ years.

Let men like William Greer set an example for us all.●

TRIBUTE TO BENJAMIN AND BELLA KLIGMAN

HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. BORSKI. Mr. Speaker, I rise to pay tribute to Benjamin Charles Kligman and Bella Mutterpearl Kligman of 1051 Levick Street in Philadelphia on the occasion of their 65th wedding anniversary.

Mr. and Mrs. Kligman were married in Philadelphia on August 10, 1919. They have two sons, Harvey and Myer, and one daughter, Sylvia Ostroff. Mr. Kligman was a very successful local businessman and both he and his wife have been active in the community. They will celebrate their anniversary with a party on August 12, 1984.

Mr. Speaker, it is a truly remarkable achievement for two people to remain happily married for so long. Mr. and Mrs. Kligman are testimony to the fact that love and understanding can still form the basis for a lifetime relationship. I am pleased to join their family and many friends in wishing them warmest congratulations and very best wishes for the future.●

UNITED STATES PROGRAM FOR DEVELOPING COUNTRIES ACT

HON. JIM WRIGHT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. WRIGHT. Mr. Speaker, today BOB MICHEL and I are introducing legislation that has far-reaching implications for our Nation's future. Companion legislation has already been introduced in the other body by Senator MATHIAS, cosponsored by Senators BINGAMAN, PERCY, PELL, BAKER, PRYOR, CRANSTON, DANFORTH, BOSCHWITZ, ZORINSKY, KENNEDY, INOUE, MATSUNAGA, TSONGAS, RIEGLE, JEPSSEN, DURENBERGER, and HOLLINGS. That legislation, S. 2768, has garnered the bipartisan support of these distinguished Senators for very good reason, and I am sure that the measure will receive the bipartisan support of House Members.

The bill we are introducing builds upon the excellent recommendation of the Kissinger Commission on Central America that the United States should provide scholarships to 10,000 deserving citizens of that region. Having served as an adviser to the Commission, I am familiar with the thinking that went into that particular recommendation. The fundamental reasoning that supports providing scholarships to Central Americans also supports the concept, embodied in the legislation I am introducing today, that the United States should provide financial assistance to deserving and promising students in other areas of the developing world as well.

The United States Scholarship Program for Developing Countries Act does just that. It directs and authorizes the President, acting through the Bureau of Educational and Cultural Affairs of the U.S. Information Agency, to establish this Developing Country Scholarship Program.

The United States has a great deal of experience in the field of educational and cultural exchanges. In fact, the name of a distinguished former Senator is virtually synonymous with the term "educational exchange." Senator J. William Fulbright inaugurated a new era in American diplomacy and international education with the passage of the Mutual Educational and Cultural Exchange Act of 1961, also

know as the Fulbright-Hays Act. Many thousands of Americans and others around the world have helped to bridge the cultural and ethnic gaps that divide people through their direct, personal experience as Fulbright scholars.

But the world has changed since 1961. That, of course, is not to say that the Fulbright program does not play a vital role in creating the basis for mutual understanding. It does. And the program deserves the continued and active support of this Congress and the American people.

But what we see in the world today calls for new initiatives and new directions that will keep pace with changing circumstances. The Developing Country Scholarship Program I propose recognizes a number of important realities.

First, while hundreds of thousands of foreign students study in the United States every year, very few of these students come from the economically disadvantaged strata. Too often foreign students in the United States represent the well-to-do, the elite of developing countries. If the United States only caters to the elites of other lands, we may find ourselves in serious trouble again and again as the winds of revolutionary change sweep across many parts of the world. In Iran, for instance, despite the fact that large numbers of Iranian students studied in the United States, our country suffered a serious policy setback. The revolution in Iran took us completely by surprise.

One reason for that may very well be that we failed to reach below the upper crust of Iranian society. We failed to understand the concerns and the sensitivities of the average citizen of Iran. Perhaps a scholarship program of the kind I propose, one that attracts the best and the brightest—but not necessarily the richest—of developing country students; perhaps such a program will enable the United States to avoid future irans.

Another reality that this bill faces relates to the scholarship programs of the Soviet Union and its allies. For years, the Soviet bloc nations, including Cuba, have provided government scholarships in numbers that dwarf the U.S. record. In 1982, for instance, some 37,000 Africans received an education in the Soviet Union and Eastern Europe completely at government expense. That same year, fewer than 3,000 Africans came to study in the United States under Government sponsorship.

We need to explore new ways to compete with the Soviet Union, but we need to do so because what we have to offer these students is superior for themselves and for their home countries than what they can get from the Soviets. And I believe enough in Amer-

ica to know that we do have more to offer these students. Our educational system is superior. The contributions we can make to development far exceeds what the Soviets can provide.

That's the third great reality that this program seeks to address: The need for progress in development. When there is too little to eat, when there is poverty and suffering, there is no hope. When despair takes over a country, what chance does the United States have to win respect for human rights or to gain greater acceptance of democratic ideals? The last best hope for progress in this world is education. And the United States has the resources and the responsibility, it seems to me, to make the attempt to educate as many students from developing countries as we can.

The old saying that, "If you give a man a fish, you'll feed him for a day, but if you teach him how to fish, you'll feed him for life" should be borne in mind. This scholarship program will teach promising students who could not otherwise afford a college education in subjects that are vital to their home country's development needs. It goes a long way toward teaching others how to fish, and thereby improve their country's ability to grow in self-reliance and self-esteem.

Mr. Speaker, the world is becoming increasingly complex. The world economy shifts almost daily like sand in the wind, and America will need to be sensitive to these changes. Increased exchanges with other countries is one way to do that. It enables the United States to establish long-lasting linkages with other countries through enduring friendships between people.

The House earlier this year signaled its commitment to the idea of providing scholarships to students from Latin America. The International Security and Development Cooperation Act of 1984, as passed by the House, includes a scholarship program similar to the one I am proposing here today. The House authorized spending \$50 million for this program. Our legislation does not authorize any specific dollar amount for fiscal year 1985, and any spending for planning and implementation of the program will be discretionary in the program's first year. Future spending levels for the program will, of course, depend upon the will of the Congress, working together with the administration.

The scholarship program we propose encourages cooperation between the U.S. Information Agency and developing country governments. The bill directs USIA to work with host governments in determining their educational requirements. In addition, coordination among various U.S. agencies and programs will be required.

For instance, it will be necessary for USIA to work with U.S. missions

abroad in setting up the program. The Agency for International Development and the Peace Corps should also be included in developing the program. In fact, the bill specifically requires U.S. missions abroad to consult with Peace Corps volunteers and staff in designing ways to identify deserving and promising secondary school students. This latter requirement is critical because by involving Peace Corps volunteers in the field we will be able to reach out to students at the village level who are sometimes toward the bottom of the economic hierarchy in many developing countries.●

WE NEED NOT FEAR REFUGEES

HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. SOLARZ. Mr. Speaker, an American businessman, Mr. Ronald C. Nairn, recently contributed a most interesting article to the Wall Street Journal.

After the long debate in the House over the immigration reform legislation, I thought it would be useful to bring the unique perspective of this article to the attention of my colleagues in the House.

While I differ with the author on some of his points, I think that many of us need to reflect on some of the basic philosophical and moral principles which are so well expressed in this article.

"We must learn to think of people as assets again" writes Mr. Nairn and I could not agree more.

Mr. Speaker I insert the text of this article in today's CONGRESSIONAL RECORD:

[From the Wall Street Journal, Friday, July 6, 1984]

WE NEED NOT FEAR REFUGEES

(By Ronald C. Nairn)

Since the Russian Revolution refugees have formed the greatest mass movement of people; only Europe's Wars of Religion ending about 1648, provoked human movements of like proportions. In 1984, the pace has quickened—refugees number in the millions. Of these, many assume their role in seeming perpetuity.

But many in our time have escaped the refugee's fate. We might ponder their experience as we anguish over the fate of other refugees.

In the mid-1950s an incidental meeting between minor U.S. officials and a lone Thai colonel took place in the obscure town of Chiengdow in northern Thailand. The subject was refugees, specifically the larger remnants of the Nationalist Chinese army, defeated by Mao Tse-tung, who had made their own "Long March" through southern China into Laos, Burma and Thailand.

The earnest young American bureaucrats had a plan. They would help build a refugee camp for the soldiers and their many dependents. It was to be a camp complete with medical facilities, schools, administrative

centers and of course, some guards, because all the officials present knew that Thailand officially restricted Chinese immigration. The Thai colonel, Klangsak Chomanan, listened in silence. When the planners waxed most eloquent on their design, he intervened. "Never, never, never," he exclaimed. "Never will these people become refugees."

THE COLONEL'S ARGUMENT

This logic demanded explanation. "It is not the Thai way," said the colonel. Such simplicity intrigued the planners—the colonel was forced to amplify. "As of now there really is no problem. But if we lock them up and identify them with an encampment there soon will be a problem. Their countrymen to the north will have a stick (with which) to beat us Thai. And all you people will be there focusing world attention on something that does not need world attention."

"But," countered the earnest young Americans, "if you don't confine them they will scatter throughout Thailand. Within months no one will even know where they are." The American bureaucrats were as unanimous as they were certain. The colonel puffed on his pipe and said nothing.

Earlier this year I visited a village slightly to the north of Chiengdow. It was one of many villages built by former Nationalist soldiers who had been given land by the Thai government. In this village, as in many others, the Chinese soldiers had become successful farmers. They were frail, their military bearing long gone; they still spoke Chinese. Their sons and daughters, however, worked in the fields, functioning as part of the Thai economy. In the schoolhouse, where the Thai flag fluttered in the breeze, their grandchildren chanted their lessons in Thai, sang Thai songs, played in Thai and knew no other homeland.

There was no refugee problem.

Thirty years ago, young Americans, forgetting their own history, had sought to dictate a future for those wandering, dispirited Chinese soldiers. It was a Thai colonel who intervened with the most humane solution. Yet it was this same colonel who, 25 years later, as Thailand's prime minister, announced to the world that he would drive some 40,000 Kampuchean refugees back across the Thai border, even if it were through Vietnamese minefields.

And so the refugee issue escalates. It challenges anyone who would apply a humane solution. Some 50 million Arabs cannot or will not absorb a few million Palestinians who also claim to be Arabs.

There are also the 5.5 million citizens of Hong Kong. This small enclave has achieved a remarkable prosperity, with an unemployment rate of only 1.3%, which has been threatened only recently. This economic miracle has occurred despite, or rather I would argue because, about one-half of Hong Kong's residents are refugees from mainland China. Today, all of Hong Kong, former refugees and Hong Kong-born citizen alike, nervously await their prospective new mainland Chinese masters, who are known to have a propensity to create refugees. Where can they go?

Nearly two million Afghans huddle in Pakistan. Thailand has seen more than a million refugees surge in by land and sea from Vietnam, Laos and Kampuchea. The Palestinians remain in their camps after 30 years. The U.S. looks south and wonders if it too will have its borders overwhelmed before this century ends.

Most often, the citizens of a host country view refugees as a menace: The refugees take jobs. They disturb the native culture with their strange ways. They make us feel different in our own homes and often they outcompete us and our children.

But this is not the true dynamic of the refugee problem, as most of us know even though we are fearful. As Britain demonstrated in the 19th century and the U.S. has proved throughout its history, refugees most often give their hosts more than they, the refugees, receive. Many of them are high achievers, such as scientists, writers, artists and athletes. But many of them also usually have a willingness to do work shunned by the established citizenry, immigrants built the U.S. with both muscle and brain. We, of all people, should realize they are an asset.

Why, then, do not more refugee immigrants represent an even greater asset? They do—despite the current wisdom. It is not refugees but we in the West who have changed. We are losing confidence. We lack self-assurance in handling new people. Kenneth Clark concluded his massive study, "Civilization," by stating: "It is lack of confidence, more than anything else, that kills a civilization."

What has gone wrong? Why can't the simple humanism of a Kmgangak or the former openness of Britain or the U.S. no longer work?

There are three reasons, each with the recurring theme that people are often liabilities.

In our time totalitarian states believe that there is room only for those they determine are candidates for their version of the "New Man," Lenn, Stalin and Hitler drove out or killed those who could not meet the criteria or opposed their notion. Mao Tse-tung carried this reasoning further by immense "reform" programs based on perpetual revolution, in which individuals conformed or fled, were exiled or were killed. More recently, in Kampuchea, Pol Pot declared that only certain people could become "new men" and to aid the transformation, all others should be exterminated as quickly as possible. To them, some people were indeed liabilities.

There is a second reinforcer of the people-as-liabilities syndrome. Every schoolchild in the West is told as an article of contemporary faith that the world is over-populated. To breed a calf or a hog or a chicken is to create an asset. But to produce another human is a liability—even if that human can create, innovate or work productively. This is a strange logic but so firmly is the idea held and so infrequently is it examined that refugees become manifestations of the menace of too many people. Under this thinking, refugees are undoubtedly liabilities.

The third promoter of the liability syndrome is more complex. Today, most Westerners believe that people are "saved" from poverty, ignorance, unhappiness and such like by institutions. Indeed, this concept now fuels one of the West's biggest industries: government. People increasingly are seen as dependents rather than as self-actualizing individuals. Western governments often justify their existence on this belief.

A PHILOSOPHICAL PROBLEM

A dependent is mainly thought of as a person who relies upon another for support, for supply of what is needed. This is exactly the status of refugees while they remain refugees. The sight of millions of them huddled in their miserable camps makes even

the most well-meaning Westerner shudder as he relates it to his vision of people as liabilities.

Thus we face not so much a refugee problem as we do a philosophical one: What is the value of a human being? The answer, coming from both those who create refugees and those who face their onslaught, is about the same: "Not much."

We must learn to think of people as assets again. We may then create, as all successful societies have, not a fear of people but a need for them as is manifest by giving each of them freedom of opportunity and a share in the rewards that freedom of opportunity usually provides. This is the solution to the refugee problem. The alternative is to go on debilitating ourselves by shabby notions more typical of those who created refugees in the firstplace. Like the refugees, we become the losers.●

SERVICE TO THE ELDERLY

HON. JOE KOLTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. KOLTER. Mr. Speaker, too often the unselfish efforts of those that work to improve the quality of life of the elderly go unnoticed. Today, it is my privilege to rise and honor Jayne Friedman whose commitment to the elderly in Butler, PA, stands as an inspiration to us all.

Twelve years ago, Jayne and her husband Harold, local Foodland owners, began a service transporting elderly citizens from their apartment complexes to their market. Completely financed by the Friedmans, this weekly bus service continues, stronger than ever. On account of Jayne Friedman, these senior citizens, many of whom have neither family nor transportation, maintain their independence and meet their needs.

After a personal greeting from Mrs. Friedman, the senior citizens are further aided by the employees who help them get their groceries, pack their bags, and even carry their groceries from the bus to their apartment doors.

The Friedmans provide much more than a needed service. The senior citizens enjoy not only the personalized assistance from the Foodland owners and employees, but the company of the many area residents that plan to visit with these folks as they themselves do their weekly shopping. For many of the citizens it is the only companionship they enjoy outside of their apartment complexes. The Friedmans even provide benches for the senior citizens to sit and visit.

Mr. Speaker, I applaud a compassionate woman who has made a very valuable contribution to the welfare and happiness of a very special group of citizens. To the wonderful woman who initiated this program and continues to lend her personal supervision and loving concern, I add my thanks to those of the citizens who have en-

joyed this special treatment weekly for the past 12 years. I congratulate and commend Jayne and Harold Friedman for lighting up the lives of so many deserving elderly people in Butler, PA.●

THE ANGUISH OF GLOBAL HUNGER AND ARMS CONTROL

HON. JAMES M. SHANNON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. SHANNON. Mr. Speaker, as a world leader, the United States bears a heavyweight of responsibility on its shoulders. The hungry and oppressed peoples of the world look to us for sustenance and hope. I would like to commend to the attention of my colleagues excerpts from the text of a commencement address by Rev. Robert Drinan at the Cambridge School in Weston, Massachusetts. Our distinguished former colleague eloquently sets forth, the excerpts reprinted in the Sudbury Town Crier, our duty to commit this Nation to a path which will banish the scourge of global hunger and welcome the celebration of human rights.

THE ANGUISH OF GLOBAL HUNGER AND ARMS CONTROL

(By Robert F. Drinan, S.J., Professor, Georgetown University Law Center)

Sometimes we seem to lose any feeling for the presence of God in history when we look forward to the unbelievable changes that will come about before the year 2000 arrives.

Already there have been unprecedented movements in mankind over the past 35 years. More than 100 new nations have been born in this time—a fact clearly unprecedented at any period in human history. In addition, the nuclear bomb has been developed by at least six nations, and we see fear everywhere throughout the global village.

Indeed, it is fair to state that the 38 years of the cold war have been the most tumultuous years in all of human history.

Despite the overwhelming bafflement which we may experience when we look at what might happen to the global village in the next 16 years, we simply have to face the fact that, as the Second Vatican Council wrote, the plan of God is that the church should "contribute greatly toward making the family of man and its history more human."

We have reason to be frightened and indeed terrified when we contemplate the prevalence of malnutrition, the hideousness of the arms race and the denial almost everywhere of fundamental human rights.

TRAGEDY OF STARVATION

Consider the carnage and desecration of God's gift in these statistics. Eighty million infants will be born in the Third World in 1984; 25 million of these children will die before they are 5 years old.

This country and all of humanity saw five years ago 55,000 people dying of starvation each week in Cambodia. The world was outraged and action followed. But what the

world forgot was that each week at least 400,000 people die of starvation all around the world. There are at least 800 million people who are chronically malnourished—one-sixth of humanity.

The United States has been troubled by this enormous tragedy for many years. In 1961 President Kennedy set forth two goals for the 1960s—to go to the moon and to eliminate hunger within our generation. Only one of those goals has been accomplished.

In 1974 Secretary of State Kissinger said that "within a decade no child will go to bed hungry."

The most affluent nation in the world, the United States, will give only a modest sum to UNICEF this year, only 16 cents per person. Tiny Sweden will give \$35 million, or \$4.90 per person.

Can we continue to live with what we see? There are 42 million blind people in the world—mostly from malnutrition. The scourge of malaria could be eliminated forever by a one-time grant of \$450 million. In this year of world economic recovery, 650 million school age children are not in school.

The problem will get worse in the next few years since the global population will increase from its present 4.3 billion to 6.4 billion by the year 2000—with 90 percent of the new people residing in the Third World.

Is it not shameful that the United States ranks only 15th out of 17 nations with respect to what we share of our gross national product with the underdeveloped nations? Almost everything we see concerning America's relationship to the Third World contradicts the generosity which we allege we possess as a nation.

Willy Brandt put it well in the these words: "Morally it makes no difference whether a man is killed in war or is condemned to death by the indifference of others."

The Presidential Commission on Hunger, chaired by Sol Linowitz, recommended that the alleviation of hunger become one of the principal objectives of our foreign policy. This obviously makes sense since the possibility of global famine is one of the most dangerous threats to our national security.

THE ARMS RACE

Mankind now spends well over \$1 billion each day on arms and armaments. It is totally unprecedented in history that mankind should be spending over \$660 billion each year on weapons.

There are some 50,000 nuclear weapons in existence, with 30,000 being in the possession of the United States. The United States manufactures three more each day, or 1,300 per year. It is self-evident that almost inevitably a nuclear weapon will be detonated by malice, mistake or madness.

Virtually all religious bodies in America have now endorsed the statement made by the Catholic bishops of the United States that nuclear weapons may never be used.

If only 10 percent of what mankind spends for weapons were available, it would permit mankind to introduce on a vast scale scientific agricultural equipment, finance irrigation projects, construct thousands of classrooms and create vast fish farms.

Is it not time to recall once again what Pope John XXIII said on Easter Sunday 1963 in Pacem in Teris? There he openly stated that "nuclear weapons should be banned . . . it is hardly possible to imagine that in the atomic era war could be used as an instrument of peace."

HUMAN RIGHTS

The degradation of mankind by massive starvation and the threat to all of humanity by the arm race are twin evils compounded by the worldwide denial of fundamental human rights. Amnesty International calculates that there are still 40 nations that engage systematically in torture. Only about 30 of the 154 nations of the Earth have democratic structures that are consistent with the UN Declaration on Human Rights.

The United States and the other signatories of the UN Charter in 1945 pledged themselves to promote human rights. Despite that solemn promise, the United States Senate has ratified only five of the least controversial of the 19 treaties which have emerged from the United Nations.

In the recent past we have been particularly pained by the oppression of human rights in Latin America. Amnesty International calculates that there are 17,000 political prisoners in South America, with 30,000 additional people missing.

We have seen the rise of liberation theology and the hopeful signs that Latin America, where one-half of the Catholic church resides, might be moving towards a situation where finally they would have liberations from the dictators and the military governments which have plagued almost every nation on that continent. Now, however, we are told by the administration that weapons must be given or sold, not merely to El Salvador—but also to governments that are equally as lawless.

One of our greatest temptations in the months and years ahead will be the desire to escape from the world. We will want to shun the secular, avoid the temporal, withdraw into the safety of the sacristy. We will try to do all of this in the name of living as a Christian and of avoiding the profane. The shattering truth is that we run away from God if we run away from the world.

When we look at the agonies which mankind will undergo in the next 16 years, we could well ask ourselves whether or not all of the hopes and aspirations which we have for the alleviation of misery might not be a dream. But we know as people of faith and as citizens of America, that we are unique and that we have a mission and destiny not given to others. Archibald MacLeish put it well in these words:

There are those who will say that the liberation of humanity, the freedom of man and mind, is nothing but a dream. They are right. It is the American dream.

TITLE IX AND THE OLYMPICS

HON. CLAUDINE SCHNEIDER

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mrs. SCHNEIDER. Mr. Speaker, we have watched with awe this week the performance of our American athletes at the Olympic games in Los Angeles. The talent and skill demonstrated by the women representing our Nation has been particularly spectacular, as they have brought home gold medals in swimming, gymnastics, track and field, and basketball. And though the Mary Lou Rettons, the Cheryl Millers, and the Evelyn Ashfords can attribute their success to years of hard work

and dedication, we should not forget the role which title IX of the 1972 education amendments played in encouraging these women to reach their goals.

Before the passage of this important statute prohibiting sex discrimination in education, boys outnumbered girls 13 to 1 in interscholastic athletics. By 1982, this ratio has narrowed to 2 to 1. In 1972, there were virtually no athletic scholarships available to women; 12 years later, 22 percent of all athletic scholarships are awarded to women. In my own State of Rhode Island, the budget for women athletics at our State university was only \$30,000 in 1976. Today, it is approximately half a million. The statistics are staggering.

Yet as we stand here today, we are in danger of losing the great strides we have made in the past 12 years. The Supreme Court's decision in the case of Grove City College against Bell crippled title IX by ruling that it applied only to those programs directly receiving Federal dollars. In the few short months since this decision was handed down, 23 sex discrimination cases—aimed at forcing compliance in school athletic programs—have been dropped. Millions of American girls eager to run, swim, tumble, and dive may soon lack the facilities which their male counterparts enjoy.

This past June, this House reaffirmed its commitment to a comprehensive interpretation of title IX by passing the Civil Rights Act of 1984. Our work will not be done, however, until this important legislation is signed into law.●

DISCOURAGE BUDGET GIMMICKRY

HON. BERKLEY BEDELL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. BEDELL. Mr. Speaker, America faces a serious problem in the upcoming years. The Congressional Budget Office has projected that our budget deficits will range from \$172 billion in 1984 to \$263 billion in 1989. One of the dangers of these record high deficits is the effect upon the financial markets and the economy of Government borrowing to finance them. Even if we in the Congress take drastic measures in the next few years to reduce the deficit, we still must strive to minimize the burden of financing our ever-growing national debt for our future generations.

It was reported last Sunday, in a column by Hobart Rowen of the Washington Post, that top Treasury Department officials are discussing new ways of financing our massive deficits. These officials appear to be looking for a short term, rather than a

practical solution to the dilemma. The two primary methods under discussion appear to be zero-coupon bonds and bearer bonds. While these methods would reduce current interest payments on the national debt, they will pile up the debt for future years and threaten the economic security of our children and grandchildren. In other words, there is no free lunch.

Bearer bonds will attract foreign investors to U.S. securities, but coupled with the new withholding provisions of H.R. 4170, these bonds will actually encourage foreign investors to evade U.S. taxes. The long-term consequences of zero-coupon bonds clearly outweigh their short-term political attractiveness.

It is estimated that to raise between \$4 and \$5 billion with a 20-year zero-coupon bond, the Treasury would have to sell \$63 billion in zero-bond face value. To put this in perspective, to finance the deficit we have rung up in fiscal year 1984 alone, estimated to be \$172 billion by the Congressional Budget Office, the Treasury Department would have to issue approximately \$2.407 trillion in zero-coupon bonds due in 2004. And that is only to finance this year's deficit.

Today, I am introducing House Concurrent Resolution 346 which expresses disapproval with the use of these securities to finance the national debt. The resolution is short, simple, and clear on the issue. It reads in its entirety:

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the United States should not issue bearer or zero coupon debt instruments.

I am taking this step to send the message to the Treasury Department that future generations of America should not be unfairly burdened with short-term solutions to the very deep and troubling realities we face today.

The articles and resolution follow:

[From the Washington Post, Aug. 5, 1984]

TREASURY SHOULD ABANDON ITS GIMMICKRY ON DEFICITS

(By Hobart Rowen)

It's been mentioned here and there in the financial press, but despite its enormous importance, the story can't make its way to the front pages: Treasury Secretary Donald T. Regan and his staff are discussing novel ways of financing the huge budget deficit, including ways that will tend to cover up or reduce current outlays for interest on the national debt.

This is such a political approach to debt management that one wonders why the Mondale-Ferraro campaign hasn't started attacking it.

Stung by criticism from some technicians that these new methods will cut the interest payments due over the next several years, but pile up the debt to be paid by "our children and grandchildren," as one expert put it, Regan has clamped a lid on the flow of information.

"We can't conduct these discussions in public," a Treasury information officer says,

"The secretary is determined that there will be no more leaks." Meanwhile, Undersecretary for Monetary Affairs Beryl Sprinkel said this week that decisions would be announced soon, before the Treasury borrows money again on Oct. 31.

Sprinkel has been directed to head a crash effort to evaluate the possibility of issuing zero-coupon bonds, inflation-indexed bonds and bearer bonds that allow the buyer to hide his or her identity, plus other new instruments that it has not offered before. The idea is to lower—for now—the staggering interest costs of the swollen national debt.

Zero-coupon bonds pay no interest: Instead, they sell at a huge discount from face value at a price calculated to represent, at maturity, what a regular interest-paying bond would have earned if all the interest had been reinvested at the original yield. In effect, a zero-coupon bond locks in a reinvestment rate, which is good for the investor if interest rates go down. But if interest rates go up, zero-coupon-bond values plunge.

The extremely wide fluctuations have proved a hazard for investors who bought zero-coupon bonds in the private market from dealers who purchased regular Treasury issues, stripped them of the coupons, then repackaged them in their discounted, non-interest-bearing form.

If the Treasury can sell a 20-year zero-coupon bond, no payouts are required until 20 years from now, and that makes the interest payment on the national debt look better in the current and nearby years. But as Joseph E. Plocek, a zero-coupon expert at the New York firm of McCarthy, Crisanti & Maffei estimated, to raise between \$4 billion and \$5 billion in cash, the Treasury would have to sell about \$63 billion in zero-bond face value.

Regan and Sprinkel have at least four task forces at the Treasury—legal, tax policy, monetary policy and domestic economic policy—working on the zero-coupon and related ideas.

The indexed bond raises all kinds of tax questions, Plocek points out. For example, would additional earnings based on higher inflation be taxed as regular income or as capital gains?

Perhaps the most controversial of the major new techniques being considered is the so-called bearer bond, a security for which the Treasury would not keep a record of ownership. That is an open invitation for tax evasion and cheating. This strange Treasury adventure into creative financing started with the 1984 tax legislation—signed last month by the president—which scraps the 30 percent withholding tax on Treasury bond interest paid to foreign investors.

This tax giveaway was promoted by Secretary Regan with the idea that, if foreigners didn't have to pay taxes, the United States could fob off more of its deficit financing abroad at lower interest rates than it has to pay at home. According to Sen. Robert J. Dole (R-Kan.), Regan went one step further, coming up with the bearer-bond idea. Dole, chairman of the Senate Finance Committee, said on Meet the Press. "It's doubtful [that] it's a good idea."

Ironically, the Tax Equity and Fiscal Responsibility Act of 1982 sought to choke off tax evasion of this kind. As a consequence, the Treasury since last year has issued only registered notes and bonds, which leave records of ownership. Banks and other financial institutions also have been required to tighten their records and reporting to the

Internal Revenue Service, even to the point of reporting tax-free transactions.

Yet, the administration seems ready to sell bearer securities to foreigners. It is hard to see why that doesn't contravene the clear intent of Congress to close down, rather than open up, new tax evasion schemes.

"There's an element here of financial nationalism," economist Henry Kaufman commented. "We are attracting funds from abroad. Meanwhile, we hold down the rate of inflation by importing a lot of goods. Our large fiscal expansion and high interest rates exact a penalty on the rest of the world. This policy can't last forever."

The Reagan administration ought to put away the zero-coupon and bearer-bond gimmickry, and redirect its efforts to cutting the deficit in the old-fashioned, and only sound, way: by reducing unnecessary military and civilian spending where it can, and supplementing that effort with a solid tax increase.

[From the Washington Post, Aug. 8, 1984]

SOLICITING TAX EVASION

In a conspicuous display of poor judgment the Treasury Department is considering whether to sell, overseas, a type of security known as a bearer bond. Most government bonds are registered in the name of the holder. That makes it less inviting to steal them, but it also means that the government knows who's collecting the interest. A bearer bond is unregistered. The government simply pays the person who has possession of it—the bearer. The Treasury is attracted by the thought that foreign buyers might bid higher for bearer bonds than for the conventional sort. Why do you suppose investors might pay a premium for anonymity?

It is grotesque that the Treasury should entertain this blatant solicitation to tax evasion. When the idea began to take shape in mid-July, Sen. Robert Dole, the chairman of the Finance Committee, wrote to Secretary Donald T. Regan expressing his concern at a "perceived collusion by the U.S. Treasury with tax evaders." Sen. John H. Chafee and, in the House, Rep. Doug Barnard wrote similar letters. None of them has received an answer. The Treasury still hasn't made up its mind.

The administration seems to assume that, since the buyers would be foreigners, they would only be evading other countries' taxes. That's far from clear. Since the purchasers would be anonymous, as Sen. Dole pointed out, it will be impossible for the Treasury to know whether they are being sold—or resold—to Americans.

But if the logic of this scheme is weak, the moral implications are worse. At a time when money is becoming increasingly mobile, every government in the world is having trouble with tax evasion. They can control it only to the extent that they are prepared to work together. The United States has recently been having a degree of real success in its campaign to pry open the records of some of the Caribbean tax havens and even to coax a measure of cooperation from the Swiss banking authorities. This progress would be undercut by resorting now to bearer bonds.

Why does the Treasury continue to contemplate such an obviously bad idea? Perhaps the administration is getting anxious about its ability to keep drawing in money from abroad. The Reagan economic policy is pushing this country into increasing dependence on an inflow of foreign capital—

from a modest \$11 billion in 1982 to an unprecedented \$41 billion in 1983 to something over \$800 billion this year. You are entitled to doubt that this kind of geometric progression can continue much longer. Perhaps the Treasury Department is beginning to feel a strain sufficiently severe to press it toward expedients even as dubious as bearer bonds.

H. CON. RES. 346

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the United States should not issue bearer or zero coupon debt instruments.●

SALUTE TO CAL STATE SAN BERNARDINO

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. BROWN. Mr. Speaker, I rise to congratulate the San Bernardino campus of the Cal State University system. After 20 years of preparing students for graduation, the campus itself has come of age by graduating to the status of university.

In order to be awarded this distinction, the campus has worked hard to meet strict California education standards. Campus recruiters have boosted school enrollment from the modest 257 original students to the current 5,400. In order to change its name from "college" to "university" it is required to graduate 150 masters degrees a year; Cal State awarded 233. Another requirement is that one half the faculty must have doctorate degrees; at this campus over 70 percent hold that distinction.

Cal State San Bernardino meets a special need in my district by offering a full evening program, allowing for continuing education at every level—from high school graduate to working professional. In an age of high technology and constant change, we must all prepare ourselves for new careers and new directions.

I salute this campus for helping to fulfill this need, and I congratulate them for accepting the challenge to meet new goals and strive for excellence.●

TENNESSEAN COACHES WOMEN TO GOLD

HON. DON SUNDQUIST

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. SUNDQUIST. Mr. Speaker, last night the USA women's basketball team won the gold medal at the games of the XXIII Olympiad in Los Angeles by defeating South Korea 85-55. This was the first time in Olympic history

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that an American women's basketball team has achieved such an accomplishment.

I am proud to say that the coach for our women's Olympic basketball team, Pat Head Summitt, is a native of the State of Tennessee and of Cheatham County in my congressional district.

Coach Summitt and her players are to be commended for their outstanding record of six wins and no losses.

Since here days as a silver medalist on the 1976 women's basketball team in Montreal, Coach Summitt has been a very successful coach at the University of Tennessee, where her teams have frequently made it to the final four and played for the national championship numerous times in recent years. She was an assistant Olympic coach for the 1980 team that was unable to go to Moscow because of the boycott. Because of last night's victory, Coach Summitt will be the only woman in the world who has won medals both as a coach and player.

Today, our country and the State of Tennessee can be very proud of the association that Pat Head Summitt has had with our women's Olympic basketball teams. Because of her dedication, enthusiasm, and spirit of competitiveness, Coach Summitt is to be commended for her fine example on and off the basketball court.●

TRIBUTE TO THE LATE ALICE HILLELSON

HON. LARRY WINN, JR.

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. WINN. Mr. Speaker, it is with great sorrow that I bring to the attention of my colleagues the death on August 2 of Alice Hillelson, wife of our friend and former colleague from Kansas City, MO, Jeffrey Hillelson. I know that many of my fellow Members will want to join with Joan and me in expressing our condolences to Jeff.

Although Jeff served only a short time in the House, he and Alice established and maintained many friendships among his colleagues. Many of us recall fondly Alice's graciousness, warmth, and support for her husband's career. Alice was deeply concerned for others, serving in many Kansas City community organizations. Her activities included work in special education, the Junior League, and the Greater Kansas City Urban League. Alice also shared Jeff's interest in politics, serving most recently as a delegate to the 1980 Republican National Convention. While she was deeply involved in public life, Alice was always a superb wife to Jeff and a supportive mother of their two children.

Again, I know my colleagues will want to join with me in expressing our

concern and sympathy to the Hillelson family in this special time of sorrow.●

OLYMPIC CHAMPION CINDY NOBLE

HON. BOB McEWEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. McEWEN. Mr. Speaker, I want to take this opportunity to congratulate Cindy Noble of Clarksburg, OH, and all the members and coaches of the U.S. Women's Basketball Team on winning the Gold Medal last night at the 23d Olympics in Los Angeles.

I know that Cindy's parents, Mr. and Mrs. James Noble of Clarksburg, have waited a long time for this. Cindy made the U.S. Olympic Team in 1980 which, of course, did not compete because of the boycott. This made last night's victory even more satisfying.

Cindy's effort was olympian. She was third highest scorer last night with 10 points on three for five from the field and four out of five from the free-throw line.

In winning the Gold Medal, Cindy Noble and the U.S. Women's Basketball Team proved once again that the American doctrine of dedication, commitment, and teamwork does pay off.

Again, on behalf of the citizens of southern Ohio, I extend our congratulations and best wishes for the future to our own Cindy Noble and the entire team.●

ORGAN TRANSPORTATION GOOD SAMARITAN ACT

HON. MICHAEL A. ANDREWS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. ANDREWS of Texas. Mr. Speaker, today I am introducing a bill to protect and limit the liability of persons who without compensation transport in interstate commerce and by air human organs.

The bill follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Organ Transportation Good Samaritan Act".

SEC. 2. Any person who engages voluntarily and without compensation in air transportation in interstate commerce of a human organ for the purpose of assisting a recipient of a human organ transportation shall not be liable under any State law for injury, harm, or death to such recipient, the donor of the human organ, or the heirs, successors, or assigns of the recipient or donor resulting from direct or indirect damage to the human organ while being transported by such person unless the damage is the result of the gross negligence of such person.●

YEAR OF THE OCEAN

HON. DENNY SMITH

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. DENNY SMITH. Mr. Speaker, I want to take this opportunity to recognize 1984 as the Year of the Ocean. Special events are planned throughout the country to focus attention on the Nation's aquatic and marine resources and the essential role of the sea in the life and future of our Nation. Celebrations in Oregon include receptions, proclamation ceremonies, film festivals, poster contests, workshops, and trips, all designed to call attention to the special contribution the ocean makes to our lives.

Oregon's commitment to gaining a better understanding is exemplified in Newport, home of one of this Nation's finest programs in marine biology. Oregon State University's program in oceanography attracts students from across the country to the beautiful Newport environment, where students take advantage of Oregon's rich coastal marine life and receive fine academic training.

As our country has grown, our ties to the sea have assumed greater importance. In this era of shrinking natural resources, people are looking beyond our earthbound territories to the ocean to play a critical part in planning for our future. The demands for the ocean's vast bounty will naturally grow. We use products that are derived from the sea, transport products over the sea, and produce resources from the sea. We have come to depend upon the ocean and coastal zone for the extraction of fossil fuels and mineral resources, for the placement of facilities to generate energy, and for fishery resources.

The Year of the Ocean provides an excellent opportunity to examine our ocean heritage and foster greater awareness of our need to live in harmony with the ocean.●

TRADE DEFICIT HEARINGS

HON. DON BONKER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. BONKER. Mr. Speaker, this Nation faces a staggering deficit in its international balance of trade. When the current administration took office in 1981, our balance of trade was positive. By last year, however, it had plunged to a record \$70 million deficit, and at the rate we are going we will have a further deficit of \$126 billion by the end of 1984. Even our so-called current account balance, which includes remittances from tourism, our

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investments abroad, and other normally positive contributions to our balance of trade in merchandise, has fallen into the red by some \$40.8 billion, and could go to \$80 billion by the end of this year. In short, we are fast on the road to becoming a debtor nation.

In the view of many, this trade deficit is at least as serious and damaging to our economic welfare as the other deficit we all aware of—the U.S. budget deficit. Certainly together, these two areas of deficit are a dark cloud over all Americans and the prosperity we work so hard to maintain.

Mr. Speaker, the Subcommittee on International Economic Policy and Trade, which I have the honor to chair, will hold hearings September 20 and 25 on the trade deficit emergency we face. What are the causes of this problem, and what remedies are there that we have so far failed to implement?

I am hopeful, Mr. Speaker, that these hearings will increase the awareness and understanding of this Congress to the trade deficit problem, and motivate us and the administration to make any sacrifices that may be needed to correct it. In doing so, we will restore jobs to our economy and achieve greater economic security. Any such security we now have is in great jeopardy as long as these deficits continue.●

DONALD E. NORDLUND SPEAKS
ON WORLD AGRICULTURE AND
INTERNATIONAL TRADE
POLICY

HON. RICHARD J. DURBIN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 8, 1984

● Mr. DURBIN. Mr. Speaker, I would like to submit for the record an important statement by Donald E. Nordlund, who heads one of America's leading agri-business corporations, the A.E. Staley Manufacturing Co. of Decatur, IL. Although you would be hardpressed to find the name Staley on your grocer's shelves, the corn and soybean products manufactured by the firm are mainstays of many grocery products.

From its several corn refining and soybean processing plants, Staley supplies soybean meal and corn feeds that are vital protein sources for the Nation's poultry and livestock. Corn wet milling facilities produce corn sweeteners and starches, and ethanol plants make power alcohol for use in motor fuel blends. The company also manufactures industrial starches from corn, potatoes, and tapioca. These products are essential in the production of paper, textiles, adhesives, building materials, and many other goods.

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As Mr. Nordlund's statement points out, the company is a major exporter and, also is greatly affected by the importation of foreign products which compete with our domestic market for sweeteners, starches, and vegetable oils. The growth potential of the company is great, but it is also very dependent on the availability of market here and abroad.

Under Don Nordlund's leadership, the Staley Co. has pioneered development of fructose corn sweeteners, soy protein products, and corn and soy feeds. Don was appointed as a member of President Reagan's Advisory Council on Private Sector Initiatives in 1983, and serves as chairman of the board of trustees at Millikin University in Decatur, IL.

The following statement was given before the Washington International Trade Association on July 31, 1984:

It is a privilege to be here today to address the topic of world agriculture and international trade policy—a frequently discussed subject, especially here in Washington. More often than not, the rhetoric centers on specifics—goals, confrontations and crises.

This afternoon let us step back from these immediate challenges and consider a root cause of many of them, one of the most serious problems confronting world agriculture—the conflict between policy and productivity. It is a reason for the troubled state of world agriculture today and of major political disputes between the United States and its traditional trading partners. If not resolved, it will prove even more disruptive in the future.

This is a time of paradox in international agriculture. Never has productivity been so great and, yet, the need so pronounced.

There are an estimated 500 million people on this earth who suffer from hunger and malnutrition. Starvation is a reality in some parts of the world.

The problem clearly is not one of productivity. World food production has made remarkable progress in recent decades. It has increased by 30 percent in the past 15 years alone. This upward trend has been even more pronounced in the developing countries, where food production has risen by some 40 percent.

One-third of this increased production is traceable to an expansion of land committed to agriculture. The other two-thirds has been the result of technological progress, including improved farming methods, wider and better application of fertilizers, and increased use of high-yield-plant varieties.

The United States has played a major role in the rise of world food production. Former Secretary of Agriculture Orville Freeman recently referred to the accomplishments of American agriculture as "the No. 1 production miracle in the history of mankind." Over the past 30 years, U.S. production of grain and oilseeds has nearly tripled.

This U.S. is not alone in such achievements. Since the 1960's, grain production in India has increased by 50 percent; soybean production in Brazil has risen thirteenfold; and grain harvests in the EC and Russia have doubled.

These impressive gains ironically have intensified a serious food supply-and-demand imbalance which exists in the world today.

The presence of surplus dairy products, feed grains, sugar and other agricultural commodities in producer nations around the globe is difficult to accept both from humanitarian as well as business points of view.

Several factors contribute to the dilemma. The recent strength of the dollar has made it difficult for some nations to purchase U.S. farm products as well as our industrial goods. In agriculture, however, a strong case can be made that the present disturbing paradox is largely the result of world agricultural policy, or rather, policy failure. The rise of the dollar in international markets is a recent phenomenon, but world agricultural policy has been leading us toward crisis for decades.

A large share of the responsibility for this failure must rest with the United States—the world's most prolific food producer—and its inability to take a firm lead in shaping international agricultural policy. Our political system with its changing administrations obviously makes consistent world leadership more difficult.

Since World War II, however, the United States essentially has pursued an agricultural trade policy based upon a free market concept. The theory is that an unencumbered international market encourages optimum production of agri-products and their trade throughout the world. The benefits include higher income for exporters/producers, such as the United States, and improved living standards for those nations needing food. We have doggedly pursued this concept for more than 40 years by setting an example for others to emulate.

Unfortunately, they have not done so. Instead, most of the world's governments have persisted in embracing the policies of protectionism—probably not surprising when one considers the relative strengths of the competing agricultural economies.

Two groups, however, have paid the price for this folly: the leading producer of food, the United States, and our customers—including those who are the world's neediest.

For many years, protectionist activities appeared to have little impact on U.S. agriculture. Through the 1950's, 1960's and 1970's, our food production and exports grew dramatically. We were able to ignore the reality that the United States was carrying the burden of world protectionism. The United States has traditionally approached the problem of domestic overproduction by reducing output and holding excess stocks within this country. Many other nations, however, react to overproduction by creating more demand through export of surpluses at below market prices, thereby transferring most of the cost to other producers, especially the United States.

Over the past few years, this burden has become too heavy. For example, in 1970 the U.S. share of world grain reserves was 40 percent; in 1982 it was more than 60 percent. During the 1970's the cost of domestic farm programs was around \$4 billion per year. Last year this cost rose to \$20 billion. The headlines about the Payment-In-Kind Program of 1983 rarely explained that it was our policy of holding excess stocks which caused the Government to accumulate mountains of grain in the first place.

Protectionism today occurs in every corner of the globe and covers practically all food, oilseeds, feedstuffs, and value-added, agricultural products. It comes in many forms.

In the Far East, for example, most governments have adopted rice policies favoring

the consumer and discouraging the producer. As a result, rice production falls far below its potential and increasingly short of demand. In the end, the consumer is not benefiting from the policy. He is suffering. A free-market environment, based upon supply and demand, would stimulate greater production of rice for the entire world.

Coarse grains, such as corn, face difficult trade barriers in many parts of the world. This is especially true in the EC, where U.S. corn must enter under a variable levy. This restraint is designed to insulate European grain farmers from world market prices. Rather than pay this artificially high price for corn, European feed compounders have turned to the more economical corn gluten feed which has a duty-free status. U.S. corn gluten feed exports to the EC have risen sixfold since 1974.

The EC now is seeking to extend its protectionist policy to include corn gluten feed. The community is calling for a 3-million-ton limit on corn gluten feed imports with a tariff on shipments exceeding the quota. The United States has taken a firm stand—indicating that the idea is totally unacceptable and would provoke stiff retaliation. Our resolve is firm, in part, because there is justifiable fear that capitulation on this issue will encourage similar measures against soybean and soybean meal exports, a \$4 billion a year market for U.S. agriculture.

On the subject of soybeans, the world market for them has become an arena for a new kind of protectionism. It might best be categorized as aggressive protectionism. That is—policies that go far beyond protecting a country's agri-industry to actually promote its expansion by whatever means necessary.

Leading proponents of this aggressive protectionism in soybean products are Brazil and Argentina. Both countries use differential export and domestic tax incentives that result in huge bonuses for their soybean processors. Soybean processing margins in Brazil and Argentina are often two to three times that of margins in the United States.

Along with Brazil and Argentina, the Common Market is working hard to protect and expand its oilseed industry. European processors receive restitutions on all major oilseeds and also benefit from an import duty on soybean oil.

The Common Market, Brazil and Argentina are not alone in promoting their oilseed industries by such practices. Mexico guarantees its crushers a profit—so they can bid up the international price of sunflower seed to levels that force U.S. processors to operate at negative margins.

In Malaysia, the palm oil industry enjoys a pre-export financing program and a differential export duty. This is the same industry that essentially was created by American dollars funneled through the World Bank and International Monetary Fund. The result: Malaysian palm oil today accounts for nearly 4 percent of the U.S. vegetable oil market and Malaysia has become the largest exporter of edible oils in the world.

Canada recently added a new dimension to aggressive protectionism. Canada simply changed the designation of the United States from a domestic to an export market so subsidized freight rates can be applied to shipments of canola meal and oil, sunflower oil, and other agri-commodities coming into this country.

The world sugar market is a classic example of the damage inflicted by protectionist policies.

At a recent London meeting, Dr. Helmut Ahlfeld, a noted authority on world sugar, concluded that there is no hope for self correction of the sugar surplus in the world market. He explained that sugar no longer responds to normal supply-and-demand factors. Dr. Ahlfeld stated that no real decrease in production is in sight despite world prices well below the cost of production. The reason is subsidization which has both protected the producers of sugar and encouraged them to dump their product on the market. As a result, refined sugar which costs an average of 20 to 25 cents per pound to produce around the world now sells for 7.5 to 8 cents.

Seven major sugar producers account for 70 percent of world cash sugar exports and each of the seven employs at least two and as many as eight types of subsidies. The European Economic Community has switched from a new sugar importer just a few years ago to the world's largest cash exporter by means of a complex system of high internal prices and heavy export subsidies. Other countries underwrite credit and manipulate exchange rates. To illustrate—the real cost of borrowing for Brazil's sugar industry has been as low as a minus 20.8 percent in recent years.

To compound the problem, talks on a new international sugar accord collapsed last month, setting the stage for dumping of more than 2 million tons on the world market in January when the current agreement expires.

I cite these examples not as criticism of the motives of the nations employing protectionism, but rather to focus your attention on the realities of world agricultural trade. Protectionism is rampant around the world, from the Far East, to South America and throughout Europe, encompassing practically all agri-products.

It has been a prime reason for the present underutilization of the world's leading producer of agricultural goods—the United States. Consider that more than one-fourth of the U.S. soybean industry's processing capacity presently is unused; that 75 million acres of farmland were left idle last year; and that this Nation has lost substantial world market share in poultry, flour, pasta, wheat, wine, pork and beef, soybean products and more.

Unfortunately, problems created by foreign protectionism will likely become worse before they get better. One of the principal reasons is the failure of such policy to recognize the continuing evolution of agri-technology. If not taken into account, it will force policy and production even further apart in the future.

The accomplishments in agricultural production in recent decades will be only a prelude to even greater strides in the years ahead. These strides will come from many technical areas, including breakthroughs in genetics and bioengineering.

Agriculture in years to come will include new methods of water management. Laser beams already are being used to prepare fields for better water usage; infrared guns will be employed to monitor plants for water stress; field conditions will be measured by sensors tied to weather satellites to aid in irrigation scheduling. Farmers will apply chemicals to their crops to inhibit water loss. This development alone could increase corn yields by 15 percent, according to some experts.

Genetic engineering, in particular, will have enormous impact on the world's food system. There are some 170 laboratories in

the United States presently working on cell fusion, gene transformation, plant tissue culture and other technologies to produce new concepts in food productivity and human nutrition. Their work will swiftly advance the development of food crops with more resistance to drought, heat or cold; crops with improved nutrition and shorter growing cycles; crops more responsive to fertilizers and with greater yields.

It is interesting to consider that about 95 percent of the world's food is related to plant life. There are 350,000 species of plants on Earth, but only about 300 are used for food production. Of these, only 20 would be considered mainstays in the world food system. Obviously, there is much room for new crop innovation through plant genetics.

In the future, worthless plants, such as milkweed, may be sources of vegetable oil; even giant ragweed, the enemy of hayfever sufferers, may be cultivated as a protein source. All of this may sound far fetched, but remember, it was little more than 50 years ago that farmers in Illinois had to be persuaded to plant soybeans as a cash crop.

One particularly intriguing concept is the development of salt-tolerant crops. Throughout the world, there are an estimated 2 billion irrigated acres today that are affected adversely by saline conditions; much of this land is in arid climates. On these acres, seeds do not germinate properly, and plant growth is reduced. Imagine the increase in food production on these acres through the development of salt-tolerant plants. Already work is progressing on the development of salt-resistant rice, wheat, barley, lettuce, peanuts, and many more foodstuffs.

The upshot of this technological wave will be increasing supplies of agricultural goods—making protectionist policies even more antiquated and cumbersome. The present mountains of unused food and feedstuffs in the developed nations will be pushed higher by agritechnology. From a business viewpoint, rising market demand will go unserved; from a humanitarian perspective, hunger and health problems will increase; the food gap will grow larger with serious political implications. Unless—a change of direction is achieved in world agricultural policy. It must begin here at home.

There is much discussion about Congress drafting a market-oriented, 1985 farm bill. Some people seem to consider this a new idea. It is, in fact, the same philosophy that U.S. policy makers have espoused—and our foreign competition has ignored—for years. It is a strategy that has met with little success and will do so again unless preceded by a strong dose of realism. Domestic farm legislation cannot unilaterally resolve the protectionist practices employed around the world. We must have the full cooperation of other nations—which has not occurred.

The United States, therefore, must use caution in formulating a market-oriented farm bill next year, or we will hand over another share of our shrinking world markets to foreign competition. In essence, we will continue to reward them for their protectionist ways.

Before working toward true market orientation, the United States must be prepared to fight fire with fire on a selective basis. Self defense against protectionist policies must be incorporated into the next farm bill. It need not be incompatible with greater market orientation. It need not take the form of across-the-board protectionism or be approached as a permanent feature of our agricultural policy.

Self defense can be accomplished in two ways. First, the farm bill must grant authority for the prevention or limitation of damage to efficient domestic producers, suffered as the result of inequitable export practices on the part of foreign governments. Second, the legislation must authorize the Government to encourage exports in the face of unfair international market conditions. This authority might include expanded use of Pub. L. 480, credit buy-downs, counter trade assistance, even outright cash payments.

These tools ironically are required if the United States is to be persuasive in its effort to lead the world away from protectionism and toward a market-oriented agricultural system. I would emphasize that such authority must be used judiciously and in a responsive manner, but it must be used—for the hour is late for American agriculture.

Exemplary action and patience have not worked in setting ag policy. Without a meaningful change, of course, this Nation's largest and most vital business will slip into the present state of many of our smokestack industries today.

It must not happen. Fortunately, there have been encouraging signs that a new awareness is present among our policy makers. It is a growing understanding of the world of agriculture as it is—not as we would wish it. Now, the challenge is to transfer this awareness into action.●

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Thursday, August 9, 1984, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

AUGUST 10

9:30 a.m.

Select on Indian Affairs

To hold hearings on S. 2879, to implement Indian regulation of surface coal mining operations and activities on Indian lands.

SD-562

SEPTEMBER 5

9:30 a.m.

Labor and Human Resources

To hold oversight hearings on the implementation of the Orphan Drug Act (Public Law 97-414), focusing on section 7 relating to radiation-cancer liability.

SD-430

SEPTEMBER 11

9:00 a.m.

Energy and Natural Resources

Public Lands and Reserved Water Subcommittee

To hold hearings on S. 2032, H.R. 5426, and S. 2916, bills to designate certain lands in Colorado as wilderness.

SD-366

10:00 a.m.

Environment and Public Works

Business meeting, to mark up S. 2892, to amend and authorize funds for the Comprehensive Environmental Response, Compensation, and Liability Act (Superfund).

SD-406

SEPTEMBER 12

10:00 a.m.

Energy and Natural Resources

Business meeting, to consider pending calendar business.

SD-366

Environment and Public Works

Business meeting, to mark up S. 2892, to amend and authorize funds for the Comprehensive Environmental Response, Compensation, and Liability Act (Superfund).

SD-406

2:00 p.m.

Energy and Natural Resources

Energy Research and Development Subcommittee

To hold oversight hearings on the May 1984 Department of Energy/Energy Information Administration comprehensive review of the status of the U.S. domestic uranium mining and milling industry.

SD-366

SEPTEMBER 13

10:00 a.m.

Environment and Public Works

Business meeting, to mark up S. 2892, to amend and authorize funds for the Comprehensive Environmental Response, Compensation, and Liability Act (Superfund).

SD-406

SEPTEMBER 14

10:00 a.m.

Environmental and Public Works

Business meeting, to mark up S. 2892, to amend and authorize funds for the Comprehensive Environmental Response, Compensation, and Liability Act (Superfund).

SD-406

SEPTEMBER 18

9:30 a.m.

Labor and Human Resources

Labor Subcommittee

To resume oversight hearings to examine the scope and impact of certain occupational diseases.

SD-430

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10:00 a.m.

Environment and Public Works
Toxic Substances and Environmental
Oversight Subcommittee
To hold hearings on the release into the
environment of genetically engineered
organisms.

SD-406

11:00 a.m.

Veterans' Affairs
To hold hearings to review the legisla-
tive priorities of the American Legion.

SR-325

SEPTEMBER 19

10:00 a.m.

Environment and Public Works
Toxic Substances and Environmental
Oversight Subcommittee
To continue hearings on the release into
the environment of genetically engi-
neered organisms.

SD-406

SEPTEMBER 20

10:00 a.m.

Energy and Natural Resources
Water and Power Subcommittee
To hold hearings on S. 1981, authorizing
additional funds for the development
of small reclamation projects.

SD-366

CANCELLATIONS

AUGUST 9

9:30 a.m.

Labor and Human Resources
Alcoholism and Drug Abuse Subcommit-
tee
To hold hearings to review the use of
controlled substances by sports fig-
ures.

SD-430

AUGUST 10

10:00 a.m.

Environment and Public Works
Business meeting, to continue markup
of S. 2892, and amend and authorize
funds for the Comprehensive Environ-
mental Response, Compensation, and
Liability Act (Superfund) (Public Law
96-510).

SD-406

