

EXTENSIONS OF REMARKS

ANNIVERSARY OF KAL FLIGHT
007

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. RITTER. Mr. Speaker, I observed with increasing dismay media reaction to the first anniversary of the shooting down of the Korean Air Lines flight 007. Many commentators, rather than condemning this Soviet barbarism, attempted to excuse and justify it as a justification reaction to the American provocation of using KAL 007 for a spy mission.

A few weeks ago, the New York Tribune published an article by Bruce E. Herbert, a former professional staff member of one of the committees of this body. It presents the theory that the Soviets could have caused KAL 007 to unknowingly fly into their airspace and thus be tracked and destroyed. We may never know if Mr. Herbert's theory is correct but it is one of the theories which could explain the inexplicable.

Mr. Herbert has flown thousands of hours in the Naval Air Reserve as a transport aircraft commander and knows navigation subjects well. I recommend his article to my colleagues.

[From the New York Tribune, Aug. 31, 1984]

TERROR ANNIVERSARY: KAL SLAUGHTER WAS
PLANNED

(By Bruce Herbert)

It is now a year since the Soviets shot down Korean Air Lines Flight 007 over the Sea of Japan. What little world interest now remains continues to focus on the Soviet regime's motivation for such a barbarous act. The questions that should have been tenaciously explored, however, are: Why did the airliner fly so deeply into Soviet airspace, and why did this gross navigational error apparently go unnoticed by the crew?

The Soviets' violent reaction to intrusion of their airspace is so well established that no professional airman knowingly flies into even its fringes. Since 1950 there have been more than a score of attacks on Western Aircraft—military and civilian—by the Soviet fighters. Some of these intrusions have been deliberate spy missions (e.g., Gary Powers flying the U-2 in 1960), but most have been due to faulty navigation. Several attacks took place over international waters abutting Soviet or satellite territories. The lesson is clear: Stay away from even the appearance of approaching Soviet airspace without prior clearance.

FATEFUL NIGHT

And yet on the night of Aug. 31-Sept. 1, 1983, Korean Air Lines 007 entered the airspace over Kamchatka Peninsula, contin-

ued through the Soviet Sea of Okhotsk, passed over Sakhalin Island and was shot down by an Su-15 fighter shortly after it passed Kholmsk.

Recorded voice transmissions from the airliner show clearly that the crew did not know that the aircraft was north of the correct course. In all, KAL 007 was in Soviet airspace for more than two hours and was within minutes of the safety of international airspace near the Japanese island of Hokkaido when it was destroyed.

Information available for a year should also have raised a host of subordinate but nonetheless intriguing questions. Since there are several fighter bases on the southern end of Kamchatka, why was the airliner not intercepted and shot down shortly after entering Soviet airspace? That falling, why weren't aircraft scrambled from any of the airfields on the Kuril'skiye Ostrova chain of islands between Kamchatka and Hokkaido or from the east coast of Sakhalin?

Unless one subscribes to the thoroughly unlikely theory that Soviet air defenses are a disaster and that it took two hours to detect, track, intercept and destroy as huge target flying a straight course at subsonic speed on a clear night, there is only one possible explanation for the delay in attacking KAL 007. Given the past history of furious and immediate reaction to penetrations of their airspace, the Soviets must have known in advance that the airliner would enter their airspace northwest of the Aleutians and that they chose the time and place of its destruction.

The only way the Soviets could have known the aircraft would intrude is if they had arranged that it do so.

COMPUTER-NAVIGATED

Practically all Western international air carriers navigate primarily by means of the inertial navigation systems (INS) manufactured by Litton Industries. Unlike military aircraft long-range systems (such as NAVSTAR), which navigate by means of satellites and key heavenly bodies, INS relies upon the inputting of data independent of geographical or celestial masses. The INS is basically a computer, and like all computers, Garbage In—Garbage Out.

INS is programmed by inputting latitude and longitude coordinates for the proposed flight plan. These are punched into the system by the aircraft commander. The operation is monitored by the copilot and, on some airlines, the flight engineer as well. Most Boeing 747s have three INS on board for purposes of reliability and safety ("redundancy" as it is called in military jargon). Should one INS fail, the other two would take over.

Most important, however, the three INS act as checks on each other but only insofar as to the sameness of the input data. As long as the latitude and longitude waypoints punched into the computer are the same, regardless of whether or not they are correct for the flight plan, there will be no indication of malfunction.

On the flight from Anchorage to Seoul, there would have been about a dozen of these waypoints programmed into the INS system to carry it on Airway Route R-20

safely south of Soviet airspace. Even so, to a pilot it is an onerous task to manually program the system three times. For this reason, the airline industry uses pre-recorded magnetic strip cards to program on-board computers and navigation systems rapidly and error-free.

The "Route Cards" are commercially produced and are individually keyed for specific routes (New York-London, San Francisco-Tokyo, Miami-Caracas, etc.). Anchorage-Seoul is one of the routes available on a route card and may have been used by Korean Air Lines.

SUBSTITUTED CARDS?

Did the Soviets substitute KAL 007's Anchorage-Seoul route card with another containing incorrect coordinates, thus taking the airliner north of the proper flight path? Could they have done it?

We may never know the answer to the first question, but the answer to the second is "yes." The route cards are stored on board the 747 aft of the co-pilot's seat in a bulk-head together with the air navigation charts, En Route Supplements, Airman's Guide, etc. They are clearly labeled and are readily accessible to anyone on the flight deck. While the airliner is on the ground, maintenance personnel pass freely in and out of the cockpit. Anyone wearing coveralls and Mickey Mouse ears (noise suppression headphones) around his neck would be unchallenged.

The track of the doomed aircraft certainly indicates a peculiar deviation from the normal flight plan. The first quarter of the flight—all within American radar control where any error in navigation immediately would have been noted—was precisely on course. KAL 007 then very gradually began veering north above Amchitka Island in the Aleutian chain—just out of Federal Aviation Administration radar range.

The drift north slowly increased and, had the flight continued, would have taken the airliner over Vladivostok and into China at Harbin. Japanese radar first picked up KAL 007 north-northeast of Hokkaido when Capt. Chon radioed to request an altitude change from flight level 320. Before the Japanese could react to the radar information and warn the aircraft of its danger, it was shot down during its climb to 35,000 feet. Thus, for 2½ hours, the only radar "painting" of the off-course airliner was Soviet.

But wouldn't Chon have had other cockpit indications that he was off course? Probably; with KAL 007's slow drift to the north, his two gyro and one standby compasses would have shown consistently that he was three to five degrees right of course. This would have been considered an acceptable deviation, however, in light of the extraordinary accuracy and reliability of his three on-board INS.

Although the crew wouldn't have been able to see the Earth's surface since shortly after clearing the Alaska Peninsula (there were stratus and cirrus cloud decks from 6,000 to 14,000 feet all along the aircraft's track), the two on-board weather radars

should briefly have shown a land mass when KAL 007 overflew Kamchatka.

If Chon was using his weather radars to identify the landfall of northern Japan and Hokkaido, he apparently thought he saw it in the very similar radar signature of Soviet Sakhalin. One of his very last reports gave his position as 113 nautical miles south of Hokkaido. Japanese radar showed KAL 007 more than 100 miles north of the island.

If the destruction of KAL 007 was planned by the Soviets before the aircraft even taxied out from the terminal at Anchorage, why did they do it? The answer may lie partly in the unusual opportunity offered by a combination of circumstances the night of Aug. 31-Sept. 1 in Alaska.

KAL 015 from Los Angeles landed at Anchorage shortly before KAL 007 arrived from New York. The two aircraft were on the ground side by side for more than an hour. The fueling, other servicing and loading of two huge 747s simultaneously would have added to the normal activity surrounding the departure of a single long over-water flight. In the nighttime preflight confusion, the presence of an unauthorized person on the flight deck would not have been noticed.

KAL 015 took off for Seoul 14 minutes after its doomed sister aircraft. It is now common knowledge that three staunchly anti-communist members of Congress were on board: Sen. Jesse Helms, Sen. Steven Symms and Rep. Carroll Hubbard, Jr.

Another passenger item, however, has been almost totally ignored by the media. By telex on Friday, Aug. 26, Korean Air Lines in New York advised Seoul that in addition to McDonald, these White House, State Department and Department of Defense VIPs were to be on board Wednesday's flight: Donald Mann, associate director, Presidential National Security affairs; Dr. Donald Stims, deputy undersecretary of Defense, Policy—Nuclear Targeting; William Scheider Jr., undersecretary of State—Security; and Robert McCormick, assistant secretary of State—Security. In actuality, all four left New York for Korea earlier and made the trip on Sunday's flight instead. Although their original reservations had been cancelled for the later flight, Korean Air Lines did not send another telex correcting Wednesday's manifest.

KAL 007, as we know, actually carried Lawrence P. McDonald, the most vehement and vocal critic of the Soviet regime in the House of Representatives.

If the increasingly strong circumstantial as well as direct evidence of Bulgarian complicity in the attempted assassination of the pope is correct, it hardly seems likely the Soviets would hesitate to shoot down a civilian airliner in order to brutally reaffirm their power and contempt for the Free World, while at the same time eliminating avowed enemies of the Soviet state.●

THE PRAIRIE WIND

HON. E de la GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. DE LA GARZA. Mr. Speaker, Time magazine of September 10 has an editorial by Hugh Sidey entitled "Pay Heed to the Prairie," which I think is worthy to share with my colleagues:

PAY HEED TO THE PRAIRIE

(The Presidency by Hugh Sidey)

Hear the language of the prairie wind. The muffled groan of a forgotten and rusted windmill. The taut, thin cry of a young hawk at a thousand feet poised on invisible thermal crests. The worried whispers of hundreds of millions of stalks of corn, ear to fat ear, leaf on leaf. It all says more in ten minutes about beginnings and endings, about hopes and disappointments than Ronald Reagan and Walter Mondale have said in a year—a loud, loud year.

Angry shouts from Washington and Moscow, arguments between Republicans and Democrats, thunderous political conventions, ear-splitting Olympic extravaganzas, mines and missile attacks, noise and people and people making noise. The beaches are filled and the forests infiltrated, and even the high mountain passes have traffic jams of mobile homes. So come to the prairie and listen. Nobody goes there in August—except grasshoppers and God.

Strange how the pressures of the world seem to have cropped out in the center of the country. The fecund fields of Adair County, Iowa, yield more corn than anyone can sensibly conceive (5,308,000 bu. made up of at least 400 billion individual kernels, any one of which makes a good chew for a boy doing nothing but hiking in the sun and tasting the earth's power). That is corn coveted by the adversary, the Soviet Union. Corn that would feed the hungry of Bangladesh if they could only get it. Corn that is so abundant that much of it is packed away and stored and sometimes rots. Corn that is crushing the very genius that produced it.

But beneath those miracle plants the precious mantle of topsoil is washing away, some 13 tons per acre every year. The experts say a tolerable limit is a five-ton loss. So if nothing more is done, in less than 50 years the great resource on which rests our national strength and confidence will begin to ebb. And we could lose more than that, says Lester Brown of the Worldwatch Institute in Washington. A thousand years ago, the Mayan civilization in the Guatemalan lowlands disappeared in a few decades after 17 centuries of development. Modern analysis found that this agriculture-intensive society collapsed when the topsoil ran out.

Pay heed, Reagan. High interest rates, which these folks link to the huge federal deficits, have brought bankruptcy to more farmers than at any other time since the Great Depression. Families, after generations on the same land, have given up and drifted off to the melancholy ranks of the rootless. Pay heed, Mondale. The last thing they need is another tax increase on top of real estate taxes, sales taxes, income taxes, Social Security taxes. And stores that long ago lost their merchants have filled up with Government offices where the personnel never seems to diminish, and their pay always seems to go up, never down like those who try to create the wealth and risk all they have and never go out on strike.

Out here on the prairies, they still communicate with the Soviets about growing food, and they wonder what is wrong with the big politicians that they cannot manage to talk about preventing nuclear disaster. International trade is for the moment a lot more important than school prayer and the ERA. The Pentagon's excesses and all the saber rattling around the world are a curse in a place whose whole reason for being is to enrich life every year with plowshares, whose profound joy is to bring sun and earth together and to nurture a golden

bounty for all people, without which there can be no peace.

Listen to the prairie wind. Sometimes angry, but more often not. Mostly the harbingers of gentle though inevitable change, a soothing companion, a bearer of wisdom in the last days of August when God does his work alone.

Mr. Speaker, my colleagues: We need to help God—He should not have to do it alone.●

THE FERES DOCTRINE

HON. JAMES F. McNULTY, JR.

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. McNULTY. Mr. Speaker, as Members of this distinguished body know, I have been encouraging attention to the problem of medical malpractice in the institutions maintained by the Department of Defense for the care of the men and women of the Armed Forces. It is the case that the great majority of physicians and hospital technicians are dedicated and competent people who are doing their best to see to it that the men and women under their care are cared for well.

But no system of medical care is free of error and so it is the case that due process of law is available for virtually every person in our Nation in the event there is believed to be a less than satisfactory level of medical care. Tragically this is not available to the men and women of our Armed Forces on account of a judicial determination best known as "the Feres Doctrine."

In March 1983 I introduced H.R. 1942 which would extend the right of due process of law under carefully defined circumstances for men and women of our Armed Forces where there is reason to believe a medical malpractice has occurred. I urge my colleagues to consider becoming cosponsors of this needed legislation and help to advance it in the legislative process.

A valuable account of the problems of people affected by the Feres Doctrine has been published by Richmond Times-Dispatch. Mr. Speaker, I ask that it is inserted into the RECORD at this point. (There follows a dispatch from the Richmond Times-Dispatch, September 16, 1984.)

FRUSTRATED SURVIVORS OF SERVICE PEOPLE BAND TOGETHER

(By Jean McNair)

HAMPTON.—Ruth Savala sat at her dining room table, turning the pages of a thick, loose-leaf notebook filled with letters about servicemen who mysteriously died during peacetime duty.

An Arkansas mother wrote that the Army sent her the body of her 18-year-old son "heavily made up to cover the battering and bruises he had sustained."

A California woman wrote that her daughter, an Army cook, died during a field training exercise and "there are a lot of unanswered questions."

A 17-year-old Army private was ordered to rake the grounds at Fort Benning, Ga., even after he suffered dizziness and vomiting. He died later that day in a hospital, his mother wrote.

A Minnesota woman wrote that her family had never received a full explanation of her 19-year-old brother's death in 1966 at the hands of a hit-and-run driver at the Norfolk Naval Base.

"There are so many cases like this that we come across," said Mrs. Savala, who with her husband, Frank, runs a chapter of Citizens Against Military Injustice, covering Virginia, West Virginia, Maryland and the District of Columbia.

The Savalas can empathize with families who lost a loved one during peacetime service.

Their 23-year-old son, Air Force Lt. Frank M. Savala Jr., died aboard a C-130 plane that crashed in Turkey in April 1982.

Their frustrated efforts to find the reason for the crash and have their son buried with his uniform led them to join CAMI.

Lacking a typewriter, Mrs. Savala writes letters in longhand to Pentagon officials and members of Congress seeking help for service men and women and their families. Some cases involve unexplained deaths, others medical malpractice at military hospitals, others physical or mental abuse.

Savala, who gave 30 years to the Army and Air Force and fought in three wars, has visited servicemen in trouble and traveled to Washington to seek help.

"We're doing it in memory of our son," Mrs. Savala said.

After repeated efforts to get the Air Force report on the crash, the Savalas learned that one of the plane's engines fell apart because a bolt had not been checked during a maintenance inspection.

Despite his anger, Savala still believes in the military.

"I have no animosity toward the military. I'm going to hound them until they get their stuff together," he said. "Somebody needs to be held accountable. This is all we're asking."

The Savalas have had some success. The Air Force has changed its policy to require that uniforms be buried with deceased service men and women.

Now they are devoting their efforts to helping other families and trying to get legislation passed to protect the civil rights of those in the service.

Savala is national vice president of CAMI, which has about 3,000 members in 33 chapters in 23 states. He is in line to become president when Frank B. Lockwood Sr. of Ridgecrest, Calif., steps down in a few months.

Lockwood, a 26-year Navy veteran, and his wife, Audrey, formed CAMI after their son Michael, 23, died while stationed aboard the USS Norton Sound in 1981. The Navy reported that he was lost overboard, but the Lockwoods say their own investigation showed that their son was beaten by a gang for being a drug informant and thrown overboard. His body was not recovered.

After much pressure, the Navy turned the case over to the FBI, which is still investigating, Lockwood said.

Lockwood said the organization has influenced the military to revise its policies for handling families of deceased service people. "They are dealing with the families with more sensitivity."

A telephone hot line has been established at the Pentagon to answer families' questions about casualties and a new policy requires that families be told the circumstances of a death, the CAMI leaders said.

Bill Caldwell, a Department of Defense spokesman, said military officials have met several times with CAMI representatives and tried to be responsive to families' concerns.

"Investigations are lengthy at times in the death of a serviceman or woman," he said. "The families have always been told the circumstances as much as possible."

CAMI's major push now is for legislation to repeal the Feres Doctrine, which is based on a 1950 Supreme Court decision barring military personnel from suing the government.

"Federal prisoners can sue but the service men and women, they don't have the same rights as the prisoners," Mrs. Savala said.

A bill before a House subcommittee would allow armed forces members to sue the United States for damages caused by improper medical care in military hospitals.

Rep. James F. McNulty, Jr., D-Ariz., sponsored the bill after learning about Jerry Meagher, a seaman who went to a Navy hospital nine years ago to have a cyst removed from his shoulder. He suffered two heart attacks during the procedure and wound up with brain damage and confined to a wheelchair. His parents' lawsuit was dismissed because of the Feres Doctrine.

But McNulty's bill would not help Meagher and others like him because it is not retroactive.

The Department of Defense has vigorously opposed the bill, arguing that allowing military personnel to sue the country would undermine discipline. The department says service people already are compensated through disability and retirement benefits.

If the bill passes, CAMI hopes additional legislation could allow other types of lawsuits.

"We are making headway. It's slow and it's tedious," Savala said. "It's going to take some pushing." ●

VERNICE FERGUSON: VA'S CHIEF NURSE GAINS INTERNATIONAL RECOGNITION

HON. G. V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. MONTGOMERY. Mr. Speaker, frequently I come before this great body to commend the standards, practices, innovation, leadership, and general excellence of the world's greatest health care delivery system, that of the Veterans' Administration.

The VA has consistently set the pace for the rest of the world's medical community through its scientific research and high quality medical care. The success of VA health care can be attributed largely to its nursing programs and service, headed for the past 4 years by Vernice Ferguson.

Today, I am pleased to inform you that on September 12, 1984, Vernice Ferguson received the prestigious Royal College of Nursing fellowship. She was one of only four nurses world-

wide, and the only non-British national, to receive this greatly deserved honor.

Mr. Speaker, Vernice Ferguson's achievements have focused international attention on not only one person's exceptional ability to distinguish herself, but on the dedication and expertise that is prominent throughout the VA's Department of Medicine and Surgery.

I ask my colleagues to join with me in tribute to this great lady and to her remarkable contributions to the nursing profession and the well-being of mankind, veteran and nonveteran alike.

I submit for the RECORD a statement, as it was delivered in London, England, on September 12, admitting Vernice Ferguson to fellowship of the Royal College of Nursing of the United Kingdom.

The statement follows:

VERNICE DORIS FERGUSON ELECTED HONORARY FELLOW OF THE ROYAL COLLEGE OF NURSING

Vernice Ferguson is an American nurse whose innovative leadership and outstanding professional achievements have given nurses both in her own country and in many others, a standard worthy of emulation. She was Chief of the Nursing Department at the Clinical Centre of the National Institutes of Health from 1973 until she assumed her present post in July 1980 as Deputy Assistant Chief Medical Director for Nursing Programmes and Director of the Nursing Service of the Veterans Administration of the United States. In this role Vernice Ferguson heads America's largest nursing service, comprising some 60,000 staff, of whom 31,000 are qualified nurses.

She is both a science and nursing graduate of New York University and holds a Masters Degree in Health Education from Columbia University, as well as having pursued graduate studies at the Universities of Yale, Chicago and Maryland. American colleagues and universities have recognized Vernice Ferguson's achievements by conferring on her Honorary Degrees of Doctor of Laws and Doctor of Science. She has also been the recipient of two fellowships, in Alcohol Studies and Physics, from the Universities of Yale and Maryland respectively.

A Fellow of the American Academy of Nursing, and its President from 1981 to 1983, Vernice Ferguson has also been the recipient of the coveted R. Louise McManus Award for Distinguished Service to Nursing, conferred in 1983 by Columbia University, and also the Luther Christman Award for Outstanding Leadership conferred by the American Assembly for Men in Nursing the previous year.

In addition to her considerable managerial responsibilities with the Veterans Administration, Vernice Ferguson has undertaken from 1984 to serve in the honorary office of Vice-President of the International Society of Nurses in Cancer Care. She has been and continues to be an active teacher of nursing, and also the sciences, at the National Institutes of Health, the Johns Hopkins University Hospital School of Nursing, and the University of Wisconsin. She is presently a Faculty Associate of the School of Nursing at the University of Maryland and an Adjunct Professor at the Georgetown Universi-

ty School of Nursing in Washington, D.C. Her talents and her gift of wisdom are widely known outside of the United States. She made the keynote addresses at the Fifth National Conference of the College of Nursing of Australia and the International Conference "Focus on the Elderly" sponsored by the RCN in London, both in 1983.

Vernice Ferguson takes a positive and balanced approach to her career as nurse, educator, researcher, author and administrator, as well as in her own life, in which she strives for professional excellence combined with public service. Her achievements testify to the message that nursing is a struggle to be grasped eagerly, in which hard work, enthusiasm and compassion can bring great goals within an individual's grasp. It would be invidious to seek to identify the most significant of Vernice Ferguson's achievements. She is a nursing professional "all rounder", complex and wise yet approachable, and an example to others around the world for it.

The Council, therefore has great pleasure in conferring on Vernice Doris Ferguson, Honorary Fellowship of the Royal College of Nursing. ●

WESTLANDS RESPONDS

HON. CHARLES PASHAYAN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. PASHAYAN. Mr. Speaker, no one more than I believes in the freedom of the press, guaranteed by the first amendment of the Constitution. And yet there are times when it appears that the freedom is bent too far. I should like to put into the RECORD a letter responding to excessive zeal in journalism about many of my constituents in regard to the use of water in California.

For years water users in the San Joaquin Valley, including the Westlands Water District, have been calling for the construction of a drain to prevent excess concentration of waste materials in used agricultural water. Many have worked hard to bring this about, but so far without success. I should like to put into the RECORD a letter from the Westlands Water District to Mr. Max McCrohon of United Press International, in response to a nationwide series of articles UPI ran concerning the problem. I hope it becomes apparent that the attitude of the water users in California is for responsible use and management of freshwater and proper disposal of waste.

The letter follows:

WESTLANDS WATER DISTRICT,

Fresno, CA, September 20, 1984.

Mr. MAX McCROHON,

Managing Editor, United Press International, Washington, DC.

DEAR MR. McCROHON: Westlands Water District, as a general rule, tries to avoid criticism of the news media, preferring to cooperate and work with reporters in the firm belief that a well-informed media should be able to achieve balanced reporting, which alleviates any need for criticism. Sometimes,

our best efforts fail. We have no alternative but to strongly protest the series written by two of your reporters, Lloyd G. Carter in Fresno and Gregory Gordon in Washington, DC.

We are particularly disappointed and chagrined because we devoted a great deal of time and effort to answering the questions of Messrs. Carter and Gordon and, we thought, meeting their needs for information. Despite that effort, they saw fit to accept as fact the allegations of long-time critics of federal reclamation projects (which, in large part, have long since been discredited) and ignore the information we provided them. As a result, the series was extremely one-sided and seriously distorted a number of issues.

We do not dispute the fact that very serious problems must be faced and overcome in order to find a solution to the drainage problem which is both environmentally acceptable and economically feasible. But, as we told your reporters, Westlands Water District is committed to finding such a solution, difficult though it may be. In that light, we deplore the negative tone of the entire series, which seemed to be saying (1) that there is no solution possible, short of eliminating agriculture on the west side of the San Joaquin Valley, and (2) that the farmers do not care what happens to the environment.

The series also seemed to be trying to find a scapegoat, some person, group, or agency to blame for all the problems. The reality is that various individuals in various agencies, over the years, had isolated pieces of puzzles, but no one person or agency had all of the facts or any means of determining the significance of those facts. For example, although the existence of selenium in west side soils had been known for some time, the discovery of dead and deformed embryos at Kesterson in 1983 was the first time there was concrete evidence that high concentrations of any material in the soils or drainage effluent would pose a serious problem for waterfowl.

The history of selenium problems at Kesterson Reservoir, as related in the second part of the series, was woefully incomplete and, consequently, very misleading. For example, the Bureau found relatively high levels of selenium in 1981 and reported those findings to the Fish and Wildlife Service—a fact readily available but ignored by the authors. Fish and Wildlife collected water and fish samples the following July, but did not report the results to the Bureau until December of 1982 (another fact omitted).

In regard to the 1983 discovery of dead and deformed bird embryos, Fish and Wildlife made preliminary results available in June and provided additional analysis in September. In December, 1983, the Bureau sponsored (in cooperation with the Fish and Wildlife and the U.S. Geological Survey) a conference of about 30 scientists from eight universities and seven governmental agencies to explore the available information related to selenium and its potential effects on wildlife. At that same time, the Bureau asked the Geological Survey to review its sampling and testing techniques to find out why the Bureau's figures on selenium content were lower than those reported by Fish and Wildlife and the Geological Survey. (The main problem turned out to be that while the Bureau's contracting laboratory was using long-accepted industry testing techniques, both the other agencies had adopted a newly-discovered technique which

allowed accurate measurements of all four forms of selenium rather than only the organic forms.)

If all of these facts had been reported, it would be difficult to give any credence to the self-serving allegations of some individuals that the Bureau has been dragging its feet or has been involved in some kind of "cover up."

In one of our earliest sessions with your reporters, they asked (quite properly) who would benefit from drainage. We explained that the prime beneficiaries would be the people who own the land, because a perched saline water table affects the value of the land. We suggested they check with local bankers to verify that fact. Our engineers prepared a special map for their use, showing the area of the District which is ultimately expected to need subsurface drainage. We also set up a special computer program to give them a printout of all the landowners in this drainage service area. This list contains nearly 1,500 names of landowners whose holdings range from a fraction of an acre to many thousands of acres. All of this was totally ignored. Instead the reporters chose to list only a handful of the largest farmers and their acreages (at least one of which was in error). In addition, they made the unwarranted statement that the drainage issue "pits big farmers against small farmers."

In regard to compliance with reclamation law, your reporters brought up the residency issue, insisting that landowners in Westlands had failed to comply with this "requirement." We explained that the Bureau of Reclamation had not considered residency a requirement of the law for at least 50 years and that a court ruling and an opinion by former Solicitor Leo Krulitz to the contrary had been thrown out by an appellate court and the Congress, respectively. They chose to ignore this aspect of the now-dead controversy and, instead, implied that somehow there was wrong-doing by all the parties involved.

On the issue of enforcement of acreage limitation, we pointed out that even one of the severest critics, former Interior Secretary Cecil Andrus, was forced to admit under oath in a Congressional hearing that the landowners and farmers in Westlands had complied with the law. We also pointed out to them that the large landholdings in Westlands (corporate or otherwise) existed long before the San Luis project was authorized. We offered to provide them with detailed information if they wanted it. They did not seem to be interested, at that point, but then began their series with the statement that the project "spawned a corporate farming empire." The truth is that the San Luis project did not "spawn" a corporate farming empire. The corporate holdings (as well as large noncorporate holdings) existed long before the project was authorized and project water began to be delivered. Further, as Westlands staff pointed out to the authors: the land owned in these large holdings either is under recordable contract to be sold or does not receive project water; about 135,000 acres of the large holdings had been sold to 160-acre owners prior to the court-imposed moratorium; and, the remainder of the large holdings receiving project water remain under recordable contract to be sold under the provisions of reclamation law. The sale of the 135,000 acres, incidentally, included the disposal of more than 40,000 acres by Giffen, Inc., and some 30,000 acres by Anderson, Clayton, to a total of 607 individuals. This resulted in 77 farms

where only two had existed previously. Contrary to what the authors state, this land was not simply taken over by relatives and friends. For example, out of 43,500 acres sold by Giffen only about 1,800 acres went to members of his family and about 4,100 acres to nine former employees and their families. The remaining 37,000 acres went to outsiders.

Since we have never known a wire service to print a detailed retraction or clarification of a series, there is no need to pursue this explanation further, although there are many other similar points. It's a sad situation, however, when reporters can do a hatchet job out of either ignorance or prejudice and not be held accountable either to the victim or anyone else.

We will, of course, continue to work with all media interested in the topic of drainage or any other in which we are involved.

Sincerely,

JERALD R. BUTCHERT,
Manager.●

WILDERNESS LEGISLATION IS NEEDED NOW

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. MARKEY. Mr. Speaker, a number of bills are before the House which will put roadless land into the wilderness preservation system. We have before us legislation on Arkansas Wilderness, Idaho Wilderness, and Sleeping Bear Dunes, among others.

This legislation is needed now. The Reagan administration has gone on record frequently as opposed to new wilderness designations and even opposed to preservation of land which has been protected with wilderness status for the past 20 years. Timely congressional action is the only hope we have of preserving this part of our precious natural heritage.

Land which has de facto wilderness status today, over which there are no roads and on which there has been no permanent construction, has almost no other commercial value. We see repeated evidence that there is no appreciable mineral resource under these lands. Although mineral exploration was permitted in wilderness until this year, virtually no workable mining claims were found on wilderness lands during that 20-year-long exploration period.

There is timber on some of these wilderness lands which has possible commercial value. However, building the logging roads to these steep or otherwise inaccessible areas, and harvesting the timber, would be so costly that any profit would be erased. We must remember that the most productive timberland is all privately owned anyway. When the U.S. Forest Service was formed under the direction of Gifford Pinchot, only the least productive land remained under Forest Service jurisdiction for timber sale leasing.

The Forest Service has, by and large, managed its timber lands for their productivity. Indeed, there is considerable opinion that the Forest Service is overly zealous in selling timber. The small amount of virgin timber and old second growth which remains on roadless lands located on steep slopes or other locations which are without ready access, and is difficult and expensive to reach and remove. Maintenance of water quality standards and State watershed protection obviate timber harvest in some cases. Commercial harvesting of timber in the areas under consideration for proposed wilderness would have to be federally subsidized and subsidized rather heavily. It is worth remembering that the majority of timber sales made by the Forest Service in the past 4 years have resulted in a net loss to the Federal Government.

Despite the Reagan administration's propaganda, the only activities prohibited on wilderness land are those which result in permanent construction or involve the use of motorized vehicles or motor-powered tools. Livestock grazing, hunting, and fishing have always been part of wilderness management.

Wilderness serves three functions in our society, and cost the Government very little. The first of these is the most important: Preserving natural land in its present state so that it remains for future generations to enjoy. This act of preservation, and the provision of adequate habitat for many terrestrial and aquatic species, cost nothing.

The third function is wilderness use by hunters, fishermen and fisherwomen, hikers, backpackers, birders, and other nature enthusiasts. Today, a very large number of Americans have the leisure to enjoy the out of doors. Hunters and sports fishermen have long recognized that wilderness is necessary for preservation of the species which they hunt and fish.

The existence of wilderness has made the tourist industry the leading industry in some States, and this industry ranks among the top three in almost half of the States in the United States. Wilderness use has increased by a factor of 10 in the past decade—enough to require careful and aggressive management. The increase in wilderness use alone demands that we enact this wilderness legislation.

The legislation before us is largely the result of the review and evaluation of roadless areas done by the Forest Service, RARE I and RARE II. The land involved is Federal land already, and has undergone recent scrutiny to determine its suitability for wilderness status. As legislation is passed in one State after another preserving wilderness, the plan envisioned in the Wilderness Act of 1964 is being completed. Well before the end of this century,

the American wilderness system will stand as a model of ecological preservation for the world.●

THE MINERALS PRODUCTION SECTOR AND ITS IMPORTANCE TO OUR NATION

HON. JAMES F. McNULTY, JR.

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. McNULTY. Mr. Speaker, last week I was honored to address a working session of the American Mining Congress in Phoenix, AZ. The AMC represents all sectors of the mining industry in our country. As many Members of this distinguished House know, there is much economic dislocation and hardship for the men and women of our domestic mining industry today. In its sessions through the better part of a week, AMC members worked to produce new approaches to the challenge facing copper producers and other producers of basic metals which are so vital to our well-being as an industrial nation and as leader of the free world.

In my view, Mr. Speaker, it is critical that Congress and the administration work together to recognize the importance of a minerals production sector in our economy. The sad decision of the administration in the copper case before the ITC, announced on September 6, indicates that such recognition has not yet occurred in the executive department of our Government. I can emphatically say on behalf of the men and women of the copper industry that in their view and mine, it is long past due for such recognition to be announced.

Mr. Speaker, I believe it would be helpful for the RECORD to contain my remarks to the AMC and I ask that a copy of my remarks be inserted at this point in the RECORD.

COMMUNICATIONS AND A STRICKEN COPPER INDUSTRY

(Remarks of Hon. James F. McNulty, Jr.,
Member of Congress)

Good friends we meet in sobering times for the men and women of the American copper industry. On a number of occasions in the year past many of you will have shared with me a sense that we are through the worst and that today, we can get on with the business of operating and producing copper.

I'm not sure but I would like to think we can now say we have seen the worst and it is now time to get on with the business of getting our great mining and mineral companies back onto the path of profitability, exploring new sources for future supplies, and finding new products and new uses for the mineral resources of our country. That is what the people who built these companies understood and it is that vision that we have to recall in these very tough times.

I have been asked to comment on communications and the need for communication

in helping the stricken American metals industry back on its feet.

I have had some experience in the past two years as a freshman member of the House. We have communicated at length, even if the results are far from satisfactory. From this experience I think these lessons can be taken—

First to have our facts straight and in a form that can be understood. Much ignorance exists in our country about the mining and minerals base of our national wealth.

The habit of the media of all forms is to emphasize the new and the novel, and much fascination attends job growth in the services sector. But I am unconvinced that this growth is all that sound or will in the future secure a level of wealth and security of our society that the American people have enjoyed throughout their history. The use of natural resources is for this nation fundamental not only to our national wealth but also to our national security. We cannot maintain our wealth by selling soybeans, wheat, corn and cotton to Japan while we buy Japanese television sets, recorders and cars. We don't improve national security by doing accounting services for OPEC in return for purchases of their petroleum.

By all means let American society evolve and develop the technical and the service areas of a changing way of getting work done.

But let us not forget the natural resources base on which our way of life has evolved.

One of the great strengths of our free market system is that no one person or company determines the future. It is, instead, determined by the exchanges of buyers and consumers. Logically that implies we will add wealth as we find goods and services that people want and we will not, as a first premise, decide to abandon blue collar forms of wealth or invest excessive resources in pre-determined new forms of endeavor.

I have tried to communicate this philosophy in Washington, sometimes to officials who seem determined to not understand the points being made. One incident that comes to mind is an unnamed official in the Office of the Trade Representative who told the press the problem with the copper industry is that it didn't belong in this country. That individual is mistaken in his specific conclusion and in the premise of his thinking—if I can find him, and get him down before our Mining Subcommittee for some oversight questions, I promise you I will do what I can by way of educating him into free market economics and the proper role of government in making an economy work.

But it is not enough to have a command of the facts about how efficient and productive American enterprise is, even when faced with adverse market conditions. Having the facts straight and clear is the foundation for persuasion.

For example, I am glad to pass on the information that ASARCO has managed to bring down the cost of operating its Mission Mine in my district. I was proud that the men and women of management and labor at Mission had brought down costs some 22.7 cents a pound in three years. That is management in the best American tradition and deserves to be recognized. And as many of you know, the Mission story is not uncommon in the major copper producing companies of America.

Thus I read on August 20 with disbelief an editorial in America's most influential newspaper which spoke of a "hopelessly ineffi-

cient American copper industry". This editorial error would not have been so destructive but for the fact their whole appeal to the Administration to ignore the ITC recommendations, was based on this erroneous impression. Unfortunately the newspaper allowed but one response, not mine, in refutation. Here is a case where the truth will never catch up with their mistake. And America is the loser for it.

We cannot in my view afford to quite and I entreat you not to. We have seen hard times and we have seen much better times. We didn't get where we are as a people, or as an industry, by sitting back and passively taking what people do out of error in Washington or out of aggressiveness in Santiago.

It is going to be on the shoulders of the people in the industry to find more efficient ways of getting the job done, of finding lower cost paths for production of copper and its smelting and refining. We can't legislate that in Washington and without your creative application to the tasks of modernizing and making more efficient your enterprise, little that we can do in Washington is going to matter.

In Washington we have to continue to communicate and to press, in Congress, for passage of laws that are responsive to this, the greatest challenge in the history of the industry. We are attempting to enact into law the ITC recommendations in the House and upon my return to Washington this afternoon that effort will continue.

A number of bills have opened up the prospect of using copper containment vessels in our nuclear waste storage program. Through appropriations we have secured a more realistic purchase program for the national defense strategic stockpile. The idea of an equalization tax for imported copper that is tied to the cost of environmental controls which within the U.S. market add some 10 cents a pound is a sound idea that will be reintroduced in the 99th Congress.

A new measure I have recently introduced can be helpful in the near term: that is in the area of controlling the IMF. H.R. 6120 would bring into the International Monetary Fund new and needed policies in the use of IMF by commodity producing nations. As you may know, the practice has been to come to the IMF for help when foreign exchange earnings are too low on account of a depressed commodity price on which the nation depends. All this has been done at great cost to the funding sources of IMF, the people of the industrialized nations of the north, including the United States of America. As a national policy this could bring relief even in the relatively short run because copper producing nations would not be able to count on the IMF for relief from their unwise production practices.

So I submit we need to continue to tell the story of the importance of copper to our people and to our way of life. The New York Times needs to hear that story before it editorializes again and to learn the facts of the contemporary market place.

In the House men and women representing districts where copper is mined and processed can work together more effectively and on a more formal basis. There is a Copper Caucus in the Senate and through the leadership of Dennis DeConini, Pete Domenici, and Max Baucus that Caucus has been effective. In the 98th Congress there has been no equivalent group in the House of Representatives.

In the 99th Congress, if I have the honor of being re-elected, I will cooperate in the

formation of such a caucus. We can build on what we have learned over the past two years and I fully intend to do so.

We have the facts on our side and we have the capacity to share those facts with others.

I would hope we will leave this meeting determined to come back and re-establish through our hard work and cooperation this once mighty part of the American economy. It was that courage and that attitude that established this industry as an efficient and effective vital part of our industrial world. We have not lost that and we aren't going to.

Working together is how we are going to get out of this and to that I pledge you my full effort.

Thank you. ●

THE FAIRNESS ISSUE: THE FACTS

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. MICHEL. Mr. Speaker, the Reagan tax cut clearly benefited middle- and lower-income taxpayers. And that's an important reason why President Reagan and his 1981 tax cut continue to be so popular today.

That's the conclusion of the analysis made by Martin Feldstein and Kathleen Feldstein. Mr. Feldstein, when he was the President's chairman of the Council of Economic Advisers was famous for speaking out, no matter what the political consequences. He continues to do so and critics of the President should pay attention.

At this point, I wish to insert in the RECORD, "Don't Blame the Reagan Tax Cuts" by Martin Feldstein and Kathleen Feldstein, in the Washington Post, Sunday, September 2, 1984.

DON'T BLAME THE REAGAN TAX CUTS

They didn't shift the burden from rich to poor.

As long as there are taxes there will be debates about the fair distribution of the tax burden. In principle, a national political campaign offers a forum for achieving a national consensus on the issue. In practice, though, campaign rhetoric may frustrate that goal by obscuring the facts. We think that's been happening already in this political year in the discussions of the fairness of the 1981 Reagan tax cuts.

Four years ago candidate Reagan repeatedly pledged that he would seek an across-the-board 30 percent reduction in all income tax rates. Such a proportional reduction in tax rates would leave the distribution of tax liabilities unchanged. If the Jones family would pay twice as much tax as the Smiths without the proposed across-the-board tax cut, the Joneses would still pay twice as much tax as the Smiths after the proposed tax cut. If all taxpayers with income over \$50,000 would pay 33 percent of the total tax payments with no change in tax rates, they would still pay 33 percent with the proposed across-the-board tax cut.

Candidate Reagan's assumption in the 1980 campaign was that the American public viewed an equal percentage tax cut

for everyone as a fair and desirable way to reduce taxes. Reagan's election and the subsequent overwhelming congressional vote for his tax legislation reflected the very widespread popular support for the idea of an across-the-board tax cut.

But now the Mondale campaign and many of its supporters are attacking the Reagan tax reductions for being "unfair." The essence of their argument seems to be that somehow the tax cut favored the wealthy and shifted the tax burden toward lower- and middle-income taxpayers.

This vote-seeking attack simply isn't backed up by the facts. As everyone knows, the centerpiece of the 1981 tax legislation was a gradually phased-in 23 percent cut in all tax rates, which in itself left the distribution of taxes unchanged. Some additional complexities in the 1981 tax legislation meant that the net effect of the tax cut was a smaller tax reduction for high earners and a bigger proportional tax cut for families around the middle of the income distribution.

High earners at the top of the income distribution benefited relatively less from the tax cut because of a special feature of the tax law that had been enacted in 1969. To reduce the adverse incentive effects of high marginal tax rates, Congress had then voted to limit the maximum marginal tax rate on wages and salaries to 50 percent, even if the individual's income put him into the highest 70 percent tax bracket. When the 1981 tax bill lowered the top rate from 70 percent to 50 percent, it did nothing to reduce the marginal tax rate of these very high earning individuals.

Someone with the good fortune to earn a taxable income of \$250,000 would have paid about \$115,000 in taxes before the Reagan tax cut. Although a full 23 percent cut would reduce this tax bill by \$26,000, the previously enacted 50 percent maximum limited the impact of the rate cut for such an individual to about \$8,300, or just 7 percent. Indeed, the tax cut for someone who earned a million dollars would also be limited to \$8,300, a tax reduction of just 2 percent.

Two of the special features of the 1981 tax act substantially increased the proportional tax cut for middle-income families. That legislation improved the overall equity of the tax system by reducing the so-called "marriage penalty" feature that causes a working couple to pay more in taxes than two unmarried individuals with the same incomes. The law also extended the availability of Individual Retirement Accounts to every employee who was previously ineligible and raised the amount that low-income and middle-income employees could contribute. For a middle-income working couple with \$25,000 in earning, the cumulative effect of the cut in tax rates, the IRA extension and the reduced marriage penalty could easily add up a tax cut of over 35 percent. Although the changes in the IRA rules and marriage penalty also benefit high-income taxpayers, those extra benefits represent a much smaller percentage tax cut at high incomes.

All of this means that the tax cut left higher income groups with a larger share of the total tax burden, even before taking account of the way in which the tax cut reduced the use of tax shelters by high-income individuals and increased their pretax earnings. But it's also true that an important group didn't benefit directly from the tax cut. The tax bill couldn't cut taxes for those whose income are too low to pay

income tax at all. However, contrary to the implications of Mondale's critique, no one was made worse off by the Reagan tax bill.

But what about the claim that statistics show that the federal income taxes paid by some low-income families have actually increased during the past three years? That is true, but it is easily misunderstood. It's crucial to note that changes in the tax law have not been responsible for those increased tax facilities. Instead, rising real incomes and inflation combined to bring some families onto the tax rolls and to push others into higher tax brackets. Without the Reagan tax reduction, those low-income individuals would be paying even more tax. To assess the impact of the Reagan tax act, the effect of the changes in the tax law must be separated from the effects of rising incomes, and that's just what Reagan's critics have failed to do.

Much of the increase in the number of taxpayers and in the tax paid by lower-income individuals would have been avoided if the tax brackets had been indexed for inflation. It's ironic, therefore, that Mondale criticizes the Reagan administration for the consequences of an unindexed tax system at the same time Mondale proposes that tax indexing should not start as scheduled in January 1985.

In addition to the federal income tax, individuals also pay a Social Security payroll tax and state income taxes. From some families, increases in these other taxes during the past three years have outweighed the Reagan tax cuts. The Mondale campaign sometimes lumps these other tax increases together with the Reagan tax cuts in an attempt to criticize Reagan tax policy. But the Social Security tax hikes had already been enacted during the Carter administration and were advanced in time by Congress at the recommendation of the bipartisan National Commission on Social Security Reform—with the explicit endorsement of Tip O'Neill as well as Ronald Reagan. And those with a complaint about higher state tax rates should look to their state capitals and not to Washington.

In light of all of these facts, what's left of the fairness critique? There may be some who feel that, to be fair, any change in tax rates must achieve a substantial narrowing of the distribution of after-tax income. But no one should claim that the Reagan tax legislation shifted the burden of taxation away from high-income earners and toward those with lower incomes.

When all of the pieces are added together the Reagan tax cut clearly benefits middle- and lower-income taxpayers. And that's an important reason why President Reagan and his 1981 tax cut continue to be so popular today. ●

AN INDUSTRY PERSPECTIVE ON INDUSTRIAL POLICY

HON. STAN LUNDINE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. LUNDINE. Mr. Speaker, Laymon Hunt, president of SKF Mounted Bearings Division of SKF Industries, in Hornell, NY, recently wrote the following open letter to America's leaders on the subject of America's industrial competitiveness. This letter advocates the development

of an industrial policy as an essential ingredient in our economic and human progress. I commend it to your attention.

Open Letter to America's Leaders: We need an industrial policy to preserve the future of the American way of life by ensuring an environment for continued technological development and a broad and powerful industrial base by which to reap the harvest of these efforts. We have heard a lot in the last several years about the success story of Japanese industry. But even the Japanese success story is missing something. We have a fantastic success story in American agriculture which is at least comparable if not better than the Japanese industrial success. What is missing however, and American management has been criticized around the world for it, is a lack of long range strategy. Long range planning is not just missing in American industry, it is missing in government. It is also, at least on the longer range basis, missing in the Japanese story. Why does this matter? Consider briefly the Chinese history thousands of years ago: they were caught up in the current application of existing technology and ignored, for the most part, continuing development of new technology. What happened to probably the greatest civilization on earth at that time? It became stagnant and declined.

In a comparison of the American agricultural business to the Japanese industrial effort, consider some of the obvious attributes of both programs. The Japanese, by necessity, have considered their industrial effort as a segment for which they will apply immense resources. In the U.S., we consider our industries in the vernacular of Portfolio Strategic Management Concepts, to be a segment of the American economy from which we take resources for other purposes. In other words, a "cash cow" to be milked.

Some of the specific qualities given to the Japanese success story are intensive application of the team approach. This is thoroughly prevalent in Japanese industry, unusual in U.S. industry, but when you consider the U.S. agricultural effort, there is no stronger team than the American family unit.

Other attributes are that human dignity gets a high degree of consideration in the work place in Japan. In the U.S. agricultural industry, you can give no higher dignity than you do to a member of your own family. Long range commitment by manager and worker alike is often heralded in the Japanese story. This is equally true of the American family farmer who commits a lifetime dedicated to farming.

Education is considered to be strongly vocational in Japan. This is equally true in the American agricultural effort. "Hard work" ethic is also considered to be Japanese attribute, but has long existed for the family members who are working for the welfare of their own family in the U.S. agricultural effort.

There is a high degree of entrepreneurship even in the government agencies involved with industry in Japan. This is one area where we have at least strongly attempted to develop cooperative efforts in our various farm related programs. So there is a direct analogy simply put in the two greatest success stories since World War II.

While this is a very incomplete and simplistic analogy, it does prove that a cooperative effort, along with intense application of

resources, can lead to successes at least to the extent of current applications of existing technology.

Neither of these success stories, however, ensure the continuing development of new technologies. In the American agricultural effort however, we do attempt to develop new technology through experimental farming efforts supported by our institutions of higher learning and indirectly, through state, local, and federal government funding. How many private experimental farmers would continue to develop new hybrids, new processing technologies, and develop new strains and new crops without outside funding if they knew they were never going to get the chance to cultivate, harvest and market, thereby realizing the benefits of their earlier investment of resources?

There, because we recognize the necessity to feed our people, and part of the world at least, we do consider to preserve an environment for future technological development as well as the application of new technology. Why not then consider this same element as being vital in our industrial base, both for the sake of new technological development and for its application. If we do not protect a broad, strong industrial base in this country, we will then have no place in our own economy for the application of new technologies. The applications are, in fact, the rewards for their development.

The Japanese success stories is one of the application of existing technology; not one of continuing development of new technologies. To this extent, even the Japan success story is deficient. Worse, however, is that the Japanese are currently being rewarded for application of technologies developed largely by others, with a significant contribution by U.S. industries who are not being rewarded now, particularly in the case of machine tool industry, and other consumer protection industries.

This brings up the question now, again considering history, could we do ten years from now a Manhattan project, or a lend-lease act for the allies? Obviously a future Manhattan project would require new technologies by then. And a future Lend-Lease Act would require a great and broad industrial base. The applied technology of the future must be acquired now through basic research and development, with confidence that the future environment will be one of beneficial application of these developments.

We need an industrial policy. Not one that protects us from ourselves as in the past through various anti-trust legislation which has prevented us from developing cartels and monopolies which can garner huge market shares and control the economics of a few products or a few vital human needs. Ironically, the purpose here was to keep a competitive free economy which was desirable in the domestic sense but leaves us fragmented, weak, and dilute when competing with the large and unified resources of an entire country such as Japan.

While we have done a good job of protecting us from ourselves, we have not done a good job of protecting us from others, and ensuring the future. We need an industrial policy: not one of regulation, direct assistance, and control; but, one that ensures a future environment which in itself will be an incentive for basic research and development today.

We need an industrial policy which transcends election periods, and transcends our current short range thinking which treats American industry as a segment from which

resources can be taken to be applied elsewhere. We need to consider American industry as a place in which to apply resources and to ensure a future vehicle for the application of new technologies which we must continue to develop.

Industry, of course, has a responsibility for its own futurity within the scope and range of their respective business segments but cannot alone, while sensitive to it, create the future environment conducive to its futurity. However, a cooperative effort with a long range policy can achieve this end.

This environment must allow for entrepreneurial efforts; must permit rewards for entrepreneurial successes; must permit rewards for basic technology developments, and provide the capabilities for preservation of the American way of life.

This is economic warfare. There have been casualties. There will be more. We have the ingredients for victory. We must recognize the necessity to act in unity.

Respectfully yours,

LAYMON A. HUNT. ●

A REAL JOBS PROGRAM

HON. NORMAN D. SHUMWAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. SHUMWAY. Mr. Speaker, 1 year ago yesterday the Job Training Partnership Act [JTPA] became fully implemented. As my colleagues are all well aware, the JTPA program relies on a private/public partnership, operating within a block grant framework, to provide job training for disadvantaged youth, aid to families with dependent children [AFDC] recipients, and dislocated workers.

Enactment of the JTPA was significant for it represented a radical departure from the Government's previous reliance on employment programs which essentially provided dead-end public sector jobs that did little to move the disadvantaged into the economic mainstream. The 1973 Comprehensive Employment Act [CETA], the most ambitious, and controversial, of these public service employment programs, came to symbolize wasteful Government spending as the jobs which were created were expensive and did not develop employability skills; moreover, the CETA program, which was given over \$53 billion during its 9-year existence, was subject to problems of waste, fraud, and abuse.

Upon assuming office, President Reagan made clear his determination to let CETA expire when its authorization ended in September 1982. Reassessing the appropriate role of the Federal Government in employment and training activities, the President concluded that the Federal Government's efforts should be focused on stimulating economic growth as the way to create job opportunities, rather than depending on Federal employ-

ment programs. An important part of his plan was to place greater reliance on State and local governments, the private sector, and individuals to render the services the Federal Government has been providing. The JTPA represents this strong effort on the part of the administration to examine carefully the training needs of the labor force and to structure a program to meet those needs while avoiding the major defects of the CETA program.

Mr. Speaker, today approximately 1 million individuals are participating in programs of training and employment under the JTPA. While the program has only been in effect for 1 year, it appears, with the strong involvement of the States and private sector, to be living up to our highest expectations. As Secretary of Labor Raymond J. Donovan announced this summer, over 70 percent of those who participated in the JTPA secured employment after leaving the program. In addition, Secretary Donovan stated, "we are getting tremendous value for each training dollar, with 73 percent of the JTPA funds being spent for training," whereas under CETA less than 20 percent of the funds went for training.

In my view, Mr. Speaker, it appears clear that the JTPA is succeeding in achieving its primary goal—to prepare its participants for long-term positions in the private sector. By providing the necessary training to prepare the program's participants for existing employment opportunities, the JTPA is succeeding where CETA clearly failed—in improving the employability of our Nation's disadvantaged.

As promising as the JTPA training program appears to be, it alone cannot resolve the unemployment problem. Rather, the most effective way to reduce unemployment is to stimulate economic growth so that permanent employment opportunities can be provided by the private sector. In my view, the greatest contribution that Congress can make to reducing unemployment is not through legislating costly public works programs, which do little to prepare individuals to compete in the labor market, but through supporting policies which encourage savings and investment, cut wasteful and unnecessary Federal spending, and slow the growth of Government generally. A strong economic recovery is underway; a healthy economy, in conjunction with an effective training program such as the JTPA which is geared to place individuals in self-sustaining jobs, is what is needed if we are to return our Nation's unemployed to the workforce.

Mr. Speaker, I would like to call to the attention of my colleagues a editorial which recently appeared in the Wall Street Journal which highlights the dramatic successes of the Job

Training Partnership Act. The article follows:

A REAL JOBS PROGRAM

"It has been remarkable." "A success story." "A dream come true." Those heartening words were used by people in Nashville, Tenn., to describe the Reagan administration's program to train the "hard core" unemployed. According to a recent UPI story, of the 397 adults who completed the program in Nashville, 272 are now working—a 69% placement record. Statewide, more than 5,000 economically disadvantaged Tennesseans completed the program during the past year and 66% of those found jobs.

The high placement rate in Tennessee is no fluke. It's part of a nation-wide trend that owes its success to administration reforms of the federal jobs-training program that now relies heavily on private-sector involvement and scraps the failed notion of subsidizing make-work government jobs.

Labor Secretary Raymond Donovan recently reported that of the people who graduated from the training program nationwide during the six months ended last March, some 70%, or 115,000 people, found jobs after leaving. Currently, about half a million "economically disadvantaged" people are enrolled in the Job Training Partnership Act (JTPA) program, including 65,000 "dislocated workers" who lost their jobs due to plant closings or relocation.

The record of the JTPA, which went into full swing last October, stands in sharp contrast to its much more costly and ineffective predecessor, the Comprehensive Employment and Training Act, commonly known as CETA. During its nine-year run, the CETA program spent some \$60 billion—nearly \$10 billion in 1979 alone—but only managed to get 30% of its participants into private-sector jobs. Indeed, the CETA program was more of a jobs subsidy program, offering money to state and local governments to create make-work job slots; only 18 cents of every CETA dollar actually was spent on training people for jobs in the private sector.

By dropping the make-work job scheme, the Reagan administration was able to reduce the cost of the program to \$3.6 billion per annum, 70% of which is used for training. These federal funds provide seed money for state and local governments to set up, with the help of industry, local training centers that provide skills to meet the available jobs in those communities. The program has established nearly 600 Private Industry Councils, involving 11,000 business volunteers, who advise the training centers about which job skills are most in demand in their areas.

The Job Training Partnership Act program is indeed a success. Tens of thousands of hard-core unemployed today have the skills to find and keep a job. The cost of the federal bureaucracy has been reduced. State and local officials have the autonomy to shape training programs to meet the economic and social needs of their communities. And businesses and industry are getting a new influx of skilled labor to help their companies, and the economy as a whole, to grow. ●

EXTENSIONS OF REMARKS

TOMORROW'S HEALTH CARE

HON. ROBERT F. (BOB) SMITH

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. ROBERT F. SMITH. Mr. Speaker, no area of public policy has undergone more rapid change in the last few years than health care. The American College of Hospital Administrators, a professional society of 19,000 health care executives, recently completed an important study that offers some insights into what these changes could mean for health care in the 1990's.

The association, which prepared the report with Arthur Andersen & Co., surveyed 1,000 experts throughout the health care field, including hospital leaders, physicians, other providers, legislators, regulators, suppliers and those who pay the health costs. The aim of the study, entitled "Health Care in the 1990's," was to see what consensus there is about changes that could occur in the next 15 to 20 years.

One result of the study was that hospitals and their medical staffs, while still competing to try to control costs, also will cooperate to resolve common problems. Another conclusion is that the shortage of physicians—which has been pronounced in some rural areas of my Second Congressional District in Oregon—should diminish. In fact, the study said physicians, in general practice, will be abundant, and the shortage of today will not be present by 1990. If, indeed, this occurs, it will be beneficial to the Nation.

Mr. Speaker, I insert a summary of this study in the CONGRESSIONAL RECORD.

The summary follows:

HUMAN RESOURCES

The cornerstone of health care has always been people—the health care professionals and support who have taken pride in providing quality patient care.

The economic realities of the 1980s and 1990s dictate that it will be an era requiring considerable managerial ability to harness the talent and skill of the human resources in health care. The major challenges to hospital executives will be to recruit and develop governing board members, to nurture cooperative arrangements with and assure the continued competence of the medical staff, to develop compensation programs to attract and retain competent managerial and ancillary staffs, and to achieve greater employee productivity. In addition, CEOs will need to hone their own skills, particularly as they move from managing single entity corporations to managing more complex enterprise.

Employees will play an increasingly prominent role in the success of their hospitals as the importance of productivity increases in response to price-based competition. The supply, preparation and dedication of a competent staff is a top priority for all health care organizations in the next ten years.

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CAPABLE AND ACTIVE GOVERNING BOARDS ARE NEEDED

The study panels predicts greater involvement for hospital boards in the coming decade, particularly for not-for-profit institutions. The hospital and physician panels forecast substantially greater involvement for boards of not-for-profit hospitals in controlling hospital operating and planning decisions by 1990. According to nine out of ten respondents, strategic planning, capital expenditures and decisions to add or delete services will be areas closely governed by the board. In addition, the hospital panel predicts greater board involvement in finance and marketing, and in establishing patient acceptance criteria.

Nearly all panelists expect the hospital board to exercise its accountability by evaluating the CEO based on mutually agreed upon criteria and by determining the format and content of the data they desire for decisionmaking. The vast majority also see boards utilizing annual planning retreats.

TRUSTEES WILL BE COMPENSATED

Trustees will be able to carry out their functions more effectively, say the panels, because boards will require formal training for new trustees, minimum attendance requirements will be in effect, boards will utilize working committees, and formal board evaluation processes will be routine. Three-fourths of the panelists agree that board members will receive monetary compensation for their services. Trustees themselves, however, are in less agreement with this prediction.

Wide differences in the current qualifications of boards are perceived by the hospital panel. They believe that boards of investor-owned hospitals are the best qualified, with eight out of ten rating them as adequately qualified or better. The perception by the panelists of not-for-profit hospital boards is not quite as strong; three-quarters consider boards of not-for-profit and urban hospitals to be adequately qualified, while two-thirds deem rural hospital boards to be poorly qualified. This assessment is shared by panelists from rural hospitals who rate their board's qualifications as follows: 8% believe they are adequately qualified, 33% are uncertain and 59% believe they are poorly qualified.

The study participants' ranking of governing board appointment criteria are similar for all institutions. Business management experience is considered the most important selection criterion for all boards except those of rural facilities, where community involvement and stature are given the most weight. Financial knowledge is considered more important for boards of investor-owned facilities than for not-for-profit hospitals. Knowledge of the health care industry and political influence are important considerations, but less emphasis is given to specific talents such as fund raising ability, medical knowledge or marketing skills.

Almost nine out of ten panelists believe that, in the future, boards will rotate members after specific terms but they are divided on whether or not senior managers, such as nursing directors and associate administrators, will become "inside directors."

HOSPITALS AND MEDICAL STAFFS WILL COOPERATE WHILE COMPETING

Panelists perceive that hospitals and their medical staffs will experience conflict and competition in the 1990s but that they also will cooperate to resolve common problems.

Of the physician, hospital and other provider panels, the hospital panel is most inclined to predict collaborative strategies.

Virtually all of the combined panels, and particularly physicians themselves, believe conflict between the two groups will result as hospitals try to control and/or influence physicians. Similarly, panelists agree that physicians will attempt to influence and/or control hospitals. Evidence of this is the panelists' consensus that staff physicians will attempt to restrict the appointment of new medical staff members.

A SHIFT IS REQUIRED IN CEO SKILLS

The hospital panel envisions a shift in the priority ranking of CEO skills.

PRIORITY RANKING OF CEO SKILLS

	1995	Now
Strategic planning	1	4
Medical staff relations	2	1
Financial planning	3	5
Interpersonal skills	4	3
Governing board relations	5	2

Of the 14 executive skills considered, the physician panelists identified the same five as the hospital panelists as being most important today. By 1995, the physicians see financial planning as the most important skill and consider government relations as one of the top five skills.

NO SHORTAGE OF PHYSICIANS OR OTHER HEALTH PROFESSIONALS

While certain panelists appear to be more sensitive to the supply of the professionals with whom they work most closely, there is general agreement in certain areas. Almost all panelists agree that physician specialists will be in oversupply by 1990. Physicians in general practice also will be abundant.

Hospital executives, in the opinion of the respondents, also will be in plentiful supply, with 80% of the panelists predicting a surplus.

Shortages are expected in relatively few health care professions. Sixty percent of the study participants see computer operators, programmers and analysts in short supply relative to anticipated demand and over one-third project shortages of financial directors and medical records personnel. The panels are divided on the projected surplus or deficit of physicians' assistants, registered nurses, vocational nurses, nurses' aides and allied health personnel.

COMPENSATION IS KEY TO ATTRACTING HOSPITAL EXECUTIVES

The hospital and physician panels were asked to identify the key factors which will attract competent hospital executives in the future and they are in agreement in four out of five areas. Compensation, say these panelists, will be of most importance, with opportunities for professional advancement ranked second. The hospital's financial viability and managerial leadership are considered to be other influential factors. The hospital panel considers corporate structure to be critical while the physicians rate institutional reputation to be of greater importance.

Within the area of compensation, panelists are near unanimity in their belief that incentive compensation arrangements hold greatest promise when utilized for management personnel. The combined opinions of the hospital and physician panels strongly support the belief that incentive compensation will be effective for executive and mid-level management. About one-third see it as

viable with support services staff and approximately one-half believe it to be effective for other categories, such as nurses and ancillary services staff.

QUALITY OF MEDICAL STAFF ATTRACTS NEW PHYSICIANS

The most important factor in the recruitment of new medical staff members is the competence of the existing medical staff, according to both physician and hospital panel responses. This is followed by the reputation of the institution and the quality of patient care.

They also agree that geographic location of the hospital comes next. The hospital panel, however, sees state-of-the-art equipment as an important attraction for physicians while doctors themselves identify their compensation, including fringe benefits, as an important factor.

CONTRACT SERVICES WILL GROW

The panels envision that fewer functions will be performed by the hospital itself in the future and that these services will be provided by outside concerns under various financial arrangements. Areas for outside contracting, according to the majority of participants, include dietary, emergency room, housekeeping, laboratory, laundry, management and physician services.●

ARMS CONTROL: A NEW IMPETUS?

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. BEREUTER. Mr. Speaker, the time is ripe for arms control talks. This is the message that President Reagan was giving the American public, Soviet Foreign Minister Gromyko and the world during his speech at the United Nations. A thoughtful editorial in the Omaha World Herald of September 29, 1984, points out that, with this offer of a new negotiation, President Reagan and a large part of the nuclear freeze movement may, ironically, be walking down the same road.

The editorial further argues that a prodefense, conservative President can deliver an agreement acceptable to almost all Americans. This is an ironic but interesting point. Only Richard Nixon could travel to China and only Menachem Begin could return Sinai to Egypt. I personally applaud and commend the President for his decision to attempt to restart the stalled arms negotiations. I hope the President will pursue this policy and that the Soviets will respond accordingly and responsibly. It is far too important an issue to allow to remain frozen in the chilly climate between the two superpowers.

The article follows:

REAGAN'S EMPHASIS ON TALKS A SHIFT FROM 1980 CAMPAIGN

When President Reagan spoke at the United Nations, he may have taken the arms control issue away from the Democrats.

Reagan's conciliatory comments toward the Soviet Union undercut Walter Mondale's "warmonger" issue. About the only criticism the former vice president had of the president's speech was that Mondale thought it came three years too late.

Even though the Soviet response to Reagan's offer of a "new beginning" in arms control was generally negative, the president's speech could affect the presidential campaign. In contrast to 1980, when Reagan advocated a defense buildup, opposed the SALT II Treaty and urged a tougher policy toward the Russians, the president is now in effect saying the country is strong enough to negotiate on equal terms with the Russians.

The speech could mean a new emphasis in American arms policy—an emphasis with which people in the peace movement should be able to agree. The president's remarks are compatible with assumptions shared by some people in the peace movement: that negotiations with the Soviets are desirable, that coexistence is essential and that cooperation between the United States and the Soviet Union is the best way to ensure a more stable world.

As a conservative, pro-defense president, Reagan could become the catalyst to produce an arms agreement acceptable to most Americans. Few could rightly accuse Reagan of being soft on the Russians; a treaty he signed probably would not be attacked for selling out to the Soviets.

The Soviets willing, the time is right for fruitful arms negotiations. NATO is united, having resisted Soviet blackmail by deploying Pershing and cruise missiles. The United States is improving its defenses; development of the MX missile and the B-1 bomber give the Soviets added incentives to talk. And, partly through the efforts of the freeze movement, the public wants a lessening of the danger of nuclear war.

Reagan won't sign a freeze petition, nor will some freeze activists support his re-election. But the two sides are marching on the same road.●

OUR NO. 1 PROBLEM—THE DEFICIT

HON. CARROLL HUBBARD, JR.

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. HUBBARD. Mr. Speaker, I have received an excellent letter from my friend, Marlin M. "Hap" Volz, Jr., vice president of the Trust Department of Davenport Bank and Trust Co., Davenport, IA.

I am certain my colleagues in the U.S. House of Representatives will be interested to read Hap Volz's comments about the need for congressional action to reduce our Nation's No. 1 problem—the Federal deficit. Indeed, the writer's thoughts about the attendant interest costs of excessive budget deficits are timely. The letter follows:

DAVENPORT BANK AND TRUST CO.,
DAVENPORT, IA,
September 5, 1984.

Congressman CARROLL HUBBARD,
Rayburn Office Building,
Washington, DC.

DEAR CARROLL: Your Report for September, 1984 states that the federal deficit is our number one problem. I agree with that conclusion.

One reason the unprecedented deficits of recent years are such a problem is the attendant interest cost. This cost, like a cancer, continues to grow every year devouring federal funds that could be spent for more useful programs or not spent at all. In less than four years it has doubled as a percent of GNP. In that time, the growth in interest alone approximately equals the whole federal budget when John Kennedy ran for President. Also, unlike other federal spending programs, the interest cost cannot be reduced. Once incurred, it becomes a virtually permanent expense. Thus, if for no other reason, the federal budget must be brought back into balance to eliminate the increase in interest cost.

In this regard, you are to be congratulated for your opposition to the Falmouth Dam project. Balancing the budget requires first that spending be controlled and that can be accomplished only if wasteful public works projects are eliminated. Also, the federal government should stop financing the irrigation of virgin land for farming while at the same time spending substantial sums for surplus crops. Federally generated power should be sold at commercial rates. The defense budget must be brought under control. An adequate defense does not require the purchase of every weapon system the military can envision. Finally, the growth in entitlement programs needs to be restrained. I question, therefore, granting a social security increase not authorized by statute.

It would be nice if the budget could be balanced by reducing spending, but it cannot be done. Taxes were reduced so substantially by the Economic Recovery Tax Act that the budget cannot be balanced by spending cuts or economic expansion. Mondale is correct that a tax increase of some kind is a necessity. Some tax breaks in ERTA such as accelerated cost recovery are too generous. Indexing should be repealed. The holding period for capital gains should be left at one year. The scheduled increase in the unified credit for 1987 should be dropped. Finally a surtax of some kind may have to be imposed. Whatever is done, it is essential that taxes be structured so that the federal budget is at least balanced when the economy is operating at full employment.

One way not to cure the deficit is with a balanced budget amendment. This cure could be worse than the disease. Federal spending and revenues move inversely as economic activity expands or contracts. In this way the federal budget acts as an automatic stabilizer to business cycles. A balanced budget amendment would attempt to overrule these economic laws with perhaps disastrous consequences.

Getting the budget back in balance will not be easy. The current administration refuses to acknowledge the problems created by its fiscal policies. It apparently, therefore, will be up to Congress to make the difficult decisions.

Respectfully,

MARLIN M. VOLZ, Jr.,
Vice President.●

EXTENSIONS OF REMARKS

LOU OLSEN—1984 JESSE L.
HAUGH AWARD RECIPIENT

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. VENTO. Mr. Speaker, I wish to bring to my colleagues' attention the current meeting of the American Public Transit Association.

At a breakfast meeting today, Louis Olsen, chief administrator and general manager of the Metropolitan Transit Commission [MTC] in Minneapolis/St. Paul, MN, was awarded the 1984 Jesse L. Haugh Transit Manager of the Year Award. Olsen was chosen because of his many contributions to the transit industry during his years in public transit service.

As both a State legislator and the Fourth District Congressman, I have had the opportunity and pleasure to work with Lou Olsen. He has been a force in the high level of competence and quality service of the MTC.

Lou Olsen has been associated with the MTC for over 14 years. His career in transit began with the MTC in 1970, when he was appointed director of marketing under a management contract with ATE Management & Service Co., Inc. [ATE]. He was appointed assistant general manager under Harry Springer in 1971. Olsen left MTC in 1976 to serve as a corporate executive in ATE and returned to the MTC in 1979 when he was appointed general manager. Olsen was given the added responsibilities of chief administrator by MTC Commissioners in December of 1981.

Lou directed several major improvements at the MTC in the 1970's. He implemented an advanced marketing program based on route and schedule improvements, new public information systems and an innovative advertising campaign. He developed an Equal Employment Opportunity/Personnel Development Program to help minority employees advance to management positions.

In the past 5 years, Olsen has overseen the completion of a major capital developments program, including modernization of all operating and maintenance facilities and fleet acquisition and rehabilitation. In addition, Lou has been instrumental in continued funding on the State and local level, bonding authority and authority to provide special services, such as ride-sharing and metro mobility for the elderly and handicapped.

Olsen's primary emphasis in transit operations has been on efforts to improve quality and efficiency. In the area of service reliability, the MTC has surpassed its goal of achieving 99.5 percent reliability for buses departing on schedule. His concern with maintenance performance measured by aver-

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age monthly miles per maintenance failure resulted in an improved performance of 52 percent for 1983 over the 1980 average, with performance over 4,000 miles per road call throughout 1983.

The MTC worker has been very important to Lou Olsen. Programs to improve employee skills and opportunities and the national Bus Rodeo competition are just a few of the plans he carried out.

Mr. Speaker, I want to commend Lou Olsen on his outstanding accomplishments and on his recognition as the APTA 1984 recipient of the prestigious Jesse L. Haugh Memorial Award.●

THE ADMINISTRATION'S REDUCTIONS IN HOUSING AID

HON. WILLIAM J. COYNE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. COYNE. Mr. Speaker, since the Reagan administration took office, the amount committed to aiding the poor in securing adequate shelter has been reduced sharply. In an excellent article, the Wall Street Journal notes this action as "one of the biggest but least noticed cuts in domestic spending."

There are, of course, thousands of people who could not fail but notice the withdrawal of the Federal commitment. Those who now pay a greater portion of their income for federally backed housing have felt the cuts. The thousands turned away from local public agencies due to a shortage of housing feel the reductions even more deeply. The Wall Street Journal article, which I now submit for the RECORD, provides a good description of where we are, and where we may find ourselves, when it comes to our national housing needs.

SHRINKING SHELTER—DECLINING HOUSING AID WORSENS THE STRUGGLE FOR MANY POOR PEOPLE

(By Joann S. Lublin)

NEW YORK.—In the sultry air of a public-housing project office in Manhattan, Tessie Russo, a 58-year-old resident in a sleeveless housedress, is seething. Sweat beads dot her upper lip and ring her short gray hair.

Despite the heat, Miss Russo tells the project manager she must give up her window air conditioner. She no longer can afford the \$7 monthly extra utility charge, because her monthly apartment rent went up \$10 Aug. 1, to \$102.75. The former waitress, disabled by cancer, receives \$374 in monthly Social Security payments, her only income.

"I'll just have to learn to live without the air conditioner," she says. "I'm laughing, but you know, inside I'm busting," she adds, her dark eyes, magnified by thick glasses, flashing angrily. "When I drop dead, they can put on my grave, 'Blame it on Ronald Reagan.'"

Miss Russo's rent has risen twice in the last two years because of President Reagan's belief, accepted by Congress, that the poor should pay a bigger share of their income for subsidized housing. It's one of several ways that U.S. housing aid for the poor has shrunk sharply during the past three years.

TOUGHER RULES

Tightened eligibility rules exclude more of the working poor from public housing; a new emphasis on housing the neediest makes these projects more expensive and troublesome to manage and maintain, since public-housing officials find poorer families put more wear and tear on their apartments and tend to engage in vandalism and other petty crimes. The most radical shift in policy is a scheduled end to most subsidized construction and rehabilitation of low-rent apartments, largely in favor of government vouchers good toward rental of existing units.

In the past three years, annual budget authority for housing assistance, the nation's third biggest welfare program, has plummeted to \$9.9 billion from \$27 billion—one of the biggest but least-noticed cuts in domestic spending. The number of new households slated for this aid fell to 69,000 in fiscal 1983, ended last September, from 192,000 in fiscal 1980 and a peak of 393,000 three years before that.

The Reagan administration insists that its reduced, revamped housing program still serves the truly needy. Eventually, officials add, vouchers will serve more poor Americans at lower cost and with fewer inequities than now.

Critics contend, however, that the administration seeks to abandon a nearly 50-year-old federal commitment to help shelter the poor through public housing and subsidies for private developers and owners of rental units. Top Reagan aides "have made it quite clear to me that they don't think the federal government has a role to play in housing," says Carl Williams, executive director of San Francisco's Housing Authority. "But for congressional support (for subsidized housing), this administration would have withdrawn entirely."

GROWING SHORTAGE

The slower growth of subsidized housing, recent increases in the U.S. poverty population and continued conversions of rental apartments to condominiums are worsening a national shortage of housing for the poor, critics also claim. They cite the growing legions of homeless and doubled-up families and the waiting lists for housing aid that last many years in some cities. Of 66 cities polled last spring by the U.S. Conference of Mayors, 51 reported that demand for housing assistance grew during 1983, but reduced supplies left few able to meet their low-income residents' needs.

Many people seeking housing help have "no place to stay," Mr. Williams says. "They're sleeping in doorways, flophouses, dilapidated houses." Michael Stone, an associate community-planning professor at the University of Massachusetts, says, "We're going back to Depression-like conditions in this country." Housing advocates estimate that between nine million and 13 million poor U.S. families need shelter assistance because they pay a burdensome chunk of their income for rent or live in substandard dwellings.

But the brunt of the Reagan shift in housing policy has yet to hit the poor. In fact, the number of households receiving subsidies through the Department of Housing

and Urban Development is still rising—to 3.8 million this fall, from 3.2 million three years ago. The gain primarily reflects completion of projects committed by the Carter administration. The construction pipeline is scheduled to run dry in another two years or so.

ADMINISTRATION'S STANCE

Reagan officials take credit for the continued increase. "In this administration, we have been supplying more (low-income) housing than ever has been supplied in the past," HUD Secretary Samuel Pierce boasted recently. Adds HUD Undersecretary Philip Abrams, "We try to take care of people whose problems are the worst first" because the nation can't afford to subsidize housing for every low-income family. At the same time, Secretary Pierce has noted, the government's housing debt is dropping from its 1982 peak of \$245 billion, thanks to the elimination of most new construction subsidies.

The deficit-wary Reagan administration believes rental vouchers could help house 10 times as many poor families as would the same amount spent on construction subsidies—and with fewer inequities. Under a pilot project approved by Congress last year, HUD officials began this July 30 to distribute 15,000 of the new allowances to those most in need; another 38,500 vouchers will be handed out in fiscal 1985. The vouchers make up the difference between 30% of a family's monthly income and "reasonable" rent levels in an area. Families can pay more rent out of their own pockets if they wish.

The rationale for vouchers is that the basic housing problem is affordability, not an actual shortage of rental units. "On balance, we think there is enough existing housing out there," explains Maurice Barksdale, an assistant HUD secretary. Reagan aides expect that a modest construction and rehabilitation program, passed over the White House's initial objections, will meet the worst shortages of rental housing.

Many cities' long waiting lists for housing aid lead critics to scoff at the administration's approach and to urge a much larger subsidized construction and rehabilitation effort. "Vouchers only work if you have the houses," observes William Ratzlaff, the public housing authority's executive director in Denver, where families must wait up to three years for assisted housing, and the citywide apartment vacancy rate is less than 2½%. New York, Boston and San Francisco have closed or soon may close some waiting lists.

Poor people seeking housing help often fume in frustration over the long waits. "It's crazy," complains 27-year-old Gerri Greene, as she stands in the reception area of New York's City Housing Authority headquarters in Manhattan, waving at passers-by copies of protest letters she has written. The tall willowy black woman has waited for three years to get into a housing project; she lives in a cramped one-bedroom apartment with her two children. "I took the train all the way from the Bronx. If they (staff members) don't give my interview today," she warns, "I might get violent."

A security guard sitting outside the locked screening offices nearby says applicants often make threats. "They start yelling at me, 'How come I been waiting for five years and I still don't have an apartment?'" says the guard, Christine Leacy. "They're just so angry, they don't know what to do." The city's public-housing waiting list of 175,000 families would quickly double in number "if

people thought there was any chance of getting in," says the Housing Authority's general manager, John Simon.

Because of New York's extreme housing shortage, an estimated 17,000 to 20,000 families, or 10% to 12% of all public-housing households, double up in the projects, in violation of the law. Such arrangements were "an insignificant factor" before Mr. Reagan took office, Mr. Simon says, adding that the problem recently has also cropped up in other cities.

DOUBLING UP

One who is unhappily doubled up is Lillie Nettles, a 34-year-old welfare recipient in Washington, D.C., evicted from her \$115-a-month apartment last April. Two older children stay with relatives while she and two daughters sleep on a double bed in the sparsely furnished apartment of an elderly friend. The rundown building, with plaster peeling and garbage reeking, is in a predominantly black neighborhood dotted with boarded-up homes and Pentecostal churches a mile from the White House.

"I've been looking every week, four to five times every day some days," Miss Nettles says with a sigh. She folds and refolds a neatly handwritten list of apartment vacancies. "Sometimes I feel like I should just give up, but I know I gotta move."

Landlords let her complete applications. "Then they say, 'I'm sorry, you can't get the apartment. You have too many kids or not enough money on your (welfare) check.'" She gets \$329 monthly in public assistance, plus \$242 in food stamps. The cheapest vacancy on her list, a one-bedroom unit, rents for \$268 a month. Spending more than \$200, she says, would force her children to go without new clothes needed for school.

Reagan officials maintain a rent voucher would help people like Miss Nettles find an apartment. Low-income housing proponents disagree. They point to studies showing that large, minority families on welfare frequently encounter housing bias. And such families, "just don't have that extra money" to pay more than 30% of their income for rent, says Marjorie Shuman, a counselor with Housing Counseling Services Inc., a non-profit agency in Washington.

Housing-aid recipients used to pay 25% of their income for rent. But as the result of one Reagan budget cut, the required share has climbed to 30%, and dollar rent ceilings that in many cities apply to each apartment have been scrapped. While many families are allowed to stay in public housing after their incomes have risen above the standards for admission, income ceilings still apply. A family of seven, for example, would have to leave public housing if its income rose above \$34,500.

At the same time, public-housing administrators must admit more of the extremely needy, disturbing the mix of welfare recipients and working poor that has kept projects in some cities, such as New York, stable and comparatively free of crime and other social problems.

In certain New York projects, these changes have led to tenant turnover rates twice the citywide average of 3.4% a year, as moderate-income families move out rather than pay higher rents. At one Staten Island project, about 30 moderate-income families have left in the past year, up from the usual dozen. Others fear coming rent increases will force them out.

"How am I supposed to live?" asks Virginia Thow. She, her teletype-operator husband and two youngsters expect they will

have to move in a few years. But she likes the 560-unit, low-rise complex, "a haven in the city, grass, trees and no graffiti . . . I don't want to move out of here."

THE CHANGING MIX

Yet some working-poor tenants who can't afford to leave public housing worry about staying. Typical is Renee Sherbington, a Staten Island teacher's aide and single parent who earns \$10,000 a year. Her building's loss of moderate-income families, replaced by welfare recipients, makes her afraid to let her two youngsters outside for long. "Drugs are being dealt out in front of my children while they're playing" and garbage litters the formerly clean hallways, she says.

Tenant activists such as Ms. Sherbington and Ms. Thow are pushing a bill that would allow authorities to reinstate rent ceilings in public housing. "What's happening here is sinful; we're destroying valuable projects," contends Rep. Guy Molinari, the Staten Island Republican who introduced the measure. He thinks the altered family mix in housing projects will sharply drive up crime, vandalism and abandonment, requiring more subsidies.

"That's the crazy thing," he says. "The final result (of this budget cut) is that it's going to cost the federal government more money."●

CONTINUE TO MOVE FORWARD ON SPARE PARTS

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. BEREUTER. Mr. Speaker, almost every day the American public learns of another spare part horror story at the Pentagon. Congress has often reacted vehemently at the appearance of 1,000 hammers and \$8,000 coffeepots. The Defense Department [DOD] must continue to feel congressional pressure in order to bring its purchasing practices under control.

A recent editorial in the Omaha World Herald reveals the hopeful glimmer of steps in the right direction. Audits by the Defense Department's Inspector General have resulted in savings of over \$2.8 billion in the last 2 years. Given the magnitude of the stories to come out of DOD, the Inspector General's job is, as the editorial states, "not an enviable one." This is, however, the only course to take.

I commend the article to the attention of my colleagues:

[From the Omaha World-Herald, Sept. 29, 1984]

THE SPARE PARTS STRUGGLE

Joseph H. Sherick has one of the nation's most unenviable jobs. He is the man at whom some of the criticism is directed when Congress focuses on the cost of spare parts for the armed forces.

As the Defense Department's inspector general, he is in charge of the fight against fraud and waste in military procurement.

Despite the intermittent disclosures of items such as \$7,622 coffeepots, Sherick has

said some progress was being made by his 1,000-member staff.

He said Defense Department audits have resulted in savings of \$2.8 billion in 2½ years. General Accounting Office audits have accounted for \$3.6 billion.

But it's only the tip of the iceberg. "I keep turning over rocks, and every rock I turn over, I find new things," Sherick said. And he said he still is unable to determine precisely how much money is lost to fraud and waste.

Given the size of the defense budget, Sherick's task is bound to be difficult. But the only reasonable course is to keep trying.

Wasting tax money by paying exorbitant prices for parts and equipment is not only morally offensive. It also weakens the national defense by consuming funds that could have been applied to other badly needed military projects.●

A BIRTHDAY TRIBUTE

HON. TONY COELHO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. COELHO. Mr. Speaker, 14 years ago, the Honorable Edward J. Patten rose in this Chamber to commemorate the 82d birthday of Milton S. Kronheim, Sr., of Washington. Today, Mr. Kronheim will again celebrate his birthday and I rise to pay tribute to him as he marks this special day. As he celebrates his 96th birthday, I would like to take this opportunity to recall Mr. Patten's tribute to his friend, Milton Kronheim, Sr.:

Mr. PATTEN. Mr. Speaker, when Milton S. Kronheim, Sr., of Washington, D.C., celebrated a recent birthday, his friend and columnist, Art Buchwald, wrote a parody on the classic, "Casey at the Bat," by Ernest Lawrence Thayer.

Mr. Kronheim is one of those exceptional Americans who has practiced brotherhood all his life. Those who are privileged to know him not only respect him; they love him. He is a real inspiration to his many friends—a man of great ability, leadership, and compassion—a living legend.

Despite his 82 years, he is in remarkable physical condition and was—and is—quite an athlete. I was, therefore, rather disappointed in the last line of Art's verse. Instead of depicting Milton Kronheim as the "villain" of the game, he should have made him a hero, because Milton Kronheim has been a hero for many, many years by helping people—thousands of them. But I still enjoyed the parody, and I am sure Milton Kronheim did, too.

Art Buchwald's parody, "Kronheim at the Bat," follows:

KRONHEIM AT THE BAT

It looked extremely rocky for the D.C. nine that day.

The score stood two to four, but an inning left to play.

So, when Goldberg died at second and Wagman did the same

Judge Bazelon got up to go, leaving there the rest

With that hope which springs eternal within the human breast.

For they thought, "If only Kronheim could get a whack at that

They'd put even money now with Kronheim at the bat."

But Levine preceded Kronheim and so did Rosenbloom

The former was a duffer, the latter used a broom.

So on that stricken multitude, a deathlike silence sat

There seemed but little chance of Kronheim getting at the bat.

But Levine let drive a single to the wonderment of all

And Rosenbloom got lucky and tore the cover off the ball.

And when the dust had lifted and they saw what had occurred

There was Rosenbloom at second and Levine a-hugging third.

Then from the gladdened multitude went up a joyous yell

It rumbled in the White House, it shook the Capitol.

It struck upon the monuments and rebounded up at State

For Kronheim, mighty Kronheim, was coming to the plate.

There was ease in Kronheim's manner as he stepped into his place

There was pride in Kronheim's bearing and a smile on Kronheim's face.

When responding to the cheers, he lightly doffed his hat.

No stranger in Washington could doubt Kronheim was at bat.

Ten thousand eyes were on him as he rubbed his hands with dirt.

Five thousands tongues applauded when he wiped them on his shirt.

Then when the writhing pitcher ground the ball into his hip

Defiance glanced in Kronheim's eye, a sneer curled Kronheim's lip.

And now the feather-covered sphere came hurtling through the air,

And Kronheim stood a-watching it in haughty grandeur there.

Close by the sturdy batsman the ball unheeded sped.

"That ain't my style," said Kronheim. "Strike one," the umpire said.

From the benches filled with relatives, went up a mighty yell

His grandchildren were screaming, but what I can not tell.

"Kill him, kill the umpire," shouted son, Junior, from the stand

And it's likely they'd have killed him had not Kronheim raised his hand.

With a smile of Jewish charity, great Kronheim's visage shone

He stilled the rising tumult, he made the game go on.

He signaled to the pitcher and once more the spheroid flew.

But Kronheim just ignored it and the umpire said, "Strike two."

"Fraud," cried the maddened relatives and the echo answered "Fraud!"

But one scornful look from Kronheim and the audience was awed.

They saw his face grow stern and cold, they saw his muscles strain.

And they knew that Kronheim wouldn't let the ball go by again.

The sneer is gone from Kronheim's lips, his teeth are clenched in hate.

He pounds with cruel vengeance, his bat upon the plate.

And now the pitcher holds the ball, and now he lets it go.

And now the air is shattered by the force of Kronheim's blow.

Oh, somewhere in this favored land, the sun is shining bright

The band is playing somewhere and somewhere hearts are light.

And somewhere men are laughing and somewhere children chat.

But there is no joy in D.C.; Kronheim hit the umpire with his bat.

Happy Birthday.●

NUTRITION MONITORING: THE NEED IS GREAT

HON. THOMAS J. DOWNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. DOWNEY of New York. Mr. Speaker, last December, Presidential Counselor Edwin Meese III stated that allegations of hunger "have been unsubstantiated" and that "people go to soup kitchens because the food is free." Together with a number of people engaged in public policy work on hunger, I invited Mr. Meese to visit with us the Bethany Women's Center, right here in the District of Columbia, so that he could see for himself the evidence that there is hunger in the United States. Mr. Meese chose not to attend.

Because of the persistence of such attitudes of disbelief, I strongly support the passage of H.R. 4684, the National Nutrition Monitoring and Related Research Act of 1984. H.R. 4684 is a long time in coming. We should have been voting on a bill like this many years ago. For over a decade, numerous official and professional recommendations, reports and studies have pointed to the need for a better nutrition monitoring system in the United States, but Government has dragged its feet on making the needed improvements.

More recently we have heard from many National, State, and local policymakers that they need up-to-date information on hunger and on the populations and geographic areas in our country that are at greatest risk of malnutrition.

Yet, our data is so out of date that even the President's Task Force on Food Assistance concluded in their report last January that " * * * lack of up-to-date data has made it impossible to assess whether the current nutritional status of the population has worsened over the last few years * * * "

Every year, every month, even every day we keep track of many important statistics; the unemployment rate, the mortality rate, the inflation rate, the stock exchange closing averages. Surely we can do better as a Nation at keeping track of the nutritional problems of our citizens. We need an earlier warning system than we have now.

I would like to cite another part of the Report of the Presidential Task Force on Food Assistance. The report recommends the development of a nutrition surveillance system which "encourages the involvement and support of all levels of government as well as private industry, private organizations in the food assistance area and researchers." H.R. 4684 does exactly that and I would like to commend Representatives BROWN, MACKEY, and WALGREN for introducing this legislation. I urge all my colleagues to vote for its passage.●

A BILL TO CORRECT MEDICARE AND MEDICAID ABUSE

HON. GERRY SIKORSKI

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. SIKORSKI. Mr. Speaker, today, I am introducing legislation to correct an abuse in the Medicare and Medicaid hospital Swing Bed Programs. This abuse derives from administrative action by the Health Care Financing Administration that exceeds the authority granted by Congress, and consequently affects the health and welfare of many elderly Americans.

The bill I am introducing attempts to insure that an elderly patient receiving long-term nursing care in a hospital setting under the Swing Bed Program will receive the same level of high quality care that is normally available in a nursing home. It also attempts to guarantee equivalent rates of long-term care cost reimbursement regardless of the setting in which the care is provided.

In the Omnibus Budget Reconciliation Act of 1980, Congress established the hospital Swing Bed Program. Under the Swing Bed Program, the Secretary of Health and Human Services may allow rural hospitals having fewer than 50 beds to "swing" use of their beds from the acute care for which they were originally intended to long-term care that is more traditionally provided by nursing homes. Furthermore, the Swing Bed Program allows hospitals to receive reimbursement from Medicare and Medicaid for swing bed patient costs at a rate that is higher than what a nursing home would receive.

One of the original purposes of the Swing Bed Program was to provide nursing home beds in rural communities where a shortage of beds exists. I believe in the swing bed concept. However, I am concerned that the original congressional intent of the program is not being followed in several respects.

Current law restricts eligibility to rural hospitals of less than 50 beds. In March 1983, the Health Care Financ-

ing Administration of the Department of Health and Human Services reinterpreted the law to allow swing bed participation by hospitals licensed and/or certified for more than 50 beds, if the hospitals "staff and operate" fewer than 50 beds. I believe that there is no basis in either law or regulation for this expansion of the Swing Bed Program to larger hospitals. Additionally, I am concerned that in some areas of the country the reinterpretation is being used to allow hospitals to place nursing home patients in swing beds while nursing home beds in the community remain unoccupied. My bill tightens current law to preclude HCFA's reinterpretation.

I am also concerned that hospitals might use the Swing Bed Program as one way to solve financial ills brought on by the new Medicare diagnosis related groups [DRG] system of reimbursement. Under the DRG plan, instead of reimbursing hospitals for all expenses incurred in treating Medicare patients, the government will now pay only a predetermined fixed rate for some 467 treatment categories. This new system of payment has created strong incentives for hospital to cut back on costs, move patients out more quickly, and to become generally more efficient in their operation.

For the first time since Medicare began 20 years ago, full-time hospital employment has actually declined and many hospitals are finding themselves in financial difficulty. Understandably, hospitals need to attract additional patients. The Swing Bed Program offers one means of filling vacant hospital beds with patients whose costs are not currently reimbursed under the DRG program. Swing bed patients, therefore, increase a hospital's flexibility in fiscal management.

Congress did not intend for the Swing Bed Program to be used as a financial rescue package for troubled rural hospitals, but as a means of meeting shortages of nursing home beds in rural areas. To help assure that swing beds will only be used as Congress intended, my bill requires the State health planning and development agency to verify that a shortage of nursing home beds exists in a geographic area before swing beds are approved.

My bill also requires swing bed hospitals to meet the same standards for long-care certification, staff training, and licensure as apply to nursing homes. Recipients in need of long-term care could reside in a hospital swing bed or a nursing home. Yet hospitals are not required to meet the same conditions for participation in the Medicare long-term care program as those imposed upon nursing homes. Furthermore, hospitals are designed to provide short-term, high intensity

treatment to acutely ill patients. Patient care is bed centered. Yet most persons needing long-term care suffer from chronic physical or mental disease brought on by natural processes of aging. Long-term care patients require less medically intensive care which continues over a longer period of time. They need to spend much of their time out of bed to promote emotional, psychological, and physical well-being. In a hospital setting, the care of the elderly long-term care patient may be entrusted to a staff aide who is not required to have any specialized geriatric training.

Swing bed patients should have the right to enjoy the same protections and benefits that Congress and the States have seen fit to mandate for them in nursing homes. They should be able to take advantage of a broad range of integrated medical and social services and activities available in nursing homes. And, they should be served by staff who understand the particular needs of a geriatric patient. My bill provides these opportunities and safeguards.

Finally, my bill assures equity in reimbursement. It requires that the rate of medicare and medicaid reimbursement be the same for similar services rendered, regardless of the type of facility in which they are offered. At the present time, the level of reimbursement a hospital can receive for providing long-term care in swing beds is higher than the reimbursement a nursing home can receive for the same kind of care. I believe providers of long-term care services, whether they are nursing homes or swing bed hospitals, should operate under the same financial incentives.

Mr. Speaker, again I reiterate my support for the Swing Bed Program. However, I believe the changes outlined in my bill will assure consistency between the Swing Bed Program as currently implemented and the Swing Bed Program as originally authorized by Congress. Additionally I feel my bill helps guarantee that elderly Americans in swing beds receive the high quality care they deserve. I urge the Congress to give this measure serious attention.●

FAMILY VIOLENCE

HON. LES AU COIN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. AU COIN. Mr. Speaker, family violence is a shockingly widespread problem in the United States, cutting across every segment of society. Each year 6 million wives are abused by their spouses; and each year 2,000 to 4,000 of these women die. Police officers across the Nation spend one-third

of their workday responding to domestic violence calls.

These statistics provide only a rough outline of the problem. Because victims of domestic violence bear an extra burden of fear and shame, domestic violence is too often an invisible crime.

It is vital that the Federal Government work more closely with States and local agencies to combat this problem. Congress made a long overdue start last week by passing H.R. 1904, legislation to establish a new program for the prevention and treatment of family violence.

H.R. 1904 sets up a 3-year program to provide matching grants to States to provide shelter and other services for the victims of domestic violence and for programs to prevent such abuse. The bulk of the funds will be used to provide emergency services to victims of domestic violence, but will also be used to help train police forces to handle cases of domestic violence.

H.R. 1904 does not set up a grandiose new Federal program. In my opinion, the bill provides the absolute minimum—in recognition of our pressing budget needs—to meet this very real problem.

Last year, in my State of Oregon, programs set up to help victims of domestic violence were overwhelmed. Social service agencies and private groups provided shelter to 4,500 women and children for a total of 27,000 bed nights and handled over 50,000 crisis calls.

In addition to providing direct services these agencies were able to reach an additional 30,000 people through educational outreach programs aimed at prevention—programs made possible by the help of over 900 volunteers who put in 80,000 hours of their time.

The experience of these agencies was that each time a new shelter home or crisis line opened in a community, the demand for services was suddenly there. How many more people would have been helped if Federal resources were available?

But at a time of increased need, the Federal Government has turned its back. Cuts in title XX, CETA, VISTA, and LEAA, coupled with cutbacks at the State and local level, have resulted in 76 percent of the existing shelters reducing their services.

The private sector has been trying desperately to keep up with the demand for services, but has been unable to do so given the increased pressures and decreased public funding.

As the recently released report by the Attorney General's Task Force on Family Violence stated: "As important as our families are to us individually and to the health of the Nation, it is crucial that public policy support and strengthen family values and family well-being."

Being "pro-family" means more than providing lip service to the needs of those who are crying out for help. Being "pro-family" means helping families work through difficult and serious situations.

By passing this measure we are saying that the U.S. Congress believes in helping those who are being destroyed by violence within their own homes, and we will not sit idly by and ignore the necessity for domestic violence shelter services.

I commend my colleagues for their support of this legislation.●

IN-FLIGHT MEDICAL EMERGENCY ACT

HON. CARL D. PURSELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. PURSELL. Mr. Speaker, today, I am introducing the "In-Flight Medical Emergencies Act." While I have introduced similar measures in the past—I feel this bill has the best chance of passing in both Chambers. Furthermore, because of the recent tragic loss of our colleague, Mr. Perkins. The need for this bill is even more urgent.

As we all know, Mr. Perkins suffered a heart attack while on board a plane flying from Washington to his home State, Kentucky. According to the airlines regulations today, planes are not required to carry medical supplies to assist heart attack victims. Furthermore, there is no legislation to protect flight attendants, pilots, or doctors and nurses who are aboard from civil suits if they try to help someone in Mr. Perkin's condition.

The bill I am introducing today, has been approved by the Senate Commerce, Science and Transportation Committee. It seeks to do two things: First, provide appropriate medical kits to be carried aboard commercial aircraft for the treatment of in-flight medical emergencies; and second, relieve appropriate persons from liability related to the use of the kits.

There is a need for this bill. And the quicker we act on it, the sooner we can save lives.●

THE MOST SERIOUS THREAT TO FREEDOM OF CHOICE

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. SCHUMER. Mr. Speaker, when we vote for the President of the United States, we tend to think in terms of electing that person to office for 4 years. Unfortunately, we fre-

quently forget that whomever we elect as President is likely to have the opportunity to influence the philosophy of the Supreme Court for as long as half a century. In essence, voters do not simply elect a President for just 4 years. We elect the President for as many as 40 years.

The next President's views on abortion and the views of his judicial appointees will be crucial to maintain the right to choose.

The National Abortion Rights Action League recently published an analysis of this year's election and its implications for the protection of the right to choose. Will the future Supreme Court continue to guarantee this fundamental right? The paper includes an analysis of Justice Sandra Day O'Connor's dissent in the 1983 Akron against Akron Center for Reproductive Health decision and how it plants the seeds for a reversal of Roe against Wade.

I would like to suggest to my colleagues that they read the NARAL analysis and I insert it in the CONGRESSIONAL RECORD:

THE MOST SERIOUS THREAT TO FREEDOM OF CHOICE

For more than 10 years, millions of American women have relied on the assurance that the U.S. Constitution protects every woman's right to choose whether or not to have an abortion. In the landmark 1973 case, known as Roe against Wade, the U.S. Supreme Court declared that early in a pregnancy the constitutional right of privacy prohibits State interference in a woman's abortion decision. To analyze the conflicting interests of the individual and the State, the Court divided the pregnancy into trimesters, holding that no State may regulate or interfere in any way in the woman's right to choose during the first trimester, that only after the first trimester may a State regulate abortion procedures to protect the life of the woman, and that a State may not interfere with the right to choose until the third trimester, when it may prohibit abortions except when they are necessary to protect the life or health of the woman.

Roe against Wade is the foundation of freedom of choice. Since the decision was issued, women have been able to make their own decisions about their bodies and their lives. And, after years of back alleys and unsafe procedures, abortion has become a safe and relatively simple medical procedure.

Today, however, the Supreme Court's decision in Roe against Wade, and the right of freedom of choice, are seriously threatened. Sandra Day O'Connor, President Reagan's recent appointment to the Supreme Court, has challenged Roe in a dissenting opinion, in which she argued that "the Roe framework is clearly on a collision course with itself."

While prochoice supporters hailed the 1983 Supreme Court decision in City of Akron against Akron Center for Reproductive Health, Inc., in fact, given the age and views of the Justices on the Supreme Court, that case may have signaled the beginning of the end for the woman's right to choose. The case itself reaffirmed the principles that had been established in Roe against Wade and struck down several attempts to restrict freedom of choice, but O'Connor's dissent and the opinions in the companion cases contain the seeds of a reversal of Roe.

DEMOGRAPHICS OF THE COURT

There are nine Justices on the U.S. Supreme Court. While the vote in the 1983 Akron decision was 6 to 3 in favor of freedom of choice, the vote in a companion case decided the same day, Planned Parenthood Association of Kansas City, Missouri, Inc. against Ashcroft, was 5 to 4 restricting abortion rights. The Planned Parenthood decision upheld a Missouri parental consent requirement, as well as a requirement that a second physician be present during an abortion of a potentially viable fetus.

Reading the Missouri and Akron cases together shows that there are only four firm votes on the Court for the prochoice position. They come from Justices Brennan, Marshall, Blackmun, and Stevens. Those Justices are 78, 75, 75, and 64 years old, respectively. The swing votes, those who voted prochoice in the Akron case, but antichoice in the Missouri case, are Justices Powell and Burger. Both are 76 years old. The President who is elected in 1984 will almost certainly replace several of those Justices.

The three solid antichoice votes, Justices White, Rehnquist, and O'Connor, are 66, 59, and 54. All will probably be on the Court for quite a while.

The President who is elected in 1984 will probably appoint at least two, or as many as four, relatively young Justices to the Supreme Court. If the President is prochoice, the new appointments would probably strengthen the prochoice position on the Court and would protect freedom of choice for the next several decades. On the other hand, if the President is antichoice and appoints more Justices like Justice O'Connor, the prochoice majority may well be lost, and there will be a firm antichoice majority of 6 to 3 or worse for many years to come.

THE O'CONNOR DISSSENT

The critical difference between O'Connor and the majority in Akron and Roe against Wade is that she rejects the Roe framework under which the point of viability was the watershed marking the time at which the woman's privacy interests become secondary to the interests of the State. Instead of focusing upon viability, she focuses upon the "potentiality" of life

throughout pregnancy. As the following portion of her opinion demonstrates, she would go back as far as conception to protect potential life:

The Court (in Roe) chose the point of viability—when the fetus is capable of life independent of its mother—to permit the complete proscription of abortion. The choice of viability as the point at which the state interest in potential life becomes compelling is no less arbitrary than choosing any point before viability or any point afterward. Accordingly, I believe that the State's interest in protecting potential human life exists throughout the pregnancy.

O'Connor's view that the States have a compelling interest in protecting fetal life throughout pregnancy, if adopted by the court, would change the way a court looks at abortion statutes. Today, if a case involves a State attempt to restrict fundamental constitutional rights such as freedom of speech or freedom of choice, the Court will apply what is known as "strict scrutiny." Under that standard, the Court will strike down the restriction unless the State can demonstrate a "compelling State interest" to justify it. This is a very difficult standard for States to meet, and most restrictions on the freedom to choose have failed to meet it.

O'Connor, on the other hand, would look to the compelling interest in protecting "potential" life and uphold a State restriction on freedom of choice unless the woman could show that the restriction "unduly burdens" the right to obtain an abortion. Thus, the obligation would be the woman's to show the State is wrong, rather than that of the State to show that it is right.

If the O'Connor dissent is adopted by a new majority, therefore, the States would be able to establish significant obstacles to abortion before the Justices would hold that the states had unduly burdened the woman's right to choose. For example, they would probably uphold requirements that burden the abortion decision with substantial cost, delay and/or emotional suffering.

O'Connor relies upon advances in medical technology during the last decade to justify abandoning both the Roe trimester framework and the principle that the woman has the right to choose up to the point of viability.¹ Jumping from the actual small increments of medical progress in the last decade, O'Connor theorizes that:

The Roe framework, then, is clearly on a collision course with itself. (She speculates

¹ The facts do not support her position. Scientific progress may suggest that various interests and rights arising during a pregnancy should be fit into stages which are slightly different than trimesters (for example, later term abortions are safer than they were ten years ago when Roe was decided). These medical developments do not require, or even suggest, that the pregnancy should be treated as indivisible and that the concept of "potential" life should be substituted for viability.

that) as the medical risks of various abortion procedures decrease, the point at which the State may regulate for reasons of maternal health is moved further forward to actual childbirth. As medical science becomes better able to provide for the separate existence of the fetus, the point of viability is move further back toward conception.

Thinking she has demolished the factual bases for Roe against Wade, she feels free to suggest that the Court ignore the principle of stare decisis under which the Court must follow the rulings that it has made in earlier cases. Although Roe against Wade was decided a decade ago, O'Connor would overturn it in favor of views that have consistently been rejected by the Court. The proposal to reverse Roe is particularly radical in light of the Supreme Court's introduction to the Akron decision: "The doctrine of stare decisis * * * is a doctrine that demands respect in a society governed by the rule of law. We respect it today and reaffirm Roe against Wade."

The potential for overturning Roe against Wade has not been lost on the antichoice forces. They are modeling their campaign on the one designed by the NAACP to overturn Plessy against Ferguson, the then 50-year-old Supreme Court precedent that was used to justify the doctrine of "separate but equal" facilities for different races. At least one national conference has been held and legal strategy sessions are continuing in an effort to draft restrictive statutes that will withstand Supreme Court review and to identify a series of seemingly "outrageous" cases that can be litigated to whittle away abortion rights.

In light of the foregoing review of the demographics of the Supreme Court and the analysis of the O'Connor dissent, if an antichoice President appoints several new antichoice Justices, the stage would be set for a reversal of Roe against Wade.●

TRIBUTE TO CONGRESSMAN
JOHN ERLBORN

HON. HENRY J. HYDE

OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, October 1, 1984

● Mr. HYDE. Mr. Speaker, one of the less happy occurrences around here is when a good friend and a superb public servant decides to retire and move into another occupation. Such is the case with my Illinois colleague, JOHN ERLBORN, who has decided after 20 years of outstanding service in Congress that the private practice of law holds new and interesting challenges to which he must respond.

I first knew JOHN when we were law school classmates at Loyola University School of Law in Chicago, a time when

I'm sure neither of us contemplated a political career. He was an excellent student then, and has since brought his keen intellect and high principles to bear on his important legislative work. JOHN has been a tough-minded, courageous, and fair legislator who has earned the respect of both Republicans and Democrats alike. He did his homework, and has been influential in shaping some of the most important and complicated Labor and Education legislation to emerge in the past two decades.

We Republicans, and especially those of us from Illinois, will miss his strength and leadership in Congress. We also wish him every success in his future endeavors, and hope to call on him from time to time for advice and counsel.●

NATIONAL HISPANIC HERITAGE
WEEK—1984

HON. ROBERT GARCIA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. GARCIA. Mr. Speaker, the week of September 10 through September 16 comprised National Hispanic Heritage Week. This occasion, officially designated as such by Congress in 1968, commemorates the rich experience of Hispanics in America and their numerous contributions to the development of our Nation.

In the spirit of this celebration, the Honorable Richard M. Urbina, associate judge for the Superior Court of the District of Columbia, delivered an address that outlines the common challenges facing not only Hispanic but all Americans, and which characterizes the American blessings that enable Hispanics to be both good citizens and proud descendants of the Spanish heritage. I have included this insightful speech for my colleagues review.

HISPANIC HERITAGE WEEK, 1984

Each year, this annual celebration marks, among other things, the progress made by Hispanics and non-Hispanics in their individual and concerted efforts to understand one another. Although progress can be measured to one extent or another, the visibility of an enlarging Hispanic presence requires renewed and creative efforts to enhance understanding that will give rise to improved communication and identity of purpose.

As I pondered a way to make my point, I recalled the words of an old Jesuit instructor: "If you wish to invite someone to reason with you, always start with a basic premise of common understanding." So please bear with me as I think aloud.

This growing presence of an enlarging Hispanic presence causes some non-Hispanics to recoil at the vision of an advancing onslaught of Spanish speaking strangers forcing their language, culture and ideas of foreign extraction on us "Americans".

As those persons seek to protect what they have from adulteration, they forget that what they protect—democracy—is the political ideology which created the open arms that embraced the waves of immigrants of which this country was made.

Democracy—ladies and gentlemen—let us return to the basics just briefly—for what I am about to say is that Hispanics epitomize the American ideal!

As Americans we are deeply committed to the theory and practice of democracy. Democracy, in America, was born of frustration—the justifiable frustration felt by the colonists in being ruled without representation. The voice of the people was, however, finally heard.

The founders established a country whose government embodied the fundamental democratic principle that the people are the government. When coupled with the principle of representation, the foundation of our representative democratic system of government was laid.

All the trappings of our present-day Government grew from this deep and abiding belief in the inherent dignity of the individual and his, or her "inalienable" right of self-government; that is, that each of us, in conjunction with our fellow citizens, has a God-given right to participate in the decision-making process by which we determine the "common good" and how to best achieve it.

The theory of democracy demands, in practice, a participatory form of government. The bedrock tenet of democracy is that the greater the number of points of view that are taken into account in determining policy and translating such policy into laws, the more likely will be the result that governmental actions will reflect and further the good of the whole.

Conversely, if any segment is left without a meaningful role, society, as a whole, suffers the loss. Individually and collectively we are the poorer if any segment of our country is denied participation in government.

The quality of a democratic system of government can be measured by the treatment that minorities receive under it. Governmental decision-making by majority rule is the keystone of any democratic system; yet, the interests of the minority must always be taken into account since they add an indispensable perspective and sensitivity to the majority's view.

We Hispanics are increasingly recognizing our right and responsibility to take our place alongside of the rest of our fellow citizens. All Americans share the obligation to participate and thereby enrich the societal milieu.

The Hispanic can and will share the tremendous resource of his or her cultural heritage with the rest of the country. We will share—if we are allowed to do so. We are a diverse and yet culturally and philosophically similar ethnic category.

The term "Hispanic" originated with the Federal Government during the early 1970's. It was a term of convenience used to identify and treat an emerging minority group. In reality, Hispanics are made up of many subgroups and races. We are white, black, brown, red, yellow and all mixtures thereof.

We include Mexicans, who at 60% constitute the largest Hispanic presence. Puerto Ricans, at 14% constitute the next largest subgroup. Cubans constitute 6% and other Latin-based derivations from the Caribbean

and Central and South America constitute the remaining 20%.

Nevertheless, we are all Hispanic. We are drawn together by several common characteristics, among these are: (1) Strong extended family ties; (2) enduring religious beliefs; (3) the Spanish language; and (4) the desire to be one as a people.

We are drawn together by common cultural mores—in effect, how we perceive the world and ourselves. In the words of the Treasurer of the United States, Katherine Ortega: "[Hispanics share a] commitment to earning a living by hard work, patience, determination and perseverance."

American history tells the story of Hispanic participation. The Hispanic presence in this country is not a recent phenomenon. Indeed, Hispanics have helped shape the History of America since Columbus "discovered" America in 1492. Hispanic "conquistadores" led the way in exploring and charting the "New World." Hispanics settled vast expanses of this country from Florida to California. Many of the original settlements have become the thriving "Sun Belt" cities of today.

Before this Nation was able to declare its independence in 1776, it had to go through a long period of historical gestation. Meanwhile, the Spanish contributed to the growth of the "New World" by introducing such crops as: wheat, sugar cane, olives, rye, barley and lemons. In addition, the Spanish brought horses, cattle, sheep, goats, pigs, donkeys and even the chicken. [Where would Colonel Sanders be today if it were not for Hispanics?]

Hispanics also made contributions to the rebellious colonies seeking their independence from England. Bernardo deGalvez, Governor of New Orleans, lent active support to the colonies. He went as far as refusing port to British ships. Additionally, Cuba sent financial aid to the colonies and opened lines of credit which helped General Washington launch important battles toward the end of war.

In short, Hispanics are an integral part of American history. We have been here for centuries and have paid our dues.

Today, Hispanics continue to serve their country. Two of the hostages held in Iran, during the 1980 crisis, were Hispanic. One of them, Jimmy Lopez, boldly and proudly wrote, in Spanish, of his love for "la roja, blanca y azul." [The "red, white and blue" of the American flag]. His bilingualism allowed him to defy his captors and proclaim his patriotism.

More recently, approximately fifteen of the marines killed in Lebanon were Hispanic. The Hispanic Americans' patriotism is evidenced by the fact that Hispanics have been awarded more Congressional Medals of Honor than any other American racial or ethnic group.

Lieutenant Commander Everett Alvarez is a striking example of the depth of Hispanic patriotism. LCDR Alvarez endured imprisonment in North Vietnam for eight and one-half years; he was the longest-held POW in Vietnam. After his release, he remained in the Navy, earned both a masters and JD degree, and was subsequently named Deputy Director of the Peace Corps.

Additionally, LCDR Alvarez established a scholarship at the University of Santa Clara to, in his words, "foster feelings of pride in being an American."

No, Hispanics are not a new phenomenon in America. We are part of the warp and weft of this country—the very fabric of America.

All too often, however, our accomplishments have been relegated to the "invisible" American past. Although our contributions have rarely been recognized, we have done our share.

We can be found at all levels of American society. Unfortunately, Hispanics have traditionally been over-represented in low-level positions involving manual labor. But we are on the move. The Hispanic professional is emerging. We are becoming teachers, doctors, lawyers—yes, even judges.

The pervasive presence of Hispanics in contemporary American life was brought home to me as I watched the Summer Olympic Games. Hispanic Americans were among the participants and medal winners who so nobly represented our country.

Hispanics have embraced American ideals yet have retained their cultural identity. Some see this as a refusal to assimilate and as potentially divisive. The similarity in fundamental values held by Hispanic and non-Hispanic Americans belie such fears. A recent study by Yankelovich, Skelly and White concluded that "The majority of [Hispanics] showed 'traditional' American values regarding a belief in upward mobility, emphasis on materialism and the accumulation of wealth, etc."

Indeed: "[Hispanics] are more likely than Americans as a whole to express 'the American dream.'" In contrast, the national news media recently reported that the majority of Americans for the first time in our history, think that their children will not have a better life than they had. In an era in which non-Hispanics have become pessimistic, the Hispanic American has wholeheartedly endorsed the American dream. Hispanics, as a culture, still believe that hard work by the parents will result in a better life for future generations.

The "American dream" is an amorphous concept that has historically taken a variety of forms. Each form, however, was grounded in a fundamental hope for the future. Such hope implies the idea of progress and faith in the face of change. The American Hispanic stands ready to reacquire our dispirited fellow citizens with traditional American values.

In this way, the Hispanic American personifies the American "pioneer spirit." Hispanics are the pioneers of this generation. We are optimistic about improved standards of living and the likelihood of upward mobility.

Rather than refusing to assimilate, modern Hispanics are living the American dream. We have drawn from the parallel values and beliefs inherent in Hispanic and Anglo culture. This synthesis—cultural pluralism, if you will—has always been the true strength of American society. We are a nation of immigrants. And each addition, each cultural exchange, benefits us all. It renews us and reinforces our belief in the value of full participation by all segments of society in the decision making process that is government. Cultural pluralism is the essence of democracy.

The belief held by modern Hispanic Americans in the "American dream" is remarkable in light of the temptation to despair and the significantly lower income levels of Hispanics and the slow gains in educational attainment and occupational status.

Hispanics comprise the poorest of our citizens. Between 1981-82, the number of Hispanics living below the poverty level grew by an unprecedented 6.8%. During the same period, the increase for whites was 1.4% and for blacks the increase was 3.4%.

Puerto Ricans, in particular, earn far less than any other ethnic group. Concomitantly, Puerto Ricans in New York City have an astounding high school drop out rate of 85%. The cycle has become self-perpetuating.

The cumulative effect of this cycle of unfinished education, low-level employment and poverty is a destructive self-image of worthlessness. Unfortunately, this negative image is reinforced by the national media.

A recent study of prime-time television programming for the three major networks revealed that out of a total of 3,546 characters, only 37—approximately 1%—were Hispanic. Furthermore, only 11 out of the 37 Hispanics had speaking roles. Of these 11, 63% were negative criminal roles.

The result is cultural defamation. The effects are subtle but devastating, pervasive and undeniable. Studies have proven that television shapes people's perception of reality. The American public's view of the world around us is negated or confirmed by what appears on television. Studies have indicated that even eyewitnesses to news events do not perceive the event as fully "real" until they see it reported on television. The power of the media is awesome. And what the media are telling young Hispanics is that Hispanics are not valuable to society.

As a society, we must strive to reverse this growing negative self-image among Hispanics. Otherwise, we are choking off our hope for the future.

If today's most ardent believers in the "American Dream"—American Hispanics—fall victim to negative self-perception, then every American will be the loser.

Despite economic and social disadvantages, American Hispanics have made significant gains in recent years.

The vast potential of the Hispanic consumer market has only recently been recognized. The Hispanic consumer market was just over \$900 million in 1950. It more than doubled to almost \$2 billion by 1960 and surged to over \$15½ billion by 1970. At present, the Hispanic consumer market represents almost \$55 billion in annual buying power. This translates into a gross national product equivalent that is the 23rd largest in the world. It is right behind those of Saudi Arabia and Switzerland and ahead of those of Austria and South Africa.

Moreover, the Hispanic consumer market is young, growing and upwardly mobile. This contrasts with the economically "mature" American Anglo market.

The median age of the Hispanic population is 21.3 years while the median for whites is 30 years. Additionally, the growth rate of Hispanics far exceeds that of non-Hispanics.

These few statistics portend much in the way of social, economic and political change in the coming years. For example, as more whites reach social security age, their support will depend on social security taxes paid by an increasingly Hispanic work force.

The political education of this ever increasing Hispanic community is a particularly timely topic this election year. It is noteworthy that both major political parties have targeted Hispanics as a decisional force in the coming Presidential elections.

Such political acculturation of Hispanics has proceeded apace. We have learned the value of coalitions.

The election of Mayor Washington in Chicago is testimony to this fact. In New York City a coalition of blacks and Hispanics successfully challenged an inequitable redis-

tricting plan. Consequently, the elections were delayed until a more representative plan was approved.

Hispanic officials are being elected in ever increasing numbers to all levels of our Government. Hispanic mayors govern the cities of Miami, San Antonio, Santa Fe and Denver.

The Governor of New Mexico is a Hispanic. The congressional Hispanic caucus has grown from three founders to include eleven Congressmen. Congressman Garcia, of New York City, projects that by 1990 membership will exceed twenty congressional representatives. Twenty-five congressional districts already have a Hispanic population greater than 25%.

In short, Hispanics are recognizing their obligation to participate in our democratic form of government. If our democracy is to remain viable Hispanics must take up the gauntlet of freedom. The right of individual liberty entails the corresponding duty to participate. This infusion of cultural plurality into mainstream America be welcomed by all Americans who truly believe in the principles of our democracy.

Hispanics offer America their proud and distinguished cultural heritage. We all can draw strength from our ethnic differences because we share a fundamental philosophical vision. The "American dream" is the vision and the promise of today's Hispanic American. Together we are better than we could ever be individually.

In closing, I would like to quote from a recent book on the subject of interpersonal understanding by David Keirse and Marilyn Bates, which may hold a lesson for all of us:

If I do not want what you want, please try not to tell me that my want is wrong.

Or if I believe other than you, at least pause before you correct my view.

Of if my emotion is less than yours, or more, given the same circumstances, try not to ask me to feel more strongly or weakly.

Or yet if I act, or fail to act, in the manner of your design for action, let me be.

I do not, for the moment at least, ask you to understand me. That will come only when you are willing to give up changing me into a copy of you.

*** To [accept me as I am] is the first step to understanding me.

*** And in understanding me you might come to prize my differences from you and, far from seeking to change me, preserve and even nurture those differences.

Understanding and utilizing the positive differences of which I have spoken may hold the key to what we all cherish so deeply—the future of our beloved country.

God bless you and thank you for your attention.●

TRIBUTE TO HON. TOM
CORCORAN

HON. CHARLES PASHAYAN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 1, 1984

● Mr. PASHAYAN. Mr. Speaker, among the many fine Members of Congress leaving the Congress this year is our colleague from Illinois, TOM CORCORAN. During his 8 years in this body he has distinguished himself with his knowledge and practice of the rules of the House and as a defender

of the principles of free enterprise that have built this Nation.

As a member of the Energy and Commerce, and the Post Office and Civil Service Committees, he has worked to apply the principles of the free market and to protect the interests of the people of his district.

Mr. Speaker, it has been an honor to serve in this House with men and women of the high caliber of TOM CORCORAN, and I wish him the very best in his future endeavors.●

BOB GIBSON TO RECEIVE
FERNANDO AWARD

HON. BOBBI FIEDLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Ms. FIEDLER. Mr. Speaker, I rise today on behalf of myself and my colleagues Mr. BERMAN and Mr. BELENSON to announce to the Members that next month the San Fernando Valley's highest honor—the Fernando Award—will be presented to an old friend, Bob Gibson.

The Fernando Award is presented annually to the citizen of the valley who has given the most service to our community and Bob certainly fills that requirement.

Since 1956, he has been with Valley Federal Savings, serving since 1982 as its chairman of the board and chief executive officer. He has also been active in the industry serving in various capacities with both the California League of Savings Institutions and the United States League of Savings Institutions.

However, Mr. Speaker, it is difficult to see how Bob finds time to do his work because his civic involvement is so prolific. He has served, in one way or another, with the Valley Industry and Commerce Association, the Los Angeles Headquarters City Association, the Van Nuys Chamber of Commerce, the Los Angeles Council of Presidents, the Policy Advisory Board of the Southern California Earthquake Preparedness Project, Vitalize Van Nuys, the United Way, the Juvenile Justice Connection Project, Valley Presbyterian Hospital, the Mid-Valley Family YMCA, the Van Nuys Rotary Club, Casa Montessori, the San Fernando Valley Cultural Society Foundation, the Grand Peoples Company and the Automobile Club of Southern California.

This year's award is not the first time Bob has been honored by his community. In 1975 he was Man of the Year for the Van Nuys Chamber of Commerce and just this year he was given the Charles A. & Margaret W. Pollak Award from the United Way.

Mr. Speaker, my colleagues and I join with Bob's many friends in salut-

ing him for the honor of being this year's Fernando Award recipient. We wish him, his wife Norma, and his three children the best in the years ahead.●

TERRORISM AND DRUGS:
GAMES BULGARIANS PLAY

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. BROOMFIELD. Mr. Speaker, now is the time for the Bulgarians to stop playing their illegal games. Unfortunately, the Bulgarian Government continues to involve itself in international terrorism, narcotics, and arms smuggling. In spite of what that government says about its innocence in the matter, the facts reveal that behind the scenes, the Bulgarians are actively involved in a variety of sordid activities.

The House Foreign Affairs Committee recently adopted House Concurrent Resolution 337 concerning Bulgaria's abuses of the Customs Convention on the International Transport of Goods. According to available evidence, the Bulgarians transport illicit narcotics, and smuggle arms and terrorists under the cover of TIR Carnets in closed trucks.

Under the 1975 Customs Convention on the International Transport of Goods under cover of TIR Carnets, the transport of legitimate goods is facilitated by exempting sealed vehicles from normal customs inspection at national border checkpoints. U.S. Government-acquired information shows that the Bulgarian Government has established a policy of encouraging and facilitating trafficking in illicit narcotics through its official import-export agency, Kintex. The Bulgarians have illegally used the TIR Convention in carrying out this illegal practice. The Bulgarians have also assisted the illicit flow of arms and ammunition to insurgent groups. Bulgarian involvement in such activities, in light of the growing menace of international terrorism, must be stopped. The committee's efforts are a step in the right direction.

Fortunately, the TIR Convention also allows countries to take certain steps in order to prevent abuses, including the examination of vehicles by customs officials when irregularity is suspected.

The House Foreign Affairs Committee wisely resolved that our Government should request that the Secretary General of the United Nations convene a review conference. Hopefully, such a conference could determine what steps should be taken to end these flagrant abuses on this important international agreement. I en-

courage our Government to follow this sense of Congress and end this unfortunate abuse of the Convention. The specter of narcotics threatens this generation of Americans along with other young people around the world. As part of the worldwide effort to end this horrible burden, the Congress must do its part in the administration's war against narcotics.●

**TAIWAN: SEVENTY-THIRD
ANNIVERSARY**

HON. NORMAN D. SHUMWAY
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. SHUMWAY. Mr. Speaker, October 10 will mark the 73d anniversary of the founding of the Republic of China, or Taiwan. Our Nation has been privileged to enjoy a very special friendship and successful cooperative relationship with the Taiwanese, and it is with great pleasure that I ask my colleagues to join with me in paying tribute to Taiwan today.

"Double Ten" marks the day in 1911 when the Chinese Republican revolutionaries successfully cast off the reign of the Manchu provincial government, triggering the downfall of the last imperial dynasty in China. We have much in common with the people of the Republic of China. Both nations are committed to political and economic freedom, enabling individual choice and the free marketplace to prevail. I have been privileged to visit the ROC, and my belief that its inhabitants are as dedicated to liberty as we are was confirmed and enhanced. Taiwan understands, as we do, that only in a free society can the greatest number of people reap the greatest personal reward. The system of government we mutually revere provides for maximum personal and economic advancement, increasing both personal and national pride.

In truth, the short history of the ROC is profoundly indicative of the success which can be achieved under free conditions. Since 1949, Taiwan has truly become an example to be emulated in its economic development, achievement, and modernization.

I believe it is essential for us to assure our friends and long standing allies in Taiwan that we have not forgotten them, nor will we turn our backs on them. It is equally imperative for us to take all possible steps to encourage continued healthy relations with the Taiwanese.

Congratulations to Taiwan on "Double Ten" number 73! I extend every best wish for continued prosperity, progress, and pride, as well as the reminder that the people of Taiwan have a host of admiring friends in the United States.●

THANK YOU ALL

HON. ANTONIO BORJA WON PAT

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. WON PAT. Mr. Speaker, tomorrow I shall leave Washington to return to the rigors of the campaign trail.

I could not depart, however, without thanking the leadership for their support. Speaker TIP O'NEILL and majority leader JIM WRIGHT have been especially helpful as has countless others here in the House and in the U.S. Senate.

Several days ago Congress sent to the President my latest omnibus territories bill. This measure will provide a number of needed benefits to the residents of the territories.

While I take great pride in being the main author of this and similar bills in my capacity as chairman of the Insular Affairs Subcommittee I cannot assume sole responsibility for the success of these proposals.

The members of my subcommittee deserve particular praise for their strong and unwavering support. Never could a chairman ask for better colleagues than those I have been fortunate to serve with in this Congress.

I want to take special note of the wonderful support I received in this Congress from my good friend, Representative MO UDALL, chairman of the Interior Committee. A special note of thanks is also overdue to Representative BOB LAGAMORSINO, the ranking Republican on the committee and Representative MANUEL LUJAN for their bipartisan approach to the often complex problems facing these islands.

Nor could I have achieved my goals for the territories without some invaluable friends in the Senate. Senator JAMES MCCLURE, chairman of the Senate Energy Committee and Senator LOWELL WEICKER have done so much for Guam and the other territories over the past 2 years. So too has my good friend Senator BENNETT JOHNSTON who remains a stalwart of advice and friendship even on the most trying days and who has been a leader in the advancement of legislation benefiting our territories.

Without these men and many others there is no doubt in my mind that the many benefits this Congress approved for Guam and other territories would have remained only dreams rather than reality.

I also want to thank my counterparts in the Senate who have shown a similar bipartisan approach to my legislation. As one of our colleagues recently remarked if we could achieve the same bipartisan approach to other matters as we have done for territorial affairs there might be far fewer late night sessions.

You have all made the 98th Congress a historic one for the territories and for me. I thank you and look forward toward serving with you in the 99th Congress.●

**SAN MATEO COUNTY CHAPTER
OF THE RED CROSS OPENS ITS
NEW HEADQUARTERS**

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. LANTOS. Mr. Speaker, on the occasion of the grand opening of the new Red Cross Headquarters for San Mateo County, I would like to take a moment to reflect on this great humanitarian organizations' early years in our country. There are many landmark activities and events which have contributed to making this organization the valuable asset that it is today in San Mateo County.

Red Cross began its service to San Mateo County in early 1898 with the establishment of the Red Cross Society of Redwood City. It was quickly pressed into service by the Spanish-American War. Activities revolved around aiding the "Boys in Blue" with fundraisers in order to purchase bandages, towels, and other items sorely needed by our troops. During and following the war, this society was also able to contribute greatly to the care of the convalescent soldiers. Red Cross societies throughout the State raised enough money to build a convalescent home at the Presidio. The Redwood City Society provided one ward of two beds.

The society next displayed its commitment by providing for the needy in April 1906 by giving aid to the victims of the San Francisco earthquake. Invaluable contributions at that time comprised the essentials: 18 boxes of clothing, 8 sacks of bedding, and 1 box of shoes which were all forwarded to the stricken city.

When the country entered World War I in 1917, the Red Cross formulated plans to enlarge its membership and to aid in equipping the Red Cross at the Navy and Army base hospitals in San Francisco. It was on July 10, 1917, that the San Mateo County Chapter of the American Red Cross was actually granted its charter from national headquarters.

The ensuing period of 1917 to 1919 proved to be among the most active and productive in the history of this organization. The response to the war was a local production corps established to sew and knit garments, as well as to make thousands of bandages. Next, the resources of the local Red Cross, when faced with the Spanish influenza epidemic of 1918, provide a clear example of the vitality and

commitment of those associated with this organization. Because so many nurses were in wartime service, it was almost impossible to obtain adequate nursing services at home. Mrs. J.C. Casserly offered her home in San Mateo as an emergency influenza hospital. The greater part of the work was done by volunteers with the help of a small staff of trained nurses using donated or loaned equipment. Food was prepared in private homes and delivered to the hospital. Pneumonia jackets were secured and transportation provided for ambulatory patients.

This is but one example of the energy and dedication to community service which typifies this organization. Its renowned first aid program and water safety program have touched the lives of almost all of us in some way. The Red Cross was the first organization to provide a visiting school nurse, the Visiting Nursing Association for San Mateo County, and many more programs which are now integral parts of its supportive services network.

Mr. Speaker, I wish to express my appreciation for the humanitarian efforts of this fine organization. Please join me in wishing them every success in their relocation to a new site. I feel we are all more confident in the knowledge that the Red Cross continues to "prevent and alleviate human suffering wherever it may be found."

TRIBUTE TO HON. JOHN ERLBORN

HON. CHARLES PASHAYAN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 1, 1984

● Mr. PASHAYAN. Mr. Speaker, it has been an honor to serve in the House with men of the caliber of JOHN ERLBORN during the past 6 years. His presence, his counsel, and his leadership shall be missed.

During the 20 years JOHN has served in this House, he has left his mark on major legislative efforts, looking out for the interests of the American taxpayer. His efforts have included opposition to the Department of Education, fighting to reduce abuses in entitlement and student loan programs, and working against unrealistic increases in the Federal minimum wage.

Millions of American taxpayers today take advantage of an innovation for which JOHN ERLBORN deserves much of the credit: the "Individual Retirement Account."

In his efforts, JOHN has worked with his colleagues of both parties on the Government Operations and Education and Labor Committees to fashion legislation reflecting the broad diversity of interests in this great Nation.

Mr. Speaker, I am proud to be able to join with my colleagues in recognizing

the distinguished service of the Honorable JOHN ERLBORN of Illinois.●

JEWISH BIG BROTHER AND BIG SISTER ASSOCIATION OF GREATER BOSTON MARKS 65TH YEAR

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. FRANK. Mr. Speaker, this November 4 marks an important anniversary for all Americans who care about what the future holds for our young people. On that date 65 years ago, the Jewish Big Brother and Big Sister Association of Greater Boston was born. Though small in resources, the founders of this community service organization possessed great commitment and dedication to bringing disadvantaged, parentless young people into the mainstream of society.

The program began by focusing on the challenges faced by delinquent boys. Today, it provides a variety of vital services including family advocacy, crisis intervention, college scholarships, as well as discussion groups for Big Brothers and Sisters, parents, and children. The Jewish Big Brother and Big Sister Association has helped literally thousands of boys and girls reach their full potential as responsible adult citizens.

Mr. Speaker, I believe it is important to take this opportunity to recognize the founding of this organization because of the inspirational effect its record of success can have on other communities. I commend all those associated with the Big Brother and Big Sister Association of Greater Boston for their fine work and their worthy contribution to the community.●

TRIBUTE TO COL. GEORGE B. GREEN

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. WOLF. Mr. Speaker, I would like to pay tribute to Col. George Benjamin Green, a man who devoted his life to serving his Government, and met his death at the hands of a drunk driver.

I know all my colleagues join in expressing sympathy to Colonel Green's wife, Janet, and the rest of his family. They can be proud of the life he lived, of the service he provided his country, and the example he left to those who knew him.

I would like to share with my colleagues the eulogy delivered by Col. Timothy R. Johnson, USAF, retired,

at the funeral services for George B. Green at Fort Meyer Chapel on September 3, 1984. I insert it at this point in the RECORD:

EULOGY

Thank you Janet for this privilege.

I am honored to stand here today and salute this fine man—my friend and your friend—George Benjamin Green—Married Janet Nov. 19, 1942.

He was: Colonel, USAF, Doctor, M.D., Flight Surgeon, Humanitarian Lover of Nature, Quality Sportsman with class.

Colonel, USAF—George graduated from South Dakota University 1934 and was the Cadet Colonel of his ROTC class.

Entered Active duty 1940 as a 1st Lt.—was promoted to Colonel in 1949 (1st to Colonel 9 years).

During WW2 he spent 3 years dodging bombs in England.

George was taken into the regular army in 1946.

General Malcolm C. Grow the Air Surgeon said this: "Your record shows you to be a man of character, skilled in qualities of leadership and willing to accept responsibility."

General Grow and George grew to be the best of friends with many mutual interests—hunting being one. George spoke of him often.

George was our first United States Air Force Medical Intelligence Attache. His duty assignment was U.S. Embassy—Paris, France with diplomatic accreditation to several countries—I know one country was Yugoslavia because he inspected our Embassy in 1952. He holds many decorations—one of which he was very proud. He was the first USAF medical officer to receive the medal of honor of the French Air Force Medical Service plus French Air Force Flight Surgeon's wings.

George retired from the USAF in 1961 (He loved every minute of his military service and was an outstanding officer). When he retired he gave me these eagles. George had many military friends.

Doctor, M.D.—George never complained—he was never sick. George received his medical degree in 1938 from Rush Medical College, Chicago, Illinois. George was proud of Rush. A few years ago we were discussing medical schools due to my son's interests—George mentioned his alma mater—I said, "Who has ever heard of Rush? He looked at me as only George could—you all know that look. He said, "My school was named after the only medical doctor to sign the Declaration of Independence." From that day, I, too have been proud of Rush. Doctor Green used his medical skills after his air force retirement to further medical intelligence and aerospace medicine. He held memberships in numerous medical associations. George was a member in good standing of the AMA for the year 1984. He believed in the medical ethics—they were inscribed in his heart—not on his sleeve. George had many medical friends.

Flight Surgeon-Pilot—George received his private pilot's license in 1930. George, as a flight surgeon, had flying hour requirements. He and I flew thousands of hours together—we both loved the gooney bird. We always respected and loved our flight surgeons since they administered our annual physicals—if we didn't pass—we didn't fly and we didn't get paid. Many memories. George had many aeronautical friends.

Humanitarian—George gave many hours to the Red Cross Blood Bank. He helped

young people make important decisions. I know a young lawyer here today who loved George and who sought his advice and help. When George was killed, he wasn't thinking of himself—his concern was the other fellow. George had many friends around the world.

Lover of Nature—George loved animals—birds—green grass—ramps. He was a ramp man of world fame—his ramp maps and ramp articles are well known.

I'll always remember George driving his Volkswagen convertible with his dog, the black retriever—ph, how they loved each other. You all remember that dog. George gave him a longer life because of his love—the dog had cancer and you all know the story. Presently, his cat is suffering—the cat knows something is wrong and is not happy. George even loved crows and called them by name. They were the best fed crows in Riverwood. Incidentally, he was president of the Riverwood Association and he loved the area's natural beauty. George loved nature—nature loved George.

Quality sportsman with class—How many hunters have had a triple, hunting Canadian Geese? George did. Those of you who have hunted with George know of his hunting skills—he loved to hunt. He went by the sportsman's code and was a crack shot. He must have been because Janet told me one of the ribbons he wore on his Air Force uniform—one he was very proud of was the skilled marksmanship ribbon.

George always shared his game with his friends. For years we had a goose. One time I mentioned to George I would like 12 doves for a Thursday night party. Wednesday night he drove up with 12 doves—tired but with a smile I'll never forget. You hunter friends know that smile. George had many hunter friends.

George was doing what he loved most the day he was killed—driving home from HUNTING with his friends.

George will be pleased with the resting place Janet picked for him. We all have our happy memories of George—Air Force memories—medical memories—flying memories—cultural memories—gourmet memories—hunting memories.

I am thankful we all have these memories to share. Let's take a minute to remember our special times with George.

We all love you, George.●

NOBLE WORK

HON. MICHAEL D. BARNES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. BARNES. Mr. Speaker, the Inter-American Commission on Human Rights is 25 years old this year. This important anniversary was noted by Stephen S. Rosenfeld last week in the Washington Post. As chairman of the Subcommittee on Western Hemisphere Affairs, I have been able to observe the work of this fine organization first hand. There is no question in my mind that the Commission continues to make a very significant contribution to the cause of human rights in our hemisphere. I am very pleased to insert Stephen Rosenfeld's tribute at this point, and I know all my colleagues join me in congratulating the Inter-American Commission on Human Rights for its fine work and in extending to its our best wishes and our firm support in the years ahead.

NOBLE WORK

(By Stephen S. Rosenfeld)

"During the cold days of September 1979 in Buenos Aires," an Argentine woman wrote not long ago to the Inter-American Commission on Human Rights, "an entire family disappeared while the Inter-American Commission was visiting. The disappeared family was mine—my husband, my daughters and myself. . . . There was an intercession by the Commission for me and my daughters. For that reason alone, we are alive."

Today, Argentina has an elected democratic government which is seized of the consequences of the thousands of deaths and "disappearances" attributed to the former military regime. I met President Raul Alfonsin in New York this week and came away feeling he was coping valiantly with 1) heartbreaking grass-roots demands for a full factual and judicial accounting, 2) a still-powerful military's resistance to such an accounting and 3) his government's and the public's many distractions.

Alfonsin's strategy has been to get massive amounts of information about past atrocities out to the public, and meanwhile to give the military a first crack at self-policing before bringing in the civil courts. "If people see justice being done," he told me, "we'll achieve reconciliation. No one wants revenge. But we can't pretend that nothing happened."

Back in 1979, however, that pretense was very much alive. The Argentine government of the day was not striving in difficult circumstances to seek justice and reconciliation. In the name of fighting terrorism, it was itself responsible for terrible injustice and social division. Too often in Latin America, this has been the case. People looking to lighten the resulting cruelties have had to look outside for relief.

That's where the Inter-American Commission on Human Rights, whose 25th anniversary was yesterday, comes in.

For the Argentine woman who wrote the recent letter, the commission's intercession in Buenos Aires was a matter of life and death. Otherwise, the commission is increasingly effective—to a degree that startles many who are familiar with the lumbering ways of its parent, the Organization of American States—as a source of protest, investigation, counsel and rescue for victims of human rights abuse.

Thanks mainly to the quality of people nominated by member states to serve on it, the commission has managed to avoid most symptoms of ideological blindness. It has condemned human rights violations by governments of both the left and the right and spared itself the controversy and ineffectiveness that have overtaken, for instance, so many agencies of the United Nations.

On the right, the Inter-American commission raised the first international cry against the tortures and disappearances in Chile under Gen. Pinochet. In Argentina, its on-site visit in 1979 broke the junta-imposed barrier of silence and generated the first widespread public information on the official apparatus of repression.

On the left, having documented the killings and torture by Somoza's national guard in Nicaragua, the commission went on to investigate the Sandinistas' gross mistreatment of the Miskitos and took up a concilia-

tor's role. It has been a balanced source of criticism of Cuban human rights violations, too hot a potato for any other international organization to handle.

Meanwhile, the commission has quietly transmitted international human rights concerns to wayward governments—case-work resulting sometimes in the release of prisoners and the reduction of torture. It circulates its reports and recommendations to governments prior to publication, giving the government the chance to make remedies and to have those remedies made public in the report.

The Carter people are justly proud of their contribution of making the Inter-American Commission an agency of stature. It was well suited to dealing with the dominant hemispheric human rights problems in that period, the thousands of disappearances in Argentina, Chile and Uruguay.

In the Reagan period, the political and geographical focus has tended to shift to Central America, where things are more complicated. For instance, the responsibility of the government of El Salvador for the death squads is not so clear. Necessarily working through established structures, the commission can better address governments that control their military than those that do not.

In Argentina, said ambassador Lucio Garcia Del Solar recently, the Inter-American Commission on Human Rights did "noble work." It deserves to be recognized and it needs to be strengthened so that it can do more.●

LEGISLATION TO BENEFIT PHYSICIANS IN SOLO PRACTICE

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. BURTON of Indiana. I am introducing a bill which will benefit physicians in solo practice.

The medicare program allows doctors in partnerships and corporate groups to bill for the services of any physician in the group. The solo physician who asks a second doctor to treat one of his patients cannot submit a bill for this.

My legislation will allow the personal physician to maintain billing authority. This will eliminate confusion, and help both the doctor and the patient.

I hope the members of the House will consider cosponsoring this bill.●

INGEBORG SCHNEIDER DAY

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. WOLF. Mr. Speaker, Friday, September 28, 1984, was "Ingeborg Schneider Day" at Heritage Hall Health Care V, a nursing home in Leesburg, VA.

In celebration of Nursing Week, special events were carried out all week to honor the nursing personnel. At the culmination of this week the entire staff surprised Ingeborg Schneider, the director of nursing, with her own special day.

Mrs. Schneider has worked at Heritage Hall for 4 years and has been the director of nursing for 1 year. Her care and concern for all those around her, residents and staff alike, is apparent in everything she does. Her attitude sets the tone for all the staff and she has become a part of the intrinsic identity of Heritage Hall, Leesburg.

In the way of background, Mrs. Schneider was born in Berlin, Germany, 49 years ago and has been in nursing for 29 years. She came to this country in 1963. Since then, she has served in all kinds of nursing capacities over the years, including intensive care, coronary care, and surgical nursing. At present she is pursuing her interest in Alzheimer's disease and hopes to see Heritage Hall become one of the first nursing homes to specialize in that disease.

It is an honor for me to pay tribute to Ingeborg Schneider and to recognize her dedication and service to the nursing profession. On behalf of a grateful community, our thanks for your commitment and example. You are an inspiration to us all.●

FRIENDS OF IYO HONOR
CAROLYN THOMPSON-WALLACE

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. RODINO. Mr. Speaker, it is with great pride that I rise today in recognition of an outstanding woman from my district—Carolyn Thompson-Wallace, who will be honored with an appreciation dinner on October 21.

Ms. Wallace has been the administrator of the International Youth Organization for 14 years. It was founded in 1970 as the Brick Towers Youth Association, a small counseling agency for teenagers in the basement of Brick Towers. Under the leadership of Ms. Wallace and her husband James, the International Youth Organization has grown into a tremendously successful agency offering counseling and support services for thousands of young people.

The organization helps teenagers realize their potential, encouraging a sense of self-worth and emphasizing the importance of education. It has grown continually over the years, meeting new challenges as the needs of the community have changed. The success of the International Youth Organization stems from the firm belief of the Wallaces in what they were

trying to do, and against tremendous odds, they built the IYO into the outstanding agency it is today.

Carolyn Thompson-Wallace has been a resident of Newark since she was 5 years old. Her skills as an administrator, fundraiser, public relations representative, and counselor are extraordinary. Most important, however, she has unbelievable dedication to the goals of the IYO and enormous commitment to the youth of our community. She is an inspiration to the people who work for IYO, to the young people she counsels, and to all of us who have been so impressed with her over the years.

Mr. Speaker, the appreciation dinner in her honor is a fitting tribute to this remarkable woman. She has given of herself unselfishly, and it is only right that we in the community she serves, should recognize her as "A Woman for All Seasons."●

HONORING MR. DONALD W.
HATCH, SEPTEMBER 27, 1984

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. CONTE. Mr. Speaker, colleagues, I'd like to take this opportunity to commend one of my constituents, and an extremely hard working, dedicated man from the first district of Massachusetts. Mr. Donald W. Hatch retired as the principal of the Westfield Middle School in June 1984, after 24 years of committed service. Mr. Hatch's departure was a heartfelt loss to his coworkers, the students at the middle school, and the school system in Westfield.

Donald Hatch's career began as a math teacher at Westfield High School. From there he went to Springfield Classical High School, and eventually became the assistant principal. Following his time in Springfield, Mr. Hatch returned to Westfield to become the principal of what was then Westfield Junior High School. In 24 years he took the school through two major changes. From a junior high school, it became the South Middle School then finally Westfield Middle School. Mr. Hatch made smooth transitions possible through his exceptional organization. Many education groups over the years have observed and emulated his outstanding example.

In 1977, the Massachusetts Association of Secondary School Principals awarded Donald Hatch "Educator of the Year," for his dedication to the education of his students. Mr. Hatch also served on the board of the National Association of Secondary School Principals.

To his colleagues he was a supportive, respected leader. A long-time

friend used the word "outstanding" to describe his relationship with his colleagues. His relationship with his students was excellent, "his door was always open," said one student.

The educational system in our country depends on men like Donald Hatch. Teaching is a tireless and demanding job. Mr. Hatch's work involved so much more than administering for his school. It has meant being sensitive and responsive to the needs of every student, every teacher, every other coworker. Very few give as much to so many as Mr. Hatch has. What he has done for a lucky group of people over 24 years is invaluable. He has my deep admiration, and I wish him happy travels.●

A TRIBUTE TO TOM CORCORAN

HON. JAMES T. BROYHILL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 1, 1984

● Mr. BROYHILL. Mr. Speaker, I wish to join my colleagues who have paid tribute to TOM CORCORAN. TOM, unfortunately, will be leaving at the end of the 98th Congress. As the ranking minority member of the Energy and Commerce Committee, I've relied heavily on Tom's hard work and intelligence.

In his position as the ranking minority member of the Fossil and Synthetic Fuels Subcommittee, Tom has fought for natural gas legislation which would help consumers. He has been a leader in an effort to achieve a productive synthetic fuels program for this country. And, he has been at the forefront of efforts to enhance the energy security of this Nation.

TOM CORCORAN has done all this, and more, during his tenure on the Energy and Commerce Committee. He has never shrunk from a fight for the policies in which he believed, but he has always remained a gentleman. It has been my pleasure to work with him and my privilege to know him. I only hope that he will continue to use his broad knowledge of our energy resources and their potential for the benefit of the public good.

Thank you, TOM, for your dedicated service to this House. I wish you and your family the best in the years ahead.●

SALUTE TO LAW ENFORCEMENT
OFFICERS

HON. RAYMOND J. McGRATH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. McGRATH. Mr. Speaker, I am pleased that the House has considered

House Joint Resolution 482, to establish the National Law Enforcement Heroes Memorial. As an original co-sponsor of that resolution, I believe recognition of fallen police officers in our Nation's Capital is long overdue.

The unending battle against criminal elements in our society is often given great attention in the media. That type of attention, however, is generally focused on the sensational aspects of a criminal act or a police investigation. Those who have lost their lives in various Federal, State, and local law enforcement agencies often receive no more than fleeting notice.

I commend the various law enforcement organizations which have worked diligently for the establishment of the law enforcement officers fund and the memorial. Their efforts will preserve the memories of those who have been killed in the line of duty while protecting the lives and property of our citizens.

It is unfortunate that we who live in a society which offers so much should have to memorialize those who lost their lives in defense of ourselves and our neighbors. Yet we are lucky indeed to have thousands of brave men and women willing to assume this important responsibility. Over 300 of their fellow officers have been killed over the last 2 years—many as the result of wanton criminal acts.

I look forward to the construction of the heroes memorial as a permanent tribute to fallen law enforcement officers. I also commend my colleague from New York, MARIO BIAGGI, for his leadership in obtaining passage of House Joint Resolution 482.●

CLARENCE MITCHELL, JR. AND
THE LEGACY OF EQUAL OP-
PORTUNITY

HON. MICHAEL D. BARNES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. BARNES. Mr. Speaker, I would like to call my colleagues' attention to a resolution which was passed by the City Council of Takoma Park, MD. This resolution designates December 1, 1984, as International Day in Takoma Park to celebrate the city's development into an international community which welcomes individuals from many areas of the world, including Cambodian refugees and others fleeing economic, racial, or religious repression.

The resolution attributes this atmosphere of tolerance to the civil rights and fair housing laws of the sixties, which were enacted with the leadership and guidance of Clarence Mitchell, Jr., the Maryland civil rights activist who died last March. This resolution memorializes both the work of

Clarence Mitchell and the spirit of harmony that exists among the citizens of Takoma Park.

The text of the resolution follows:

RESOLUTION

Whereas, on March 18, 1984, the nation suffered the loss of Clarence M. Mitchell, Jr., whose positive leadership and guidance influenced not only those who were closely associated with him, but our community, the nation and the world at large; and

Whereas, the late Clarence M. Mitchell, Jr., a giant among public and political figures, was a native and life-long resident of Maryland; and

Whereas, Mr. Mitchell is known for numerous accomplishments, and through his outstanding leadership, was instrumental in persuading Congress to enact the Federal Fair Housing Law in 1968, and other Civil Rights legislation in 1957, 1960, 1964 and 1965; and

Whereas, prior to enactment of the Federal Fair Housing Law of 1968, for which Clarence M. Mitchell so vigorously fought for blacks and other minorities were often refused housing in certain areas of Takoma Park. Even as late as 1960, blacks represented only four percent of the population; by 1970, they numbered thirteen percent; and in 1980, the percentage had increased almost three-fold, reflecting a decline in discriminatory practices which is directly attributable to the Fair Housing Law of 1968; and

Whereas, it is evident that the Federal Fair Housing Law of 1968 has helped create a true melting pot in Takoma Park. Its citizens are native of many areas of the world, many having fled or moved from their native countries because of poor educational and employment opportunities, religious and racial bigotry, or persecution. For example, Cambodians have found acceptance and tolerance in Takoma Park after fleeing their homeland, where two to three million of their countrymen were lost in a holocaust between 1975 and 1979. Many others have found a similar haven in Takoma Park; and

Whereas, through the leadership of Clarence M. Mitchell, Jr. and the instrumentality of the Fair Housing Law, Takoma Park, together with other formerly predominantly all white communities, has become a place where people from many nations with varied religious and racial backgrounds live together in peace and harmony; and

Whereas, in 1975, President Ford recognized the talents and abilities of Clarence M. Mitchell, Jr., whose crowning achievement was passage of the Federal Fair Housing Law of 1968, by appointing him as delegate to the United Nations General Assembly; and

Whereas, President Carter, recognizing Clarence M. Mitchell, Jr.'s achievements, awarded him the Medal of Freedom on June 9, 1980; and

Whereas, the Mayor and Council of the City of Takoma Park, Maryland wish to memorialize the late Clarence M. Mitchell, Jr. and to take recognition of the fact that Mr. Mitchell's work to create equal opportunity in housing has produced a community which welcomes people from around the globe as citizens.

Now, therefore, be it resolved by the Mayor and Council of the City of Takoma Park, Maryland that Saturday, December 1, 1984, be designated International Day in the City; and

Be it further resolved that in furtherance of this designation, the Mayor and Council

shall appoint two citizens to work with them to seek appropriate ways of celebrating International Day and honoring Clarence M. Mitchell, Jr.

September 10, 1984, passed by Takoma Park City Council at September 10, 1984, meeting.●

THE 40TH ANNIVERSARY OF
THE INVASION OF LEYTE

HON. CECIL (CEC) HEFTEL

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. HEFTEL of Hawaii. Mr. Speaker, on the occasion of the 40th anniversary of the 1944 D-day invasion of Normandy, the attention of the American public focused upon the great trial of men and arms that we remember as the turning point of the war in Europe. This memorial evoked a mixed sense of pride and loss as we remembered the sacrifices made there. Yet, while this struggle captured the imagination of the people, we must not overlook the other battles, great and small, that were waged in the name of freedom and self-determination during this worldwide conflagration.

On October 20, we mark the anniversary of one such great battle. It is appropriate to reflect upon the contribution of those responsible for the successful amphibious assault on the Philippine Island of Leyte in the year 1944. This monumental invasion is paralleled in history only by the D-day assault. Over 200,000 American fighting men, more than 100,000 tons of material, thousands of ships and over 100 aircraft were committed to this effort. The invasion was the most extensive ever in the Pacific Theater, and is acknowledged as the battle that turned the tide in the Pacific war.

Often, the center of our attention with regard to this battle is the return of Gen. Douglas MacArthur to the Philippines as he so auspiciously promised. But I bring your attention to the unheralded efforts of the men of the 6th Army who bravely bore the brunt of the struggle, and local Filipino resistance groups who paved the way for the assault in the face of invasion, occupation, and reprisals. It is to these simple soldiers and freedom fighters that we are grateful.

The Island of Leyte was, at the time of the invasion, a virtual fortress, honeycombed with well-camouflaged defenses and laced with airstrips. The personal triumphs of American soldiers were painfully won, and there are many examples of their extraordinary courage. In the final analysis, the staggering amount of resources brought to bear and the fighting skill of the American forces allowed U.S. casualties to be held to a minimum.

Japanese forces were forced into retreat, and a foothold was secured.

Mr. Speaker, the Leyte landing and role it played in hastening the end of this savage conflict, rarely receives the prominence it warrants. It was, by all measures, a success story. Many soldiers of the 6th Army and the resistance forces are alive today. They have earned our gratitude, our honor and a place in our memories for their efforts. As we preserve the memory of those who fought to save the free world a half century ago, let us not neglect the role of the participants in the Leyte invasion of October 20, 1944. Thank you.●

DARBY RATHMAN: THE AGELESS WARRIOR

HON. TOM LEWIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. LEWIS of Florida. Mr. Speaker, I am pleased to have this forum to pay tribute to Mr. Darby Rathman, an energetic and spirited gentleman from Riviera Beach FL, whose untiring dedication to Florida seniors and veterans is indeed an inspiration to us all.

The founder of the Palm Beach County American Federation of Senior Citizens, Mr. Rathman's involvement and leadership on issues of concern to senior citizens has been exemplary. Many believed his ability to pursue those causes would be severely limited after Mr. Rathman suffered a stroke several years ago, but he continues to do this voluntary work as energetically as ever and to live independently at the young age of 86.

Darby recently told me he remains involved in senior citizens' issues because he wants to do everything possible to make life easier and better for senior citizens—both financially and spiritually.

Mr. Rathman also is a long-time member of American Legion Post No. 628 and World War I Vets, Barracks No. 3130. Through those two Riviera Beach veterans groups, particularly those who served so courageously in WWI, they receive their much-needed earned benefits and rights.

Those who know and love Darby Rathman believe his dedication and undiminished level of interest in helping others is matched only by the encouragement and inspiration he extends to everyone with whom he comes in contact. We all know that Darby's tenacity, his love for his fellow man, and his enthusiasm for life are the qualities that keep him going and endear him to us.

Mr. Speaker, Darby Rathman has more than earned our respect and recognition for his many accomplishments. I am proud to have the honor

to thank him before this distinguished body for all he has done to touch the lives of so many people.●

ELEANOR ROOSEVELT—FIRST LADY OF THE WORLD

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. FASCELL. Mr. Speaker, October 11, 1984, marks the 100th anniversary of Eleanor Roosevelt's birth. Before this House adjourns, it is fitting for us to acknowledge this great American lady. Not only was she the wife of a great American President, Franklin Roosevelt, but in her own right she made a significant contribution to all Americans and all the world. President Truman recognized this and called her the first lady of the world.

Mr. Truman appointed Mrs. Roosevelt to be a U.S. Representative to the U.N. General Assembly. She served in that capacity from 1946 through 1952 in the U.N. General Assembly's Third Committee on Social and Humanitarian Affairs where she dealt with many refugee and human rights issues. President Truman also appointed her U.S. Representative to the Commission on Human Rights. Eleanor Roosevelt was the first American to serve on the Commission and the only American to chair it from 1947 to 1951.

During her public service at the United Nations and on the Commission, Mrs. Roosevelt, on behalf of the United States, helped negotiate the two parts of the International Bill of Rights: the Universal Declaration on Human Rights and the draft of the International Covenant on Civil and Political Rights. Her contribution to internationally recognized human rights has been significant and lasting. She lobbied for completing the universal declaration which did not require Senate ratification before preparing the draft of the International Covenant on Civil and Political Rights that did require such ratification. The U.N. General Assembly adopted the declaration on December 10, 1948, by a vote of 48 (United States)-0-8 (the Soviet bloc, Saudi Arabia and South Africa). In Eleanor Roosevelt's view, the declaration represented a common standard of achievement for all peoples and all nations. The declaration is the most frequently cited international measure in human rights resolutions adopted by this House. The Final Act of the Conference on Security and Cooperation in Europe incorporates its provisions as do other regional human rights instruments—for example the Inter-American and European Conventions. More than 50 new nations refer to, or incorporate, provisions of the

declaration in their national constitutions. It is not surprising, then, that the universal declaration is considered by international lawyers to have the status of customary international law.

Mr. Speaker, we know that not all governments live up to this standard and that human rights are not universally enjoyed. But we agree, I think, on the enduring importance of human rights and fundamental freedoms. We owe to Mrs. Roosevelt and to the universal declaration adopted in 1948 a large measure of the widespread, international recognition given to basic rights and freedoms today. Eleanor Roosevelt truly deserved the magnificent description given her by President Truman—first lady of the world.●

TRIBUTE TO CONGRESSMAN TOM CORCORAN

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 1, 1984

● Mr. HYDE. Mr. Speaker, the end of this session will see the retirement from Congress of our colleague TOM CORCORAN of Illinois. He brought to this demanding office a high sense of duty and a splendid intellect which, combined with his energy and enthusiasm, produced a political leader in whom we can all take pride.

TOM was not—nor could he have been—defeated in a bid for re-election. His constituency both respected and admired him. But TOM sought to serve in the other body and undertook the challenge of running against an entrenched incumbent in the primary, where he did not prevail.

TOM proved he had the courage of his convictions and was not awed nor dismayed by the odds against his winning. This willingness to take risks for what he believes in is but one of TOM's exceptional traits of character.

TOM was an effective and influential leader in Congress, particularly on energy and transportation issues. I certainly was influenced by TOM on almost every vote which involved these complex issues, and many other of my colleagues relied on his expert judgment as well.

Our country and our State was fortunate to enjoy the services of TOM CORCORAN in Congress. I know in his new career he will continue to strive—and succeed—in attaining those goals that he has set for himself. And, somehow, I am confident we have not heard the last of TOM CORCORAN in public service. At least I hope not.●

**AN EDUCATED ELECTORATE
WILL BRING AN END TO THE
ARMS RACE**

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. ADDABBO. Mr. Speaker, I would like to call to the attention of my colleagues and all Americans, a message of peace that Rabbi Lee Friedlander, of the Reconstructionist Synagogue, delivered last week to his congregation.

Rabbi Friedlander urged his congregants to assert their rights as educated voters on arms control issues. He called for each individual to render a sane judgment based on the facts. While this administration would like the American public to believe that these issues are too complicated to understand, Rabbi Friedlander correctly refutes this by pointing out that when an issue is politically unpopular, this leadership claims that it is too complex for the electorate. However, when the administration is ready to talk about an issue, which rarely occurs, it attempts to educate the electorate.

There is no great or more pressing issue than the nuclear threat which faces us. Today, Americans must not be overpowered by an administration that seeks to keep them in the dark. As chairman of the Defense Appropriations Subcommittee, I know too well why young men and women sometimes have nightmares about a nuclear holocaust. We know the dangers, the world knows the dangers, our children know the dangers. We must make some choices in order to resolve this tension.

Rabbi Friedlander's message is a sensible call to action. Americans are vested with the right to vote. In this election year, no one must refer to our electorate as incapable of handling arms control issues. For those who seek to suppress are often the ones that have divested themselves from the public's interest.●

**CONGRESSIONAL SALUTE TO
THE HONORABLE ENRICO J.
CIPOLARO OF POMPTON
LAKES, NJ, ESTEEMED EDUCA-
TOR, COMMUNITY LEADER
AND GREAT AMERICAN**

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. ROE. Mr. Speaker, on Friday, October 12 the residents of Pompton Lakes, my congressional district and State of New Jersey will join together at a testimonial dinner honoring a most esteemed educator and good

friend, Hon. Enrico J. Cipolaro, who is retiring from his high office of public trust as superintendent of schools of the Borough of Pompton Lakes, NJ. I know that you and our colleagues here in the Congress will want to join with me in extending our deepest of appreciation to Dr. Cipolaro and share the pride of his good wife Marianne and their children Claire, Laura, Mark, and Lisa upon this milestone of achievement in their family endeavors.

Mr. Speaker, when you reflect upon the fact that the cultural, historical, and economic achievements—even the basic health, well being, and longevity—of a State and Nation depend in large measure upon how well we educate each generation charged with the trust of carrying out its responsibilities and traditions, we can indeed be proud of Enrico Cipolaro's outstanding contribution to the quality of life and way of life for all of our people.

Dr. Cipolaro has indeed earned the deepest respect and esteem of all of us for his leadership and highest standards of excellence in seeking to improve the quality of education for our people. His personal commitment and endeavors as an educator over close to four decades have endeared him to all of us. As we commemorate his retirement as superintendent of schools for the Borough of Pompton Lakes where he served with distinction for over 16 years, we applaud his lifetime of service to our people, and particularly his 37 years of teaching our young people.

Mr. Speaker, in his professional career, Enrico Cipolaro has served in many areas in the field of education. Upon his graduation from Yale University in 1947, he taught at three private schools, earned a master's degree, and in 1956 became vice principal of Wayne Junior High School. He moved up in the Wayne, NJ Public School System until he was appointed Pompton Lakes superintendent in January 1968.

"Cip," as he is affectionately called by many of us, was highly effective in establishing outstanding courses of study for his students. A central legacy of his tenure was his sincerity of purpose and achievement in his endeavors to broaden the school's curriculum. Under his direction the educational system added an alternative class for high school students considered likely to drop out, a year-round day care center, a program for handicapped preschoolers before it was required by law, a tuition-free summer school that offered more than makeup classes, and an adult school that enrolls 3,000 students per year.

Mr. Speaker, Dr. Cipolaro has served our people and our country with honor and distinction. He is an outstanding educator and good friend whose richness of wisdom and expertise in his daily pursuits have touched the lives of many, many people in my

congressional district. I appreciate the opportunity to publicly acclaim all of his good works and share the pride of his family in his accomplishments and lifetime of dedicated public service which have truly enriched our community, State, and Nation. We do indeed salute a beloved teacher, community leader, and great American—Hon. Enrico J. Cipolaro of New Jersey.●

NANCY C. AVERY RETIRES

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. BERMAN. Mr. Speaker, I rise to pay tribute to a well-respected and much loved member of our community. Nancy C. Avery retired last Friday, September 28 from her job as postmaster of Pacoima. Appointed by President Kennedy in 1961, Nancy became the first black to head a major urban post office. By her enthusiasm and example she used this breakthrough in conjunction with her work at the NAACP to create dynamic new opportunities for members of the black community in the San Fernando Valley.

In addition to her efforts as past president of the San Fernando branch of the NAACP, Nancy has worked for the San Fernando Fair Housing Council, the PTA, has been past commissioner of the Los Angeles City Animal Regulation Department and has been on the board of directors of the Boys Club and the Chamber of Commerce.

What is more important is that Nancy is a dear and valued friend. I know about her remarkable professional success and I know about the esteem in which she is held by her community. On this occasion of her retirement, I ask the Members to join me in acclaiming her for her many achievements, and celebrating her contributions to her community and her country.●

A FAIR SHOT AT COMPETING

HON. RON WYDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. WYDEN. Mr. Speaker, during the course of business yesterday, the House took a very important step to help give our high technology and electronics companies a fair shot at competing with their counterparts overseas.

That step was the approval of the conference report on S. 1841, a bill to clarify our antitrust laws so as to promote joint research and development by American companies. As an original

sponsor of one of the first pieces of legislation on this subject in the 98th Congress (H.R. 1952). I am very pleased with the adoption of this measure and look forward to its being signed into law.

The need for this legislation is clear. Because of confusion over law our antitrust laws might be interpreted, American companies often have been reluctant to engage in joint research and development ventures, even when it would have been more advantageous to both them and the general economy to do so.

A case in point is the development of the catalytic converter by the automobile industry. When the Federal Government instructed the industry to reduce automobile emissions, each company embarked separately on a massive and very expensive R&D effort to meet the requirement. After many months—and many millions of dollars—a commercially feasible catalytic converter was developed.

As far as I'm concerned, there was absolutely no sound reason why the automobile industry could not have cooperated on this research. The catalytic converter could have been developed faster and at a much lower cost—to the companies and to the American public. The reason they did not is because our antitrust laws said they could not.

American firms don't need any more obstacles to their ability to compete in the growing world marketplace. Already they are facing a trade imbalance. Already they are dealing with an overvalued dollar. Already, they are competing with cheaper costs overseas. If their hands are tied so that they cannot effectively conduct research and development ventures—the lifeblood of innovation and competition—they will be placed at still greater risk of losing out to overseas competitors.

S. 1841, which is the end product of conference committee deliberations on H.R. 5041 and S. 1841, will not single-handedly solve all the problems facing American companies trying to compete in the world marketplace. But by clarifying our antitrust laws so as to promote increased joint research and development, it will help begin the process of leveling the playing field. This measure will be particularly beneficial to smaller businesses, which historically have lead the way in innovation and job creation, but which often don't have the resources to conduct independent research and development. By pooling their money with other interested companies, however, these companies can continue to stay on the cutting edge of innovation, and continue to contribute to the economic health of this Nation.

Mr. Speaker, I would particularly like to congratulate the distinguished chairman of the Committee on the Ju-

diciary, Representative PETER RODINO, Representative MIKE SYNAR, the primary sponsor of H.R. 1952, and Representative DICK GEPHARDT and Representative Ed ZSCHAU, original cosponsors of that bill, for their leadership in this area. Passage of S. 1841 is an important step to even the worldwide economic odds for American businesses, and without the good work of these colleagues, it could not have made it through the legislative hoops.●

TRIBUTE TO LOUIS B.
DEMATTEIS

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. LANTOS. Mr. Speaker, I welcome this opportunity to honor one of the outstanding citizens of my district who has been active in many aspects of community life in San Mateo. On October 6 the Italian American Federation of San Mateo County will recognize Louis B. Dematteis for over 70 years of selfless public service.

Judge Louis Dematteis was born on September 6, 1911 in Redwood City and has lived all of his life in the bay area. He was educated in San Francisco, and after being admitted to the California bar in 1932 entered private practice. In 1935 he was appointed deputy district attorney, and in 1949 became district attorney. During the Second World War Louis Dematteis joined the Naval Reserve, and in the early 1950's Governor Earl Warren appointed him to the superior court. He was returned to that office in subsequent elections, and retired from the bench in January 1, 1974.

In addition to this distinguished legal career, Judge Dematteis has been active in a number of community organizations. From 1950 to 1957 he served as chairman of the San Mateo County Coordinating Committee on Youth, and in 1965 he undertook with great success the presidency of the United Fund for San Mateo County. In addition, he has given generously of his time and expertise to such groups as the Sierra Club, the American Association of Retired Persons, the American Legion, the Order of the Sons of Italy, and the Italian Catholic Federation of California.

Mr. Speaker, no tribute to Louis Dematteis would be complete without mention of Lillian, his wife and partner of over 40 years. They are the parents of five children. Judge Dematteis and his wife have never hesitated to give help and assistance whenever they could. I am proud to represent such people in Congress.●

ESSEX COUNTY PBA
CONFERENCE BREAKFAST

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. RODINO. Mr. Speaker, this Sunday, October 7th, the Essex County PBA Conference will hold its Third Annual Valor Awards Breakfast. The breakfast will honor those law enforcement officers who have excelled in the performance of their duties.

I am very proud to take these moments today to recognize the brave men and women who risk their lives on a daily basis to protect our citizens. They are truly the first line of defense in our fight against crime.

As chairman of the House Judiciary Committee, I strongly believe in the need to listen to the concerns of our Nation's police officers, who know firsthand about the needs of our law enforcement system.

One of the highest priorities of our law enforcement officers is legislation to ban the sale, manufacture, and importation of armor-piercing bullets—the so-called "cop killer" bullets—which have but one purpose: To penetrate the protective armor worn by law enforcement officers. I pledge my continued support of this measure, and am very hopeful that when the 99th Congress commences, we will see prompt action on this important measure.

The law enforcement officers of this country deserve our full support, and that is why organizations such as the PBA are so vital. I know that in Essex County, PBA Chairman Richard O'Malley is extremely dedicated to his fellow officers and to our community. I am pleased to have this opportunity to salute him, as well as the many individuals who will be honored with valor awards on Sunday, and pledge to continue to do what I can to assist our men and women in blue.●

HON. DON RITTER

COMPREHENSIVE SMOKING
EDUCATION ACT, H.R. 3979

HON. BOB WHITTAKER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. WHITTAKER. Mr. Speaker, last week the House and Senate passed and sent to the President H.R. 3979, the Smoking Education Act of 1984. As an original cosponsor of the legislation, I want to commend all of the Members of the House and Senate who worked so diligently to ensure that this legislation was enacted prior to our adjournment. The enactment of

this legislation truly represents a bipartisan effort. I particularly want to commend the chairman of the Energy and Commerce Committee, Mr. DINGELL and the chairman of the Subcommittee on Health and the Environment, Mr. WAXMAN for their leadership and willingness to work with a multitude of parties, many of whom had obvious opposing views.

In reading the debate in the Senate, I was somewhat confused by statements made by two Senators who felt that the enforcement authorities for implementation of the rotational warning label system should be vested in the Department of Justice rather than in the Federal Trade Commission. I believe that both the statutory language and the committee report (H. Rept. 98-805), which I understand was adopted by the Senate, are very clear on this issue. I note in particular page 19 of the report which states:

Nothing in this bill is intended to vest any jurisdiction in the FTC beyond their traditional jurisdiction except as a consequence of their authority to approve and enforce a rotational plan in conformity with the requirements of section 4 of the FCLAA. Enforcement of the plan is intended to assure compliance with sections 4(a), 4(b), and 4(c) of this act; and violations of the plan and those sections will also constitute a deceptive act or practice in violation of section 5 of the Federal Trade Commission Act.

I hope that this report language will clear up any misunderstanding that Members of the Senate may have had. ●

MALIGNANT MELANOMA AND SKIN CANCERS

HON. RON WYDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. WYDEN. Mr. Speaker, I would like to bring to the attention of my colleagues a recent newspaper article about the increasing occurrence of malignant melanoma, a serious and, in some cases, life-threatening skin cancer, among Americans.

This skin cancer, along with many other skin cancers, can have a very high rate of cure if detected early. The American Academy of Dermatology, along with nearly 100 local dermatological organizations, will participate early next year in free malignant melanoma/skin cancer screening clinics, in cooperation with national health fairs across the country.

The key to reducing deaths and disfigurement from this group of diseases is prevention and early detection. A large number of dermatology physicians will volunteer their services for these screening programs. This very worthwhile effort should be supported by all of us who will have health fairs in our districts.

I submit the article by Patrick Young, of the Newhouse News Service, about malignant melanoma and other skin cancers for your consideration.

DOCTORS SWIM AGAINST RISING TIDE OF SKIN CANCER

(By Patrick Young)

WASHINGTON.—Cure rates are up for malignant melanoma, a sometimes fatal skin cancer, as more doctors are diagnosing it earlier and pinpointing several high-risk groups.

But the incidence of the disease is doubling every 10 to 15 years in many parts of the world. In this country, only the incidence of lung cancer in women is rising faster than that of melanoma.

Malignant melanoma is a cancer of the pigment cells. An estimated 17,700 new cases will be diagnosed in the United States in 1984, and it will take some 5,500 lives, up from 14,100 new cases and 4,600 deaths in 1980.

Experts blame melanoma's increase largely on greater exposure to the sun, although one controversial theory suggests fluorescent lights may be partly to blame.

And while conceding it will be hard to get outdoor lovers to shun the sun and deep tans, these experts say melanoma's death toll could be cut if people examined their skins regularly for early signs of the disease.

"The earlier you catch it, the better," says Dr. Calvin L. Day Jr., a clinical professor of dermatology at the University of Texas Health Science Center at San Antonio.

Ultraviolet light from the sun is believed to be the major cause of melanoma. Experts say the cancer's increase has tracked the trends toward more outdoor leisure activity. "More people are getting more exposure to the sun, bathing suits are smaller," says Dr. Perry Robins, president of the nonprofit Skin Cancer Foundation. "When skirts went up, malignant melanoma on the backs of women's legs went up."

Studies in Sydney, Australia, and New York City have suggested that people who work in offices under the ultraviolet rays of fluorescent lights for a number of years have a significantly higher risk of melanoma.

But Dr. Darrell S. Rigel of New York University School of Medicine and his associates found fluorescent lights emit only one three-thousandth the ultraviolet light in the noon-day sun on a fall day in New York. And they found the office workers who developed melanoma tended to spend far more time outdoors than those who didn't.

Melanoma strikes about one in every 150 white Americans. The incidence of the disease in blacks is about one-tenth that rate.

People who have suffered one melanoma have long been known to be at high risk of developing another. In recent years researchers have identified other high-risk groups.

People with large birthmarks, especially marks eight inches or more across, have a 5 percent to 20 percent chance of developing a melanoma in their lifetime.

Another group—estimated to total perhaps 30,000 in the United States—have a family history of melanoma and large numbers of abnormal moles on their skin called dysplastic nevi. Their risk of melanoma is roughly 400 times higher than usual.

Finally, an estimated 4 million or more Americans have abnormal moles, but no family history of melanoma.

"People without a family history of melanoma, but with dysplastic nevi, have a much

lesser risk," says Dr. Kenneth Kraemer of the federal government's National Cancer Institute. "The challenge now is to sort out the various risks of people with dysplastic nevi."

Anyone in these high-risk categories should be seen regularly by a physician experienced in treating melanomas, experts say, so changing moles can be removed before they become full-blown cancers.

Melanomas aren't confined to high-risk groups, and cancer specialists urge everyone to do a regular, careful self-examination of their skin including the scalp within folds and other hard to see places. People should know what their moles and birthmarks look like so they will notice even subtle changes.

"We're very fortunate melanomas are on the surface of the skin," Robins says. "We can see early change in color, texture, size and shape."

A change should neither cause panic for not all changes signify cancer, nor should it be dismissed as meaningless.

"I encourage self-examination. I don't encourage self-diagnosis," Day says.

Surgical removal is the prime treatment for melanomas. Neither radiation nor chemotherapy has proved very useful, but drugs may help in cases where the cancer has spread and some new drugs are now being tested. Immunotherapy, or stimulating the body's own defenses against cancer, has shown some promise.

Forty years ago, the five-year survival rate for melanoma was around 40 percent. Today, the National Cancer Institutes puts the five-year survival rate for all cases at 79 percent, but far higher if the melanoma is less than one millimeter (four-hundredths of an inch) deep.

"The thickness of melanomas are an indication of prognosis," Kraemer says. "The deeper they are, the worse they are." ●

COLUMBUS DAY: WHAT IT MEANS

HON. BRUCE A. MORRISON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. MORRISON of Connecticut. Mr. Speaker, in a few days the people of New Haven, CT, will be celebrating Columbus Day. Today I want to share with my colleagues my constituents' pride in the traditions and values to which we will be paying tribute on that day.

The story of our Nation is the story of immigrants, a story of journeys from the old to the new, from the past to the future. Christopher Columbus led the way for the millions who followed, and in celebrating his journey we celebrate the American dream.

And of all the sources to which our Nation traces its roots, none is more important than Italy which gave birth to Christopher Columbus and so many others whose contributions have enriched our American history and culture.

Let me single out four of my colleagues and friends to whom I would like to pay a special honor on this Co-

lumbus Day: The chairman of the House Judiciary Committee, on which I am proud to serve, PETER RODINO; the distinguished mayor of the city of New Haven, Biagio DiLieto; GERALDINE FERRARO, who is making history as the first woman candidate for national office; and John Speziale, who is retiring after distinguished service as the chief justice of the Connecticut Supreme Court, and who will be honored at this year's festivities in New Haven. I consider myself privileged to have known and worked with these four outstanding leaders.

On Columbus Day, I know that all my colleagues will join me in saluting the first Italian-American, Christopher Columbus, and all the sons and daughters of Italy who came after him to help make our Nation great.●

THE 100TH BIRTHDAY OF
ELEANOR ROOSEVELT

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. GREEN. Mr. Speaker, I rise today to pay tribute to Eleanor Roosevelt, who was born in my district on October 11, 1884.

As a member of the FDR Memorial Commission, I am particularly aware of the tremendous contribution Mrs. Roosevelt made to her husband's career. When polio left his lower limbs useless, he was urged to retire. With the support of Eleanor, however, F.D.R. continued his exceptional service in government.

Far beyond this supporting role, Mrs. Roosevelt was an outstanding individual in her own right. Mrs. Roosevelt believed in virtuous ideals. Her passion for justice in the Nation and peace in the world was well known. It was her active pursuit of these ideals which made her such an extraordinary person.

Mrs. Roosevelt worked boldly and relentlessly at her humanitarian ventures. As First Lady, through her lectures, newspaper columns, radio broadcasts, and nationwide fact-finding missions, she championed the rights of all people—particularly the underprivileged and oppressed. During World War II, she made frequent trips to European areas in order to inspect facilities and boost troop morale. After her husband's death, she was very active in the United Nations. Appointed a delegate by Presidents Truman and Kennedy, she was the chairman of the group that framed the charter of human rights to be ratified by member nations.

The accomplishments I have mentioned are but a fraction of what Mrs. Roosevelt achieved in her life. A non-partisan in the truest sense, she was

willing to represent any group she thought was working toward commendable goals. She possessed levels of tolerance, compassion, and dedication that we should all strive for. May her legacy continue to be an example to us all.●

FRANK PERRUCCI AWARDED
BOY SCOUTS' DISTINGUISHED
CITIZEN AWARD

HON. FRANK J. GUARINI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. GUARINI. Mr. Speaker, on Sunday, October 28, the Bayonne Council of the Boy Scouts of America will honor Frank P. Perrucci as the recipient of its 1984 Distinguished Citizen Award. Frank has always been one of my district's most concerned and involved citizens, and I wanted to share with you some of this gentleman's many achievements.

Frank Perrucci has lived in Bayonne for some 40 years, arriving from Brooklyn as a teenager with his mother and younger brother Vinnie. Bayonne is a charming snapshot of America, with its tree-lined streets, well-kept homes, and a strong sense of civic commitment from its citizens. Frank Perrucci has contributed much to making Bayonne the thriving community it is.

Professionally, Frank is the secretary to the warden of the Hudson County Jail. He is also the business manager of the International Union of North American Laborers, Local 202. Frank formerly served as the director of community development for Bayonne, working with Mayor Dennis Collins and Hudson County Executive Ed Clark to implement projects to help the city progress. I was pleased to work with Frank in obtaining Federal funds to finance some of these projects, and I have been consistently impressed with his thoroughness and foresight.

Frank's efforts to expand opportunities in Bayonne never ended at the close of business. He is a member of the executive board of the National Conference of Christians and Jews and is the standard bearer of the Concerned Citizens of Bayonne. He has led community efforts to reduce the threat of toxic waste in the area as spokesman for the Bayonne Organizations Against Toxic Sites. Frank has brought the power of voting to hundreds of citizens when he recently headed the voter registration drive in Bayonne.

Just this summer, Frank helped form the Bayonne chapter of the Sons of Italy; he serves the group as a trustee. The Bayonne chapter is named after the late Reverend Dominic J. Del

Monte, who is fondly remembered as the pastor of Bayonne's Our Lady of the Assumption Church. The new chapter has met with great success, as it already has over 100 members.

An Army veteran of the European campaign in World War II, Frank has been involved in a wide range of veterans' programs. He is a former chairman of the Bayonne Memorial Day Parade Committee, honoring the men and women who sacrificed so much so that we can live free. With the Catholic War Veterans, Frank has organized community visits and Christmas parties for veterans confined to hospitals, lifting spirits and giving encouragement to these brave people. He is a former chairman of the Columbus Day Parade Committee and organized the fundraising drive to erect a bust of America's discoverer at the Bayonne Community Library.

Frank's selfless involvement with the young people of Bayonne bodes well for the community's future. He has been tireless in his efforts for the Bayonne Council of the Boy Scouts of America, notes John Hughes, the council president. More than 700 local youths belong to the Bayonne Scouts, and over 200 adults lend their time and expertise in Scouting events. Many adults who join the leadership of the local Scouting units when their children have joined remain on after their children have grown up. The strong rewards and excitement of adult involvement in Scouting are just too much fun to give up.

Bayonne has Scouting at all levels, from the 7-year-old Tiger Cubs, through Cub Scouts, Boy Scouts, and Explorers, for young men and women 14 to 21 years old. For 2 years now, the Bayonne Boy Scouts have broken new ground with a program which brings Scouting to the handicapped. The program is part of the special education curriculum at school, and over 50 handicapped youths participate. The teachers are the unit leaders, and the Scouting activities help sharpen motivation and allow the young men and women to experience the joy and pride of fuller lives. Last spring, the handicapped Scouts spent 3 days at Camp Lewis, the Bayonne Council's camp in Marcella, NJ. The vent was a terrific success and a moving experience for Scouts and Scout leaders alike.

For the greater part of this century, Boy Scouting has given millions of youths worldwide the opportunity to understand and explore the great outdoors. More than this, however, Scouting's tradition of clean living, dedication to community affairs, volunteering, pride in country, and the development of maturity and self-sufficiency has given us stronger and better young men and women. Next year, the Boy Scouts of America celebrates its 75th anniversary. The Bayonne Council is

looking forward to attending the national jamboree at Fort A.P. Hill in Virginia in 1985.

The Bayonne Council enjoys strong community support. I would like to mention New Jersey State assemblyman Joseph V. Doria, the honorary chairman of the Distinguished Citizen Award Committee, Mickey Sweeney, the ever-active general chairman of the committee, and Frank Dolce and Ludo Nolfo, the committee journal co-chairmen. John Baccarella, Ben Costanza, and Diana De Russo are ticket co-chairmen. They are joined in preparing this event by 21 outstanding community leaders who serve as committee members.

The council itself is headed by president John Hughes, with John Doolan as commissioner and Mrs. Elizabeth Bredehoff as treasurer. Gregory Boyle, William Downey, and Daniel Pintauro are vice presidents, and Joseph Milutinovic is the Scout executive.

I know my colleagues in the House will join me in offering a hearty congratulations to these men and women, and to Frank Perrucci, the deserving recipient of the 1984 Distinguished Citizen Award of the Bayonne Council of the Boy Scouts of America. So often men and women of Frank's caliber work without recognition. It is good that we take time to say "Thanks for a job well done." Thank you, Frank, for all you've done for this community. It is the work of Americans like you that has made this country the great Nation it is.●

CONGRESSMAN JOHN ERLBORN

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 1, 1984

● Mr. PICKLE. Mr. Speaker, in recent years JOHN ERLBORN has become the authority on pension programs in this body. He has taken the lead on this issue in the Education and Labor Committee and the House floor. Indeed, I believe he is recognized by Congress and people in the pension field as the acknowledged authority on these programs. ERISA is a direct testimony of JOHN ERLBORN's work in this area. JOHN ERLBORN is "Mr. Pension" in this Congress.

In addition, for nearly 20 years, JOHN ERLBORN has advanced progressive education programs. He has demonstrated his concern for working conditions and retirement benefits for our citizens. Clearly, his voice has been one of reason and effectiveness. I have become a close friend of this able legislator. His services will be sorely missed.●

CONCERN AND KINDNESS IS RECRUITER'S BARTER

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. KEMP. Mr. Speaker, volunteerism has always been a strong thread in this country's fiber. America has a proud history of people who give selflessly of themselves to neighbors, the community, or even total strangers. I would like to call my colleagues' attention to one such person: Bill Rogers, of Odessa, Texas.

As a supporter and recruiter for the Odessa College track program, Bill Rogers embodies the spirit of caring and involvement from which we all hope our children will benefit when they leave home for the first time. Many of the young adults whose lives Bill touches come from impoverished or troubled families. Bill not only helps them become first-rate athletes, he also helps them develop a sense of self-worth and purpose. Bill and his wife, Lorraine, have opened their home and their hearts to these athletes. Odessa College and its students—indeed, all of us—are a little bit richer because of people like Bill Rogers.

Bill's accomplishments have been brought to my attention by his nephew, Joe O. Rogers, who ably served for more than 3 years as international economics counselor and, later, as executive director of the House Republican Conference, before leaving to accept the nomination as U.S. ambassador to the Asian Development Bank. We will miss Joe, but our loss is our Nation's gain.

I commend the following article to my colleagues from The Odessa American on Bill Rogers' many contributions.

CONCERN AND KINDNESS IS RECRUITER'S BARTER

Welcome to Mister Rogers' neighborhood. But this is not television's Mister Rogers. Odessa just happens to be Bill Rogers' territory.

The sports buff has proclaimed himself the patron saint of Odessa College track. But his contributions to the community go beyond mere athletic endeavors.

Although Rogers has no official capacity with the college, he's freely given of his time and money to help Coach James Segrest win eight straight national championships.

The strongest suit of this jovial volunteer seems to be recruiting. He's perfectly willing to jet off to some distant state to talk some promising high school athlete into casting his lot with the OC Wranglers.

Through their recruiting efforts, Rogers and Segrest rank at the top of the list of roving ambassadors singing the praises of Odessa. But you have to give Rogers an extra gold star since he's not getting paid to do his job. In fact, he's paying for the pleasure.

Selling Odessa as a place to be educated for two years is no easy task.

But those four years of dominance on the track are testimony to the abilities of Segrest and Rogers. They convince not only athletes, but parents, that our community is a good place to stay for a while.

Perhaps this is a commentary on our society, but some skeptical rival coaches have accused Rogers of buying athletes because he is so successful. In a sense that's true. Bill Rogers buys athletes not with money, but with kindness and true concern.

And anyone who knows Rogers realizes his friendship toward those athletes and their families doesn't end when the two years of representing Odessa College are finished. The number of former Wranglers who stop by to see Rogers and his wife, Lorraine, at track meets proves his continuing allegiance to the athletes and the respect he has gained from them.

Rogers keeps in close contact with many of those exes, reacting like a proud father when they accomplish a goal—whether athletic, academic or otherwise.

People like Bill Rogers are Odessa's best asset. He's a shining example of West Texas hospitality and friendliness.

He got involved in something that interested him. Plenty of other people in Odessa could do well by following his lead in areas that interest them.●

TRIBUTE TO REPRESENTATIVE JOHN ERLBORN

HON. JAMES T. BROYHILL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. BROYHILL. Mr. Speaker, over the years, I have seen a lot of people come and go here in the House and, frankly, you look back and many of the names you barely remember. But there is one name that will always stand out with me as a person who has made a significant contribution to the legislative process and to the Nation—JOHN ERLBORN. JOHN is a leader in every sense of the word. He has common sense and, what I call, the legislative touch of a master. He knows how to deal with very complex and controversial issues and he has the temperament to negotiate with people on varying sides of an issue while keeping his cool. We are going to miss you here, JOHN, and hope you will keep in touch with those of us who have chosen to stay around for a little while longer.●

WEAPONS THAT WORK

HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. LEVINE of California. Mr. Speaker, in its lead editorial today, the New York Times asks a question which I have been asking ever since I came to Congress: "Why don't people

in authority at the Pentagon care more passionately about building weapons that will actually work in combat?"

It uses the Sergeant York, or DIVAD, antiaircraft gun to illustrate just how poorly the Pentagon is handling efforts to provide for our national defense.

In recent months, news reports have surfaced about the problems which plague the Sergeant York or DIVAD antiaircraft gun the Army wishes to buy to protect ground troops against attack from the air.

Among the Sergeant York's problems are shoddy workmanship, poor performance during testing, and cost overruns and program mismanagement by the Pentagon.

Despite all of its well documented shortcomings, the Pentagon denies that the Sergeant York is a fundamentally flawed weapon and continues to lobby Congress for continued funding of the program.

The time has come for the Pentagon to level with Congress and admit that the Sergeant York is a turkey.

Congress has significant responsibilities, also. We must stand up to the Pentagon and make it clear that we will no longer continue to provide funds for weapons that either don't work or which have not been adequately tested. In addition, major reforms of the way in which we procure weapons are long overdue. Our soldiers and sailors deserve no less.

I comment the Times' editorial to my colleagues and I urge them to support efforts which will help eliminate waste fraud and abuse in the military budget.

A LEMON THE SIZE OF THE PENTAGON

The saga of the Sergeant York air-defense gun illustrates nearly everything that's wrong with the way the Pentagon buys weapons. Though each gun costs \$6.3 million, the weapon is so ineffective that even Congress, which can usually swallow any major weapon system, has finally choked.

The Sergeant York is a pair of radar-guided guns mounted on a tank chassis. Its purpose is to protect against low-flying aircraft and helicopters.

The Army got the idea from the Shilka, an ineffective Russian gun captured by the Israelis in 1973. Like all radar-guided guns, the Shilka has a fatal flaw. To shoot down a plane, you must aim ahead of it in the direction it's about to turn. But no computer can predict the random course of a maneuvering attack aircraft.

One system that can, and does so effectively, is the human eye. Gunners may know the attack path, and have visual cues denied to radar. They can see a plane banking before it turns. Optically aimed guns shot down more than 4,000 jets in the Koreans, Vietnam and Arab-Israeli wars.

But the Army wasn't interested in a cheap system of proven combat effectiveness, not when the Russians were fielding a radar-guided, computer-controlled, high-technology mobile gun. It copied the Shilka and, after a decade of struggle, now possesses a radar-guided, computer-controlled, armored lemon all its own.

The Sergeant York is no run-of-the-mill lemon. It can't shoot down maneuvering planes, but what about helicopters? Almost anything can shoot down a helicopter—the Army lost 4,643 in Vietnam, mostly to rifles and machine guns—but not the Sergeant York. In its most recent tests it had great difficulty spotting a helicopter target, until radar reflectors were attached to it.

These egregious design faults were followed by outstanding incompetence in procurement. The Army held a competition for the \$4.5 billion program, between General Dynamics and Ford. Yet though the Ford gun "did far worse," according to The Atlantic Monthly, Ford got the contract. So lax was the Army's supervision that it failed to notice that after the contract had been signed, Ford negotiated price reductions with its subcontractors. That resulted in "unfair, unreasonable and invalid prices," in the opinion of the Pentagon's Inspector General, Joseph Sherick.

By awarding the contract to a single source instead of arranging for competing suppliers, the Army put itself at Ford's mercy. Thus it shares blame for the failures and delays that caused it to complain to Ford Aerospace last March of "totally unacceptable contract performance."

More disquieting still was the Army's misrepresentation of test data to the Pentagon review board that decided to go ahead with production. Charts attesting to a high level of effectiveness in field trials, Mr. Sherick told Congress last week, "were oversimplified and, therefore, misleading and based on a selective analysis of the results."

How can so bad a weapon get so far into production? Why should Congress have to second-guess the Pentagon at so detailed a level? How many other weapons have slipped through with disabling but less glaring faults? Why does the Pentagon so strenuously resist an independent testing office when the need for impartial evaluation of what procurement officers produce is so achingly clear?

The most puzzling question of all raised by the Sergeant York saga: Why don't people in authority at the Pentagon care more passionately about building weapons that will actually work in combat?●

THE 50TH ANNIVERSARY SEASON OF THE SAN JOSE CIVIC LIGHT OPERA

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. EDWARDS of California. Mr. Speaker, on behalf of my colleague from California, Mr. MINETA, and myself, it is with great pleasure I bring to the attention of this Congress the 50th anniversary season of the San Jose Civic Light Opera. We are happy to share with our colleagues the many and important contributions this fine theater company has made to the community.

The San Jose Civic Light Opera was organized in 1934 for the purpose of providing quality musical theater at affordable prices to the residents of the Santa Clara Valley. This tradition has been maintained over the years,

and their performances are enjoyed by an appreciative audience of over 80,000 annually.

The Civic Light Opera's productions are among the finest offered in the greater bay area. The company is comprised of brilliant local talent working in tandem with experienced professionals. This combination of creative efforts has earned the Civic Light Opera company numerous awards for set design, costuming and choreography. Their resident orchestra ensures a lively evening of theater as well.

For 20 years, the San Jose Civic Light Opera has offered workshop and performing opportunities to the young people of our community. Children of all ages participate in this innovative program, which reaches into all neighborhoods with scholarships provided for the economically disadvantaged.

This season, the Civic Light Opera is enjoying the largest number of subscribers in their 50 year history. An outstanding season is planned with four major musicals to be offered to the delight of theatergoers, young and old alike. Mr. MINETA and I speak for the entire community when we say "Thank you" to all those involved with the San Jose Civic Light Opera for the music and entertainment they have given to so many. We look forward to enjoying their work for years to come.●

THE PLIGHT OF SOVIET JEWS

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. LAGOMARSINO. Mr. Speaker, while the human rights of all people in the Soviet Union concern us, today we give special attention to the plight of Soviet Jews, whose rights of religious and political freedom and free emigration are being effectively squelched.

We in this country are specially privileged, having assured rights such as freedom of religion, freedom of expression, and freedom of travel. The Soviets, however, are mounting a vigorous attack on Soviet Jews and denying them the freedoms and rights we take for granted.

For example, last year only 1,315 Jews were granted permission to leave the U.S.S.R. This was 50 percent fewer than the previous year and 97 percent fewer than 1979, when 51,000 were permitted to emigrate. These unfortunate soviet citizens are discriminated against simply because they are of the Jewish faith and wish to practice their religious rights. This blatant disregard of basic human rights cannot be left unnoticed.

Curtailling emigration is not the only method the Soviet Government em-

ploy to attack innocent Jewish citizens. Last year, a Soviet anti-Zionist committee was formed to harass and persecute Jews. This committee along with the notorious KGB fabricates incidents and creates crude events in an attempt to justify the denial of emigration, internal exiling, and imprisonment of Jews. These cruel forces are also trying to instill an anti-Semitic feeling among the non-Jewish citizens. For example, the committee has even circulated the preposterous allegations that Jews promoted Nazism during the Second World War—an insult to the memory of the 6 million Jews and countless other victims of Nazi terror. This example is only one of the many great injustices found in the U.S.S.R.

It is obvious that conditions within the Soviet Union concerning Jews' human rights are totally unacceptable. The Soviets have again shown their complete disregard for the rights of the individual, subverting these rights to the whim of Communist party officials who are disinterested in human growth and human awareness. It is totally reprehensible that a country which has signed the Helsinki accords, the U.N. Charter, the International Covenant on Civil and Political Rights, and the universal declaration on human rights could continue its blatant disregard for the rights of its own citizens. It makes one wonder just how committed the Soviets are to the treaties and declarations they sign. Of course, there should be no surprise in this, for these actions represent the true nature of the Soviet Government.

I urge my colleagues to join me in the 1984 congressional call to conscience vigil for Soviet Jews. This vigil brings to light the unjustified oppression under which the authoritarian Communist government forces these innocent, religious people to live.●

SUPPORT NEEDED FOR SOUTH AFRICA

HON. HAROLD E. FORD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. FORD of Tennessee. Mr. Speaker, as you know, the United States has a national policy of opposing human rights violations on the part of foreign governments; yet, the current administration has an apparent problem with applying that policy to its relations with South Africa. It rightfully points out violations in the Soviet Union's treatment of its dissenters, or in Iran, but ignores the excessive abuse that the Botha regime has heaped upon the vast majority of the South African population.

At last count, over 70 black South Africans had died at the hands of South African police and security

forces during the past several weeks. Concurrently, the police have been decimating the ranks of the largest black mass organization—most especially the United Democratic Front and the National Forum—by detaining most of their leadership and many of their members. The husband of Mahatma Gandhi's granddaughter and five of his associates have sought refuge in the British Consulate in Durban, to avoid arrest.

Black miners have gone on strike at South Africa's gold mines and they have been brutally assaulted by South African police. The police also have been raiding and attacking black communities, destroying homes, assaulting the residents, and threatening to remove them to desolate reservations.

South Africa has just implemented new, controversial constitutional arrangements which delegate vast executive powers to former Prime Minister P.W. Botha and has inaugurated him as President. The new constitution established a racially divided tricameral parliament with separate houses for so-called "Coloreds," Indians and whites; it absolutely excludes the black South Africans, who represent the vast majority of the country's population—24 million people.

South African blacks launched a massive, successful boycott of the recently-held first elections under the new constitutional arrangement. Despite the effectiveness of the boycott, the South African regime has proceeded with setting up its new parliament—attempting to maintain a facade of credibility. And, despite the nonviolent nature of the blacks' protests—the boycott and the strike—the South African Government is fighting back with the savagely indecent, inhumane attacks which I have just described to you.

Aside from the human rights issue, which is quite important, President Reagan's actions and inaction are a slap in the face to black Americans. Implicit in his policies is a philosophy which says that it is all right to murder, detain, deport and otherwise abuse 24 million blacks, but the suppression of a lone European dissenter is worth fighting over.

I, along with other of our colleagues, have registered with the President my outrage on this matter and I sincerely hope that the administration will reconsider its policies on South Africa.●

EARL KALAR—A GREAT SAN LUIS OBISPO COUNTY PUBLIC SERVANT RETIRES

HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. PANETTA. Mr. Speaker, I would like to bring to the attention of

my colleagues the impending retirement of Earl R. Kalar, who serves as agricultural commissioner, sealer of weights and measures, and air pollution control officer of San Luis Obispo County. A retirement dinner will be held in Mr. Kalar's honor this Sunday, October 7, and it is my hope that this well-deserved tribute will be read at that time.

Earl Kalar has had a long and distinguished career in public service. After attending California State Polytechnic University at Pomona, the University of California at Santa Barbara, and Concord State Teachers College in West Virginia, and after 9 years of service in the U.S. Army Air Force and the U.S. Air Force, he went to work in 1952 for the Kern County Department of Agriculture as an agricultural inspector. He moved on in 1956 to Ventura County and then to Contra Costa County and Lake County. In Lake County, he served from 1960 to 1963 as agricultural commissioner, sealer of weights and measures, and animal control officer.

All of these jobs prepared Mr. Kalar for his final destination, San Luis Obispo County, where he has served since 1963, more than 20 years, as an invaluable public official in a county where agriculture is an extremely important industry.

Earl Kalar has many accomplishments he can list to his credit, but among the most prominent are his development of a workable and environmentally safe program of aircraft application of ground squirrel toxic bait; his initiation of a baseline data system for air contaminants in the county; his development of a test purchase program, later adopted statewide, for weights and measures enforcement; his contribution to the establishment of a restructured and streamlined Division of Measurement Standards for the State of California; and his design and construction of an improved cattle scale test truck.

In addition to his work, Mr. Kalar has been active in community and professional organizations. He is a past member of the board of directors of Boy Scouts of America, a past president of the California Association of Weights and Measures Officials, a past president of the Department Heads Association of San Luis Obispo County, and one of the original directors and organizers of California's Measurement Science Conference.

Mr. Speaker, as my colleagues can see, Earl Kalar is a man of dedication, commitment, and action. His retirement is a great loss to the people of San Luis Obispo County. I know the entire House joins me in congratulating Mr. Kalar on a job well done and wishing him the best of luck in the future.●

TRIBUTE TO HON. BARBER
CONABLE

HON. JAMES T. BROYHILL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. BROYHILL. Mr. Speaker, with BARBER CONABLE leaving the House, we're losing one of the giants of the legislative body. I have greatly admired BARBER's intellect and his strong grasp of the issues before his committee and the Congress, his knowledge of the economic facts of life, and his tremendous ability to articulate all of these. The House of Representatives has been a more effective body because of BARBER and his decision to leave is a great loss to all of us here as well as to people throughout our Nation. It has been my privilege to serve with you, BARBER, and I'll miss your leadership. However, Louise and I want to wish for you and Charlotte the very best, and please stay in touch with us often.●

NEWMAN REELECTED CAB
CHAIRPERSON

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. BROWN of California. Mr. Speaker, I would like to congratulate Venny H. Newman on her reelection as chairperson of the San Bernardino County Community Services Department Community Action Board [CAB].

Mrs. Newman has a long and distinguished track record of community service. Her extensive experience will contribute to the success of San Bernardino County's Anti-Poverty Program. Venny is part of a very distinguished group of community leaders who have served as CAB chairpersons over the past two decades.

The following is an article from a newspaper in my district that discusses Mrs. Newman's reelection, recognizes past CAB chairpersons, and identifies the current community action board.

[From the San Bernardino (CA) American, June 21, 1984]

MS. NEWMAN REELECTED CAB CHAIRPERSON

Venny H. Newman has been re-elected to serve as the Chairperson of the Community Services Department Community Action Board.

Ms. Newman has been a CAB member since January 25, 1977 and will serve an additional one year term. Rodolfo H. Castro, CSD Executive Director, stated that Ms. Newman is the senior member of the board and her extensive experience will contribute to the effectiveness of the Department. Mr. Castro further stated that the chairperson's responsibility has been carried out by some

very distinguished community leaders including: Paul A. Treadway, John Jimenez, Frank A. Cabral, Naomi Saylor, Richard Strong, Eloisa Zermeno, Robert Carbajal, O. E. Brown, W. R. "Bob" Holcomb, George Ashton, Salvador Rios, Francis T. Riley and Harry C. Smith.

The Community Services Department is the "War on Poverty" agency for San Bernardino County and the Community Action Board is the policy making body for the Department. The current board members are: Wanda Bethel, Paul A. Treadway, Nancy Ruth White, Belva Holder, Mabel M. Jones, Josephine Knopf, Dolores Kossman, Eloisa Zermeno, Dorothy Grant, Carolanne C. Hollister, Geraldine Bratton and James Hall.●

ICC SHOULD EXAMINE ISSUE OF
PRIVATE CAR USE

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. FLORIO. Mr. Speaker, rail transportation is an important part of our national economy. Many of our industries rely heavily on railroads to move their products or raw materials. Because of the importance of rail transportation and the need to coordinate the activities of shippers and railroads, we have the Interstate Commerce Commission. The ICC resolves disputes in many areas between railroads and shippers.

There is now an issue of importance before the ICC which involves the right of shippers to use private rail cars in lieu of railroad supplied cars.

Several years ago, certain types of cars, such as covered hoppers, were in short supply. Some railroads encouraged shippers to purchase their own cars to ensure an adequate car supply. However, now that there is a surplus of certain types of cars, certain railroads are discouraging the use of the shipper-owned cars.

The shippers believe they purchased their cars in reliance on the encouragement of railroads and, because of this reliance, they should be allowed to continue to use these cars. The railroads believe they have a right to require use of their own cars first. Obviously, each side believes it is correct.

This is a good example of the difficult questions the ICC must answer. There are arguments on both sides, but the outcome will have a significant impact on rail transportation. It is up to the ICC to make the decision.●

TRIBUTE TO HON. JOHN
ERLENBORN

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, October 1, 1984

● Mr. DUNCAN. Mr. Speaker, I am pleased to join my colleagues in

paying tribute to JOHN ERLBORN. He has been a leader, legislator, and legend in this House, and we will all miss him.

JOHN and I were members of the freshmen class in the 89th Congress. Over the past 20 years I have watched with admiration his skill in crafting our Nation's laws. He has left his imprint on the pension reforms and education programs which have come out of the Education and Labor Committee. Despite the difficulties of working from the minority position, he has been able to bring moderation to the legislation and laws which Congress has adopted.

JOHN was never afraid to challenge the majority, and test its proposals against his own. He was also willing, however, to work with his colleagues for the common good, and seek a consensus when it was needed. He was able to accomplish so much because he was never one to accept or assume defeat. He used reason and persuasion to make his points, and in many cases won these points.

The Erlenborn substitute became a catch phrase for JOHN's "never-say-die" attitude. It also became a symbol of moderation to overly ambitious proposals. In this way he was able to shape ERISA, and curb the abuses of the student loan program. In all of this he faithfully represented the interests of the people of Illinois' 13th District.

Like the Members of this House, they will miss JOHN. He has been a good and faithful servant, and it is reflected in margin of his victories over the last 20 years. I would like to offer my appreciation for his efforts here, and wish him well in his future endeavors.●

CIVIL RIGHTS ACT OF 1984

HON. PAUL SIMON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. SIMON. Mr. Speaker, a recent editorial in the Southern Illinoisan compellingly makes the point that so many opponents of the Civil Rights Act of 1984 have forgotten: This legislation will restore the laws prohibiting the use of Federal aid, in any form, to subsidize discrimination because of race, sex, age, or handicap. The Civil Rights Act of 1984 makes that point as clearly as possible without breaking new ground. Several of the primary opponents of this bill in the Senate have misquoted and misrepresented the purpose and the effects of the Civil Rights Act. This is an unfair and foolish tactic to use in an attempt to defeat this vital legislation; legislation which this body has already passed with an overwhelming margin. I will

take this opportunity to address several of these arguments.

Opponents of the Civil Rights Act have discussed at great length and have described the parade of horrors about the effect of this bill on the coverage of State and political subdivisions and institutions of higher education. I am puzzled by this concern since there is virtually no political subdivision and certainly no State or institution of higher education that does not receive Federal financial assistance. Because of this point, opponents of the bill have argued that an expansion of the law has occurred, yet I suggest that it is the role of Federal funding that has been altered. Since Federal money is now everywhere, it is difficult to find entities which receive no Federal financial assistance. Consequently, the argument the opponents of this bill make concerning the extent of coverage is specious.

In recent floor debate on the Civil Rights Act, statements have been taken out of context and false conclusions have been drawn. On a variety of issues, the House floor debate has been specifically or implicitly misstated. I am compelled to respond and set the record straight. Opponents of the bill in the Senate have selected illustrations and maintained that the House floor managers, Mr. EDWARDS and myself, of H.R. 5490 provided misinformation to our colleagues regarding the law prior to the Grove City College versus Bell case and the effect of the Civil Rights Act. This is simply not true. On several important issues Senate opponents have incorrectly stated the law prior to the Grove City case. The result is the appearance of an expansion of the law if the Civil Rights Act is enacted. Several examples of this distortion of the law prior to the Supreme Court decision occur with respect to the coverage of drug stores filling medicare or medicaid prescriptions, farmers receiving USDA crop subsidies and corporations which conduct vocational education programs and also receive grants for defense related research. In each of these cases the question was asked: "Was the entity covered prior to Grove City and will it be covered after the passage of the Civil Rights Act?" In each case, the response is that the entity was not covered prior to Grove City but will be covered under the new law. Yet in each case, the entity was covered prior to the Supreme Court's decision.

Drug stores that fill medicare and medicaid prescriptions have always been covered. Medicare and medicaid are forms of Federal financial assistance. The individual patient is not covered because she/he is the ultimate beneficiary. The farmer who receives a USDA crop subsidy is also the ultimate beneficiary and therefore not covered. The USDA regulations specif-

ically exclude ultimate beneficiaries as does the Civil Rights Act. The corporation which conducts vocational education programs and also receive a grant for defense related research was covered and is still covered under title IX of the Education Amendment of 1972. The corporation is covered to the extent of all of its facilities that receive the assistance and all of its education activities are covered. The corporation would be covered to the same extent after enactment of the Civil Rights Act of 1984. These three specifics are just a few examples of the misstatement of the law as it was applied pre-Grove City College and as it will be applied after the Civil Rights Act.

Mr. Speaker, some of my Senate colleagues have suggested that only title IX be amended. The rationale is that only title IX was the subject of the Supreme Court case and it is an unnecessary expansion to amend all four statutes. The need to amend all four statutes exists because of their historical interrelationship. As the House noted in their committee report:

Title IX is modeled after Title VI of the 1964 Civil Rights Act (prohibiting discrimination on the basis of race, color, or national origin). Title VI was also the legislative model for Sec. 504 of the Rehabilitation Act of 1973 (prohibiting discrimination on the basis disability) and the Age Discrimination Act of 1975. Together, all four statutes prohibit discrimination in "programs or activities which receive federal financial assistance." The Supreme Court's narrow construction of the operative phrase "program or activity" conflicts with Executive Branch enforcement of the provisions for the past twenty years.

Although the Grove City College decision only addresses Title IX, it is appropriate and necessary to clarify each of the Civil Rights provisions now because their legislative and judicial histories are closely related. Also, it is anticipated that the application of these provisions will be similarly narrowed as a result of potential changes in the enforcement practices of federal agencies and subsequent judicial interpretations.

To preserve civil rights for minorities, women, seniors, and the handicapped, all four statutes must be amended by the Civil Rights Act of 1984.

Mr. Speaker, these laws have made a significant contribution to this country's sense of national pride. One dramatic example of how effective title IX has been is the enormous number of gold medals our women athletes won in the Los Angeles Olympics. The key reason Cheryl Miller led our women's basketball team to one victory after another and that Tracy Caulkins has broken swimming records for this country is that they, like so many of their teammates, benefited from title IX of the Education Amendments of 1972. That law forced the American educational system to broaden women's athletic programs. The results have been impressive: in 12 years the number of women in intercolle-

giate athletic programs has increased 1,000 percent. Not only has the quantity increased but the quality of their achievements has been equally dramatic. Yet these gains may be fleeting. This Olympic season may be the last to celebrate such victories for women. This dramatic increase in women's athletic achievement is threatened by the U.S. Supreme Court's ruling in the Grove City case. Unless the Senate joins the House in clarifying the intent of Congress, 1984 will have been the high point in gold medals for women athletes.

Let me add one personal note before I close. My daughter Sheila is one of those who benefited directly from title IX. She was the AIAW, division III high jump champion in 1982.

The record was clear after 6 days of hearings and 43 witnesses on the House side, and the other body has heard 5 days of hearings and 51 witnesses; the House was certain that it had sufficient evidence and information to draw its conclusions and vote. It did so on June 26, 1984, with a 375 to 32 vote for passage of the Civil Rights Act of 1984.

I urge my colleagues in the Senate to follow the lead of the House and quickly pass the measure.

[From the Southern Illinoisan, Sept. 17, 1984]

TITLE IX FIASCO MUST BE CORRECTED

Okay, all of you ERA opponents out there, it's time to prove your point. You fed the Illinois legislators that line about how laws would adequately protect women against discrimination, and they bought it. A constitutional amendment wasn't necessary, you said, and they believed you. Please explain all that now to the United States Senate.

Title IX of the 1972 Education Amendments was one of the most important of those anti-sex discrimination laws which you used to defeat ERA. But the U.S. Supreme Court tore its guts out last February, and, in the opinion of some civil rights lawyers, threatened the protections of blacks, the disabled and the elderly at the same time.

In the Grove City College v. Bell case, the court ruled that Title IX's anti-discrimination requirements only apply to a specific program that receives federal funds, not, as had been the practice, to the whole institution of which that program is a part. In other words, if Southern Illinois University-Carbondale is getting federal coal research money, that no longer carries an obligation to treat women fairly in athletics. The ruling has bad implications for the tremendous women's athletics renaissance of the past decade that was based on Title IX, not to mention women's employment opportunities.

Since Title IX was written with much the same language as other civil rights laws, lawyers say, those laws too are now in jeopardy. The House agreed, and quickly amended Title IX and other laws this spring to include what the Supreme Court said wasn't there.

Now, however, it looks as though the corrective action will not get through the Senate this fall. Sen. Orrin G. Hatch, R-

Utah, chairman of the Senate Labor Committee, wants to amend only Title IX, and to simply change the phrase "program or activity" to "institution". Civil rights lawyers say "institution" will not cover school districts and other broad entities.

Hatch, and the Reagan administration, claim that a broader definition will increase federal powers on local affairs. A grocer, Hatch says, would be subject to the law just for accepting food stamps.

So, what's wrong with that? The grocer should be forbidden to discriminate against groups of people. So should everyone else. Civil rights activists aren't asking for a huge new federal bureaucracy to go around snooping for discrimination, but every citizen should have the legal right to sue when he or she feels she has suffered from it. Racial and sex discrimination are wrongs, and conservative smoke screens about state's rights don't make them any better.

But if Hatch is going to block a corrective bill that doesn't include his language, the civil rights lobby should take half a loaf and accept at least that much for now, to protect Title IX in most cases. Some other time, it can go back to the Hill and seek further improvements.

Passage of ERA wouldn't have made anti-sex discrimination laws unnecessary, but it would have given women more authority in demanding that those laws conform with their constitutional rights. Without ERA, anti-sex discrimination is just another gift which the Supreme Court, the Senate and the Reagan administration can magnanimously grant, or imperiously take away. ●

**A CONGRESSIONAL SALUTE TO
LARRY KOOIMAN, 1984 PRESIDENT
OF THE DOWNEY BOARD
OF REALTORS**

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. ANDERSON. Mr. Speaker, on November 3rd, the 38th annual installation of officers and directors for the Downey Board of Realtors will be held at the Hyatt Regency in Long Beach. I would like to take just a moment and congratulate the board's 1984 president, Mr. Larry Kooiman, on a job well done.

A resident of California for nearly 20 years, Larry is a 1969 graduate of California State University, Long Beach. Larry officially began his career in the real estate industry in August, 1974 when he received his sales license. About 2½ years later, he received his broker's license. Today, Larry is part owner of two Century 21/Southeast real estate offices in Downey and Southgate.

In addition to his professional career, Larry has become quite active in local issues important to the city of Downey and its residents. He had generously devoted valuable time in numerous civic projects with the intent of making Downey a better place to live and work. In a nutshell, its been individuals such as Larry who have helped make America great.

My wife, Lee, joins me in commending Larry on this special occasion and we hope that he and his wife, Barbara, and their two children, Jim and Jennifer, are successful in all their future endeavors. ●

**DEMOCRACY'S MOST
IMPORTANT RIGHT, TO VOTE**

HON. AL SWIFT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. SWIFT. Mr. Speaker, in a free and democratic society the act of voting is undoubtedly the single most important act that any citizen undertakes. And yet, over the last several years especially, fewer and fewer Americans are exercising their right to vote. As chairman of the House Task Force on Elections I have taken a strong interest in identifying and eliminating barriers to voting. The other half of the battle is getting people out to vote.

I've been encouraged by the programs undertaken lately by many broadcast stations around the country—programs designed to increase awareness of voting and encourage people to register and vote. Trade associations and the networks have each taken a role—an important role—in this as well. While I've had my differences with the networks over the early projection of election results because I believe that premature projections discourage voter turnout, I know that these same networks are doing their part and are very active in working with those of us that would encourage voting. Leonard Goldenson, chairman of the ABC network, recently gave a speech to the International Radio and Television Society, in which he highlighted many of these concerns and I would like to include in the RECORD a portion of his speech on this matter.

[The speech follows:]

REMARKS OF SPEECH BY LEONARD GOLDENSON

I remember back in 1960 discussing the possibility of election-year debates with Frank Stanton and others. Later that year, television and radio for the first time brought presidential debates into living rooms across America, and I was very excited about prospects for the Republic and the contribution that we could make to its welfare. After all, voting turnout in that election hit nearly 63 percent, the highest in years. It struck me that with the help of modern broadcasting, America could restore the extraordinary voting patterns we enjoyed in the late 19th century and create an even more vibrant democracy.

But what has happened since has been a national embarrassment. Voting turnouts have steadily declined, falling by over 10 percentage points to a low of under 53 percent in 1980. Our current President came into office with the votes of only one-fourth of our citizenry. For every voter who pulled the lever in his favor, two stayed home. Among the 24 major industrial democracies

in the world, the United States sank next to the bottom in voter participation.

People ask: what difference does it make? And indeed, some studies indicate that if all of our eligible voters had come out in 1980, most of the same men and women would have been elected. But that's not the point.

The point is that the right to vote represents one of our most cherished institutions, "the crown jewel of our democracy," as President Reagan has said. A vote cast freely and in private is an expression of the people's will—a covenant between the governed and those who exercise power in their name. When a person casts a ballot, he makes an investment of faith and trust in a candidate; in return, he expects the candidate to live up to a high standard of responsibility. A bond is formed that can sustain those who govern through bad times as well as good. Moreover, voting is a part of the discipline—the responsibility, if you will—of maintaining a democracy. As much as anything else we do, it symbolizes our commitment to our system of Government.

But when people refuse to vote—when they refuse to make that pledge of support—our candidates enter public office with little more than a victory built on a house of cards. They have neither a bond nor a mandate for governing. It is no coincidence that during this past quarter century, when voting sharply declined, there was a marked increase in people's dissatisfaction with their Government.

The mystery that surrounds these past 25 years is why voter turnout has dropped so much. Logic would say it should have increased. The higher the income and education, for example, the more likely a person is to vote. Both have gone up, but it hasn't affected the number of people who vote. The Nation has also dismantled many of the highest legal barriers to voting identified by a presidential commission 2 decades ago. Literacy tests and poll taxes, for example, have become relics of the past. And during this same time, the commercial networks have more than doubled their time for public affairs programming, while the number of all-news and talk shows has exploded on radio and television. So, where have all the voters gone?

In December, 1982, I made a trip to the John F. Kennedy School of Government at Harvard to pose that question and to talk about ways to address it. I proposed that in order to ensure gavel-to-gavel coverage of party conventions, the three commercial networks each pay for a third of the cost for the Public Broadcasting Service to carry the full proceedings. We would each continue our coverage of major convention news, but PBS would keep its cameras rolling from beginning to end. Though that idea did not come to fruition, I'm happy to say that both Cable News Network and C-Span did carry the full convention schedules. What concerns me, however, is that full proceedings were still not available to the 60 percent of American viewers who do not have cable or cannot afford it. I think the three networks need to reassess the situation in 1988, and reconsider the idea of funding full coverage by PBS.

Another proposition we discussed at Harvard was for ABC and Harvard to jointly sponsor a conference on the subject of voting. That symposium was held in Washington a year ago, attended by a distinguished panel of statesman, public leaders, political experts, scholars and journalists. Among the most active participants were Gerald Ford and Jimmy Carter.

Our symposium identified two major causes of nonvoting and agreed that action should promptly be taken on both. The second is of particular relevance to broadcasting, but for a moment, let me describe the first—something we called "structural" barriers to voting.

In examining voting patterns across the world, it turns out that despite recent reforms, the United States continues to make voting registration significantly more difficult than any other democratic country. In Canada, for example, special registrars periodically go door-to-door signing up eligible voters. In the United Kingdom, registration forms are mailed every year to households. And once people are registered, they stay on the rolls, even through they may move somewhere else.

The United States is the only Nation where the entire burden of registration is placed on the individual and not shared by the State. Our hodgepodge of voting laws makes it difficult for many people, especially the poor and uneducated, to understand what they must do to become properly qualified. Registration books usually close 30 days before elections, long before campaigns reach their peak in the media. Hours of registration can be inconvenient. And the myriad of registration deadlines is confusing, as well. For example, how many of us here today know our specific registration deadlines? For most of us, it falls on October 9 or 16. (And incidentally, we'll make it easy for you—you can do it just outside these doors.)

And we've also found that those who change addresses are especially likely to fall out of the voting net. Professor Raymond Wolfinger of Berkeley has discovered that about a third of all Americans move during every 2-year cycle—and on average, their registration rate takes about 5 years to catch up with those who haven't moved.

What would happen if registration laws were simplified and reformed? The best answer probably comes from the five States in the country that now allow election-day registration or require no registration at all—Minnesota, Wisconsin, North Dakota, Maine and Oregon. In those States, the turnout in 1980 ranged from nearly 10 to 20 points above the national average.

It is abundantly clear from experience that when Americans are registered, they are much more likely to vote. In 1980, fully 86 percent of those who were registered in this country then voted for President. That's a higher turnout, I might add, than in countries like the United Kingdom, Japan, Canada and Israel. The answer is clear: We must lower every conceivable barrier between the potential voter and the ballot box.

Personally, I favor an overhaul of registration laws, the adoption of Sunday voting, keeping polls open for 24 hours, and closing all the polls at the same hour. There is no good reason why polls can't open on a Sunday after church services. It's simply a better day for most of our citizens to vote, and especially our young married couples, where both partners frequently work and juggle babysitting responsibilities. Just look at the Sunday voting experience in France, Spain, and West Germany—turnouts there are well over 80 percent.

Now let me turn to the second problem we identified in our symposium last year and this one, as I said, is more directly tied to the concerns of this audience: the problem of motivating our voters.

The evidence here is not as hard, but there seems little doubt that interest in

voting has been dulled in recent years. As most presidential candidates acknowledge, our campaigns have become so long and tedious that boredom is a national disease. One need look no further than the ratings from the conventions this summer: viewing during the conventions set two new records—record lows. For the commercial networks, the convention weeks this summer were the two lowest rated weeks of the year, and the conventions themselves drew the lowest ratings of any conventions in television history.

Many citizens apparently believe it doesn't make any difference whether they go to the polls. They feel neither an obligation to vote nor a stake in the outcome. And many of those who would like to vote wake up near election day and realize for the first time that they haven't cleared the registration hurdles.

Clearly, there is much to be done. The candidates bear an obligation to run more inspiring campaigns than we have seen in the past. There's too much packaging and not enough substance to excite many voters. Viewing campaign ads as a whole, it's hard to tell whether you're supposed to go out and vote or buy a diet soda.

Our political parties also bear responsibility for the time devoted to campaigns: they are insufferably long. Our schools must also instill in young people the belief that voting is the first obligation of citizenship. High schools now teach driver's education; why shouldn't they teach voter education, too?

But surely, we in the broadcasting industry have a towering responsibility as well. Part of that lies in our news divisions. I have been pleased to learn in recent days that initial surveys of campaign 1984 coverage find the networks are devoting a good deal more attention this year to the issues—to substance—and less to what is called "horse race" stories. One of our foremost jobs is to clarify the issues and the choices before the country. Never has the thorough and objective reporting been more important, or the recognition that we serve a broad and pluralistic society.

In my judgment, the networks have also taken a responsible approach to the touchy question of exit polls. At ABC, we will not project the winner in any State until the voting booths, in that State have been closed. I understand that CBS and NBC are following a similar course.

Beyond that, the networks offered to host debates between the candidates, feeling the debates could be free-wheeling exchanges that would greatly benefit voters. I want to congratulate the League of Women Voters and its president Dorothy Ridings, who is with us today, for once again taking on the responsibility of organizing the debates. The League, as you know, has long contributed to voter awareness, and we look forward to working with our friends there in the coming weeks.

The other part of our responsibility as broadcasters lies in our sense of civic obligation—the degree to which we voluntarily take it upon ourselves to impress upon people the importance of voting and how to register. In my view, we should spare no effort in this regard. Nothing we do will ever be too much.

This kind of programming does not fit easily into a newcast, of course, because it falls outside the realm of day-to-day news coverage. We must invent new formats outside regular news coverage.

NBC, for example, has produced an excellent half-hour educational program on the

electoral process. CBS is running a very effective series of public service announcements. And Group W and many other broadcasters represented here today are pursuing their own public service efforts, which, I am happy to say, are too numerous to mention individually.

At my own company, drawing on the recommendations of the ABC/Harvard Symposium, we are undertaking the most ambitious voter education project in our history.

ABC's public affairs effort encompasses our radio, television, and publishing operations, as well as our owned and affiliated stations. It includes public service announcements by celebrities like Dinah Shore and Reggie Jackson urging all Americans to register and vote, and spots with the same message by prominent Americans like Coretta Scott King and Henry Kissinger. We are also highlighting this issue with special segments on "Good Morning America" editorials, public affairs programs, a community relations campaign, a rebroadcast of our documentary on the symposium, and special PSA's for children on Saturday mornings.

I tell you all this not only because I am proud—and I am—but because those of us who have had the privilege of serving in this industry for so long—men like Dr. Stanton, Bill Paley, Grant Tinker, the distinguished leaders of the broadcasting groups and many others—all believe so deeply that broadcasting should serve large and noble purposes. It is especially important that as we emerge from an age of Government regulation, we set new standards of excellence and accept broadened responsibilities.

Ladies and gentlemen, let me close on this note. There will always be those, of course, who scoff and insist we can't turn around anything so fundamental as voting. They think we're embarked on Mission Impossible. But let me say that I can't imagine any of them followed the Olympic games this summer in Los Angeles.

What we saw there almost defied gravity. A city unwilling to accept liability for the games suddenly caught the Olympic spirit, and the games became a runaway success. Over 50,000 citizens transformed themselves into hard-working volunteers. Businesses large and small pitched in. Fans flocked into the stadiums. And just a few days ago, the Los Angeles Organizing Committee announced that contrary to all expectations, the first private Olympics in history had made a stunning profit of \$150 million—money that can be plowed back into athletic competition. Peter Ueberroth, a man who deserves a lot of credit, put it well: "The organizing committee is just part of an outpouring of the American spirit."

Surely that is what we have seen emerge in these past months across the land—an Olympic spirit, a new patriotism, a new American spirit. Call it what you will, but it is there, it is real, it is powerful. And in the days ahead, we ought to hitch it to some important goals in our national life.

One of the highest of these goals, I submit, is a vigorous democracy where every American takes pride in casting a vote. I ask you, leaders in the communications field, to take it upon yourselves to do all you can to help us fulfill that dream.

Thank you very much. ●

TRIBUTE TO RALPH GERVASIO

HON. DAVID E. BONIOR

OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. BONIOR of Michigan. Mr. Speaker, Ralph Gervasio has been a member of my Washington office staff for the past 2½ years. He is married to the former Cathleen Anne Hartig and is the proud father of two boys, Joseph, 4 years and Justin, 3 months. Ralph is also a Vietnam veteran.

Since his discharge from active military duty, Ralph has been active in programs geared toward helping other Vietnam veterans with problems of rehabilitation and readjustment. Currently, Ralph is participating in a program called, the Vietnam Combat Therapy Group, a special extension of the Outreach Program designed to assist in the rehabilitation of disadvantaged and traumatized veterans.

As a result of his Vietnam experience and association with other Vietnam veterans, he felt compelled to write, "Our Twenty Minutes" which appeared in the September 27 issue of Stars and Stripes. He wrote it to dramatize the intense and personal feelings shared by many Vietnam veterans, yet expressed by too few. For exactly the same reason, I would like to share his article with you.

OUR TWENTY MINUTES
(By Ralph Gervasio)

That Sunday had been a particularly trying day. It was one of those days that works against your every effort to accomplish anything. Either I was short a tool for a house project, or I was too late to have the car serviced. The neighbors and the neighbors' kids all got on my nerves.

Then constant interruptions. This would have been a good time for my wife to deliver the child we were expecting. Past mid-morning, my motivation stifled, I resigned from sanity and concentrated my efforts on disciplining our occasionally obnoxious, occasionally spiteful four year-old.

That evening I suffered a sneezing attack, brought on by a array of wind-swept irritants, and hosted by an unusual touch of late May humidity. The seed of a horrific migraine then burst inside my skull. It was time to isolate myself.

There are only so many ways a six foot man can turn on a six foot couch. No position helped, and the pain continued its relentless assault on my head. The day had depressed me, and now, I felt helpless; afraid that if my wife started her labor, I wouldn't be able to help her.

As each minute ticked from the living room clock, I let paranoia creep inside me. The pain, and the lateness, and the stillness, and the loneliness pushed me into another dark moment—one in which I fixated on failure. All I needed was twenty minutes. Twenty minutes of concentrated, uninterrupted sleep would do it. But where, and how could I get it? I started hallucinating; stepping in and out of the weird dreams we all have when we're sick.

The night air was still and dark. I looked across to the clock: five minutes to three.

Christ, it's no use. Rising from the couch, I stared through one of the screens to the foyer windows. My temples pounded. I sank back into the couch, deciding to repose corpse-like, with my arm across my chest. Maybe self-pity would trigger some subtle chemical reaction and allow me to sleep.

Somehow I stepped into a dream. Place and time were the same—the living room, the couch, the windows, and the darkness. Like the sequence of negatives accompanying original photos. In this dream, I remember someone tapping me on the shoulder:

"Hey man." I don't respond to the tapping. "I said hey there, sleepy head. You have some kinda' problem or something?" Still mummified, I cracked open my eyes. "Ron, is that you?" I asked. "Damn, it is you." Now I straightened up slowly. "Ron, what the hell are you doing here?" Then I noticed the others: some seated on the floor, leaning against the wall where the clock hung. A few more stood leaning against the foyer railing. Ron loomed over me, his hairy chest exposed through an opened blue work shirt.

"I mean really, Ralph," his eyes widened for emphasis, "is there some kinda' problem, like ah," he pondered, seating himself on the coffee table, "like maybe you can't sleep or something?" He smiled at the others, and I felt silly, as if my problem was really insignificant and easily remedied.

"Yeah," I groaned. "Yeah, that's it exactly. Hey, how did you guys . . . where did you guys . . ."

"Questions, questions, questions" Ron explained. "Who cares anyway? Hey that's a question."

The others seemed amused by Ron's animated antics. He chomped on, then methodically started chewing the white end of his ever-present tiparillo.

"We're here to give you your time," he said seriously. "It's your time, you know."

I sat up, running fingers through my scalp. "You're right," I said "I need twenty minutes to get rid of this goddam headache." I heard some commotion outside. "What's that noise?"

Ron leered in mock surprise. "Oh, oh you mean outside there," he pointed to the window, "Well why don't you get off your dead a-- and take a look," he said.

"Alright, okay, okay. I'll look." I stumbled to my right off the couch, past the coffee table, to the two screened windows. My head bumped the wind chimes. Looking into the darkness, I saw a line of men, all seated on the curb of the road, all at arm's length. I knew them all, because they were members from the Monday night combat group. I recognized them, even the ones I had met only once, or ones that I had not liked.

"I don't believe this." I looked down the street. They were all in different stages of conversation or argumentation. Each displaying a symbolic characteristic of his personality: Ken twirled his long hair with his index finger, intently arguing his point against society. Ward nodded slowly while earnestly listening to another's monologue of grief and discontent.

The others on the curb waved as they caught me peering at them. Some had guns strapped onto fatigue jackets. Others wore cammies. Most had grenades, knives, and light armaments typical of our experience any memory. Some were eating skewered monkey meat that had been cooked over a sterno flame.

At the road's bend, which led to a main artery, Bob stood waving signal flags. That's right, signal flags: overhead, then criss-

crossed, then at ninety degree angles. Somehow I knew that he was signaling the eighteenth century frigate, *Constellation*, docked some fifteen miles away in Baltimore. Ludicrous, but as I said, I had stepped into this dream. Bob waved to me with his signal flags.

When I eased back on the couch, I was surprised to see someone sitting in the recliner chair. I sensed that he had been there all along, but had been inconspicuous until now. It was Doc Fowler, our group leader and therapist—and one of us. "Doc," I said. "You're here too, huh." He sat cross-legged, with his notepad propped against his knee. He wore khaki slacks and a dress white shirt bearing some huge red insignia on the left shoulder. I realized that he had been taking notes on the proceedings. A chamber .45 pistol rested atop one of the armrests. "Doc, is this it? Is this for me?"

He looked up from his writing and replied matter-of-factly, "Well what do you think we're all here for?"

All the men were entrenched in conversations, and I could sense their attitude of cautious relaxation. I remembered that unique contradiction of feelings.

"Should I do anything, Doc? I mean, should I say something? I should do something."

Doc dropped his book and pen on the floor in front of him. Placing his hands on his knees, he drew close to me, as if to give instructions. "I want you to understand that this is your time," he stressed firmly. "You deserve it, and you earned it. This is all you need to know now."

I nodded mutely, trying to digest the meaning of it all. "But if you want," Doc smiled wryly, "you can break out the rest of that beer."

"Sure," I said.

"No . . . not you," Doc explained quickly. "Tell someone else to do it. Some of these guys have had their time, and they know how to assist."

I panned the room and motioned to a stocky, bearded man named Steve. He apparently had heard the tail-end of our conversation, and motioned for me to stay down.

"Yeah, yeah, I'll get the beer," he belted in resigned compliance.

I layed back down, propping a pillow under my neck. The air was thick with cigarette smoke and noise. I wondered how my wife and son could sleep through the ruckus, but I was never worried for them. Somehow I knew that everything would be fine; that no power on earth could stop me from getting what Doc and the others called "your time."

I fell asleep listening to their voices: voices from men whom I had briefly known, yet had shared the most passionate victories one man can experience with another—the victory over death, and the ascent from a private abyss.

As I slipped into unconsciousness within this dream, I started to experience the lifting, then the sheer joy of complete release. I had not relaxed like this in over a decade. I had lost touch with the feeling of contentment.

As I faded ever deeper, I could barely hear beer cans popping open in the house, and through the ranks, all the way down the street. "Welcome home," someone said.

When I awoke into reality, I had no pain. I felt renewed. The cumulative effects of all the analgesics must have finally worked. From the couch everything was still dark, and I read the clock at ten minutes to five.

Of course there was no group in the room with me; no smoke and no empty beer cans. My dog popped her head up from the recliner chair when she noticed me stirring. I slowly uncoiled to a sitting position.

Then it hit me, with such absurd simplicity. The cumulative effect of another pain reliever of a different sort had worked. This peculiar time-released medicine had been psychologically implanted in me ten months ago, by Doc Fowler.

It's released when I'm under stress, and it helps me sort out the chaos. It's been helping me recover from Vietnam, emotionally. Often I have felt the growing pains associated with calculated, increased doses of emotional maturity. And all those guys—some like me, some worse, some better; all being guided in different directions, yet all away from the war. Ron, the first man in my dream, had at one time been both homicidal and suicidal. And this man was helping me up the ladder.

I wanted to remember the dream and its significance, so I could relate to Doc and the group. It might help someone else.

As I looked through the window that morning, alone and confident, I wished I could tell them while the memory was fresh. I gazed at the pre-dawn mist as it drifted eerily down and hung close to the street.

Christ, it was Memorial Day. I almost expected to see them there—to see them wave. Perhaps they'll hear me now, in some strange channel of expressive energy—like creatures sensing the energy of an impending storm. "Thanks guys."

Ready for another day. ●

NICARAGUA'S UNTOLD STORIES

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. HYDE. Mr. Speaker, worthy of special admiration are those pundits who have the intellectual honesty to admit that they may have called one wrong. Such an individual is Robert S. Leiken, senior associate at the Carnegie Endowment and the editor of "Central America: Anatomy of Conflict." Admittedly, once sympathetic to the Sandinistas, he now has become disenchanted with the way things have turned out in Nicaragua.

Mr. Leiken has traveled to Nicaragua six times since the revolution. His last visit was in August of this year when he spent 10 days there with his brother, Sam, a trade unionist and labor activist studying at the Kennedy School of Government at Harvard. In illuminating articles that appeared in the October issue of *New Republic*, both brothers graphically describe the findings of their August trip to the Sandinista "nirvana." What they discovered makes for timely reading as Congress continues its debate of United States-Central American policy. I therefore, am inserting these articles in today's *RECORD* for my colleagues perusal.

NICARAGUA'S UNTOLD STORIES SANDINISTA CORRUPTION AND VIOLENCE BREED BITTER OPPOSITION (By Robert S. Leiken)

The 72-year-old Señora lives in a solid stone house constructed by the Sandinista government. Her son, German Pomares, was a founder of the Sandinista National Liberation Front (F.S.L.N.) who perished leading the final offensive against Somoza in 1979. Set off by a well-kept garden from the shacks of the cotton field workers of El Viejo, Mrs. Pomares's home appears comfortable. But inside, the mother of the nationally revered martyr sleeps on a cot covered with rags, and she hobbles through bare, unfurnished rooms. She lives on a pension equivalent to \$10 a month. She has made four trips to the local hospital, but has yet to succeed in getting a doctor's appointment. Three times she has requested an audience with Comandante Tomas Borge, now the sole surviving founder of the F.S.L.N. Each time, her son's old comrade has refused to receive her.

For one who has sympathized with the Sandinistas, it is painful to look into the house they are building, but it is unwise not to. I spent ten days in Nicaragua in August, accompanied by my brother, a trade unionist from Boston. It was my sixth visit since the revolution, and my longest since 1981. I have testified in Congress against aid to the contras and have supported (and continue to support) negotiations to end the civil war in El Salvador. Yet each succeeding trip to Nicaragua drains my initial reservoir of sympathy for the Sandinistas. Last year I wrote in my introduction to a book treated by the press as the "Democratic alternative to the Kissinger Report" that the Sandinistas' "failure to preserve the revolutionary alliance with the middle class and small producers as well as sectarian political and cultural policies [had] polarized the country, led to disinvestment, falling productivity and wages, labor discontent, and an agrarian crisis." This visit convinced me that the situation is far worse than I had thought and disabused me of some of the remaining myths about the Sandinista revolution.

Everywhere we went we confronted the disparity between these myths and the unpleasant truth. The Sandinistas blame Nicaragua's economic crisis on the contra war and U.S. economic sanctions. Yet the standard of living in Nicaragua was deteriorating well before the U.S.-backed contras turned to economic sabotage in the spring of 1983. A December 1981 internal staff memorandum of the International Monetary Fund found that real wages had fallen 71 percent since July 1979. They have continued to decline in succeeding years. And even with the U.S. "economic boycott," over 25 percent of Nicaragua's exports still go to the United States, not much less than under Somoza. Nicaragua can no longer sell sugar at subsidized prices to the United States, but what it has lost in this market it has sold to Iran at prices above those of the world market. The war and U.S. sanctions have compounded a mess created by the Sandinistas themselves.

Nicaraguans themselves do not seem to accept Sandinista claims that Yanqui aggression is responsible for the general scarcity of consumer goods. Peasants are obligated to sell their goods to the Ministry of Commerce and Industry, and contend that its prices are too low to enable them to make ends meet. A large portion of the peasantry is now producing only for its own consumption, and the resulting shortages

have dramatically driven up prices. The marketplace, once the bustling center of Nicaraguan life, is now a daunting experience for buyers and sellers alike. As shoppers make the rounds looking for rice, beans, milk, toilet paper, soap, or light bulbs, the shopkeepers' constant reply is "No hay" (There isn't any). For anyone unable to afford the inflated prices or without the foreign exchange to shop at the new foreign currency stores, Eastern European-style queuing is now routine.

One of the most depressing aspects of our trip was to hear from so many that their lives are worse today than they were at the time of Somoza. Before the revolution Nicaraguans ate well by Central American standards. Thanks to the country's fertile soil and its small population, even poor Nicaraguans were accustomed to beef and chicken. Now consumer goods available to the masses in other Central American countries are no longer obtainable. Barefoot children are hardly uncommon in the region, but I had never seen so many completely naked. As we encountered them, their distended stomachs displaying the telltale signs of malnutrition, Nicaraguans would bitterly recall the government slogan, "Los niños son los mimados de la revolución" ("Children are the spoiled ones of the revolution").

The shortage of basic necessities is also breeding pervasive corruption. When we asked a rural storekeeper why he was able to sell Coca-Cola while many restaurants in Managua were not, he said that he had obtained the soft drink with a bribe. We later met Ramiro, a Coca-Cola deliveryman in León and a former member of the F.S.L.N., hitchhiking home from the city of Chinandega. He was returning from his five-hour weekly excursion after work to procure the three bottles of milk his children need. The milk cost him 150 cordobas, 30 percent of his weekly wages. (The official exchange rate is 28 cordobas to the dollar; the real, or black market, exchange rate is 250 to 1.) To get the money, he told us, he accepts bribes from some of his customers for extra cases of Coke. "This system is corrupting me against my will," he said.

Ramiro's desperate measures hardly merit censure. But others, especially high-ranking Sandinistas, are turning big profits from the scarcity. Members of a leather workers cooperative in Masaya told us that they are officially allotted 10,000 meters of leather a month; they receive between 5,000 and 7,000 meters. The cooperatives' Sandinista directors sell the remainder in Managua's Eastern Market and pocket the money. It is now a general practice for coordinators of the neighborhood Sandinista Defense Committees (C.D.S.) to sell part of the provisions allotted to them by the government on the private market. The people are then informed that provisions have run out.

In the village of El Transito, two hours northwest of Managua, most of the people belonged to the C.D.S. at the outset of the revolution. Now there is but one member, the coordinator, formerly the village's leading Somocista. (The transformation of Somocistas into Sandinistas and of Sandinistas into oppositionists is very common. In every town we visited we were told that former Somoza officials are now running C.D.S.'s.) The coordinator enriches himself by selling C.D.S. foodstuffs and supplies in the Eastern Market. As we passed his house, we were able to peer through the window and see him standing there in his dark glasses, isolated and reviled.

The life-styles of the new rich contrast vividly with that of the rest of the country, and with official rhetoric. A Sandinista *nomenklatura* as emerged. Party members shop at hard-currency stores, dine at luxury restaurants restricted to party officials, and vacation in the mansions of the Somoza dynasty, labeled "protocol houses." Vans pull up daily at government and party offices, to deliver ham, lobster, and other delicacies unavailable elsewhere. In a private state dining room, I ate a sumptuous meal with a commandante at a long table, attended by five servants. The image of the protruding stomachs of the "spoiled ones of the revolution" intruded while we consumed our lemon meringue pie.

Intellectuals and former officials claim that decadence is endemic in upper government and party echelons. A former Sandinista diplomat recounted tales of high jinks and extravagance by Sandinista officials on foreign junkets, and women state employees complained of the same sexual harassment and blackmail that is common elsewhere in Central America. The swinging Sandinista leadership cynically presents and image of revolutionary asceticism to the outside world while being addicted to the very vices that is routinely denounces in "degenerate bourgeois society."

The widespread corruption from the lowest to the highest levels of government makes it hard for Nicaraguans to accept the notion that their problems originate from abroad, or that they should endure further sacrifices "to confront the imperialist enemy." A jobless worker in the Indian town of Monimbo complained, "The C.D.S. insists that we unscrew the street lights to conserve energy in the fight against imperialism. People are falling in holes which the Sandinistas get rich on our misery. What are their sacrifices?"

Those Sandinistas who have refused to be corrupted recognize that their dreams have turned into a nightmare. One government official, a good friend, told me, "We have given birth to a freak. But we must keep him alive." Yet what is to be done when the freak becomes a menace to its people and neighbors? There is a general impression among those in the United States properly aghast at the C.I.A. mining of ports and U.S. support for the professional torturers among the contras that the Sandinistas are the victims, not the victimizers. Inside Nicaragua, however, the image is reversed.

The word Nicaraguans employ the most frequently to describe the Sandinista government is *engaño* (hoax or trick). In the city of Chinandega, we talked with transport workers from an opposition union who on their own time and with their union dues had painted road signs to make the city safer for driving. The Sandinista government took credit for the improvement. The national literacy campaign is one of the most vaunted achievements of the revolution, praised even by many of the government's critics. Yet two "graduates" of the literacy program in a peasant village told us they could not read their diplomas. We couldn't find one student from the campaign there or in the neighboring village who had learned to read. The campaign did somewhat better in the larger cities such as Leon, where, we were told, some had learned to read in follow-up courses. But most had forgotten the little they had learned, and at best could now only sign their name for election registration.

The most outrageous *engaño* occurred during Pope John Paul II's visit to Managua

in March 1983. According to Sandinista accounts, the Pope's mass had been "spontaneously" interrupted by the crowd, offended by the Pope's failure to heed the request of mourning mothers who wanted him to pray for their sons killed in the battle against the contras. Two former government officials, who are still Sandinista supporters, told us a different story. They had been appalled at the interruptions made by cadre from the Sandinista women's organization, furnished with microphones and loudspeakers. After the Pope left, the crowd departed in disgust and the Sandinista leadership was left awkwardly standing on the platform. The two officials, depressed by the spectacle, retired to a bar located next to the offices of the F.S.L.N. radio station. They overheard a group of Sandinista radio employees at an adjoining table bragging about how they had played pre-recorded tapes of crowds chanting Sandinista slogans into the sound system.

The Sandinista *engaño* has been most successful among the resident foreign press. Journalists familiar with the atrocities of the right-wing tyrannies of Central America wish to believe, quite understandably, that the Sandinistas present an alternative. In today's Nicaragua it is easy to confuse desire with reality. The resident press also frequently merges with the larger population of "internationalists," a term which embraces all those foreigners expressing solidarity with the Sandinistas, from Bulgarian and Cuban apparatchiks to idealistic North Americans and West Europeans. It is the general feeling among Nicaraguans that the foreign press in Managua strongly sympathizes with the government, and that it is dangerous to speak openly with them. Disaffected Sandinista intellectuals, friends of friends, who poured their hearts out to me in Managua were afraid to meet with reporters from the U.S. press. We spoke with a resident of Monimbo, where a spontaneous insurrection had ignited the revolution against Somoza in February 1978. We had spent an evening together a year before with a mutual friend, yet initially he as still distrustful. He told us that the revolution had produced "many advances for the people"; two hours later, he was saying, "Monimbo appears to be sleeping, the way it was during the time of Somoza, but the people are united. One day soon they will stand up again."

One of the most common means of sustaining the myth of popular support is the Sandinistas' use of the rationing system as a lever. In numerous villages and cities, we learned that ration cards are confiscated for nonattendance at Sandinista meetings. In Masaya we were told that before one of the "Face-the-People" meetings (in which commandantes meet with local residents) the ration cards of the members of cooperatives were collected; their return was made conditional on attendance. At one such meeting in Chinandega, Ortega branded talk of inflation "a counterrevolutionary plot." A pound of beans could still be purchased for five cordobas, he claimed. A man in the audience stood up and shouted, "Comandante, here's ten cordobas. Please get me a pound of beans." According to his neighbors, he was imprisoned later that day.

Although Nicaraguans still for the most part bow to government pressure, they do so sullenly and without conviction. We witnessed two Sandinista demonstrations, one in Masaya and the other in Chinandega, two historically pro-Sandinista cities. The Chinandega rally, held at 10 on a Wednesday

morning, celebrated the fifth anniversary of the literacy campaign. It was attended entirely by students obligated to go by school authorities. As they marched through the street chanting slogans distributed to them on small pieces of paper by their Sandinista instructors, pedestrians did not so much as turn their heads. None of the presumably grateful, presumably literate, people came to greet the commandante sent from Managua.

In Masaya the demonstration did not even benefit from student participation. As we approached the gathering in the fading afternoon, a large group of students stood on the steps of the Catholic school. They had refused to join the demonstration because the Sandinistas had removed several of their Catholic teachers. The small group of demonstrators had glazed looks in their eyes as the last speeches wound down. I asked a campesino in attendance whether any of the commandantes had come. He answered, "I don't know. I slept through it."

The Nicaraguan populace has been saturated with Sandinista bombast which issues from radio, television, newspapers, local and national political meetings, and block committees, and which is propagated in the schools, the factories, and the cooperatives. The people resist in different ways: with the indifference and boredom we saw in Chinandega and Masaya; with a resurgence in religious feelings which has filled churches and Catholic schools; with suspiciousness and bitter humor.

Jokes and wisecracks against the Sandinistas are proliferating. The two pro-Sandinista newspapers *Barricada* and *Nuevo Diario*, are referred to as *Burricada* (as in bore) and *Nuevo Diablo*. The F.S.L.N. is "the Somocista National Liberation Front." "Why do people prefer Tona [one of the two Nicaraguan beers]? Because the other, *La Victoria*, is bitter." Suspicions of the government are so deep that families of the war dead no longer believe that the government coffins shipped back from the front contain the bodies of their sons. (The coffins are sealed as a matter of policy.) People believe, improbably, that the coffins hold rocks or banana tree trunks. In Monimbo we were told that when a family and friends tried to open a coffin with a hammer and chisel, they were carried off by the police.

Nor is popular discontent restricted to these forms of passive resistance. Sympathy with the contras is becoming more open and more pervasive. I was stunned to hear peasants refer to the contras as "Los Muchachos," the boys—the admiring term used to describe the Sandinistas when they were battling the National Guard. It was apparent that many Nicaraguans are listening to the "Fifteenth of September," the contra radio station. It must be noted, however, that the contras do not operate in the areas we visited, and sympathy toward them may well be proportionate to absence of direct contact.

Draft resistance has become a mass movement in Nicaragua. The government passed legislation last September under which Nicaraguan men between the ages of 16 and 40 can be drafted for two years. When we were in Nicaragua, four hundred women gathered outside the draft board in La Paz Centro, a trading town thirty-five miles northwest of Managua, to protest forced recruitment of their sons. The demonstration was the latest in a string of anti-draft demonstrations in cities and towns throughout Nicaragua. New York Times correspondent Stephen Kinzer, one of the few resident report-

ers to sniff out the engaño of Sandinista policies, reported on June 26 that "draft evasion is widespread," and found that high school attendance in six major provincial capitals had declined by as much as 40 percent. A student in León said that his high school class of forty-five had fallen to fourteen during the past year. Honduran researchers say Nicaraguan draft evaders pay 25,000 cordobas to be transported across the border, part of the money going to Nicaraguan Army officials in bribes. The demand is so great that border smugglers are now requiring groups no smaller than five. Draft resistance strikes a powerful blow at the myth of widespread popular support for the government. Young people have historically been the mainstay of Sandinista support.

Perhaps the most illuminating political event in the five years of Sandinista rule was a rally held for opposition presidential candidate Arturo Cruz in Chinandega on August 5. On that Sunday morning, Sandinista chicanery, censored domestic and lackadaisical international press coverage, and the growing vigor of the opposition converged.

Chinandega, a city of approximately 60,000, was historically the heart of Sandinista organizing efforts and support. These efforts radiated out to the surrounding cotton and sugar fields, to the country's two largest sugar refineries nearby to the stevedores at Corinto, Nicaragua's largest port, and down to León, another center of anti-Somoza resistance. One would have expected that here the opposition would be weakest, the government strongest.

The Chinandega demonstration was the last series of six held in support of Cruz. Each rally had been larger than the last. The organizers were denied access to Sandinista-controlled TV stations. They were able to place an ad on the one local non-Sandinista radio station, but they relied chiefly on two vehicles with loudspeakers, and on word-of-mouth. Two days before the rally three "angels," as members of the state security are commonly known, called on the organizers of the demonstration and accused them of being C.I.A. agents. The turbas divinas, "divine mobs" of Sandinista supporters, circled their houses at night beating sticks against cans and chanting until the small hours of the morning. (Somoza's version of the turbas—the Nicolasa—used to employ the very same method against the opposition.) Meanwhile, Sandinista newspapers and television branded the opposition as consisting of contras and agents of American imperialism, and announced that further "aggressions" by them would not be permitted. Local authorities implied that the demonstration would be declared illegal. The day before the rally, Daniel Ortega, the head of the Sandinista government and the Sandinista presidential candidate, spoke to two hundred youths in El Viejo, a village three miles away. El Viejo's residents later claimed that the youths had been incited against the demonstration's leaders.

Fearing an attack by the turbas, organizers did not put up the banners or placards until early on the morning of the demonstration. But as they were working, fifty turbas burst into the soccer field, tearing down the banners and dispersing the organizers. They returned later during the day to try to repair the damage.

We spoke with two organizers—middle-class professional women who had belonged to the F.S.L.N. before the revolution. (According to one, "the F.S.L.N. says that the

opposition is Somocista. But most of the old Somocistas are working with the government. The opposition has remained the same. It is the F.S.L.N. that has changed.") They told us that after the turbas' nighttime serenading, they went to complain to the offices of the party representative, the chief of police, and the chief of state security, and to the Sandinistas. They were assured that the turbas would be controlled and that the demonstration would not be obstructed. After the early-morning attack, the two women went to the house of the local party leader. The door was open, and they entered. In the next room they heard the turbas informing him of the success of their mission.

There is no question that many who wished to go to the Cruz rally stayed at home. On the day of the rally, local authorities impeded traffic from outlying areas into Chinandega. As Cruz marched through the city, many people opened their doors, gave him the "V" for victory sign, and then ducked back into their homes to avoid the everpresent eyes of the C.D.S. One woman said she did not go to the demonstration because she lived too close to the Sandinista youth office. She told of others who received threatening phone calls. Two weeks after the demonstration, a gas station attendant in Managua told us he had gone to the rally and that three friends who had accompanied him were in jail.

As might be expected, estimates of the turnout vary. Opposition figures soared as high as 20,000; local newsmen said 7,000. Given Sandinista efforts to reduce attendance, even 7,000 seems an impressive number, especially since three months before, the F.S.L.N. only managed to get 2,500 to Chinandega for the country's principal May Day rally. NBC taped the entire Cruz demonstration. Should this tape ever be shown publicly, experts will be able to make an accurate judgment about the number of demonstrators. When I viewed the tape it was evident that these thousands of demonstrators were hardly "bourgeoisie," as the Sandinistas claimed. They were overwhelmingly workers, peasants, and young people. I learned later that workers had hired their own trucks to come from the San Antonio Refinery and from the port of Corinto. They chanted slogans like "El frente y Somoza son la misma cosa." ("The Sandinistas and Somoza are the same thing.")

When Cruz began to speak, dozens of turbas armed with sticks, stones, and machetes surrounded the field. They came in on what appeared to be army trucks chanting, "Power to the people." They proceeded to break the windows and puncture the tires of demonstrators' cars. The police seemed to make no serious effort to restrain them.

When the turbas attacked the demonstrators themselves, opposition youths dispersed, only to return wielding their own sticks and stones. Out-numbered, the turbas were routed.

The almost complete absence of foreign and domestic press coverage enabled Sandinista officials to characterize the demonstration their own way. We encountered a Sandinista official drunk at midday on the streets of El Viejo. He told us that the demonstration had taken place at the private home of a bourgeoisie and was attended only by a handful of plutocrats. In Managua, the Sandinistas told us that there had been several hundred demonstrators. The following day the Nicaraguan press carried no mention of the events except for one

photograph in the official newspaper *Barriada* which purported to show the turbas attacked by "fascist" demonstrators. *La Prensa* had devoted several articles and photographs to the demonstration and the clashes, but these were all censored, and the paper did not appear. This was the very day that Daniel Ortega had announced the lifting of press censorship.

The demonstrations for Cruz's candidacy tested the popular mood and the prospects for "the first free elections in Nicaragua," as the Sandinistas' slogan puts it. Among the conditions that Cruz and his supporters have laid down as indispensable for participation are guarantees of freedom of movement, assembly, and equal access to the press and television; sufficient time to campaign; international observers; and, most importantly, guarantees that if he won the election he would be allowed to take office. What happened at Chinandega strongly suggests that neither a genuine election nor a genuine campaign can take place.

Chinandega also exposed the Sandinistas' electoral stratagem. Their decision to hold elections in November was based on a rudimentary political calculation. They judged that the external legitimacy provided by elections would more than compensate for their internal cost. They knew that power does not often change hands in Central America through elections. Somoza's elections had proven that, and the Sandinistas are in a far better position to control elections than Somoza ever was.

Yet their calculations were wrong on two counts. First, they failed to account for the Nicaragua people. High-level Sandinista officials to whom I have spoken seem to live, along with their international supporters, in a dream world. They deem that the "anti-imperialist sentiments" of the Nicaragua people allow them to bear any sacrifice even when their "anti-imperialist" leaders bear none. They receive favorable reports from lower-level cadre whose jobs depends on the perception of success. The Sandinistas knew that after five years of enforced political paralysis, the opposition was poorly organized, divided, and amateurish. The spontaneous popular reception for Cruz took them by surprise. Second, they failed to recognize the degree to which they have alienated progressive opinion in Latin America and Western Europe. Cruz's recent highly successful trip to Costa Rica, Venezuela, and Colombia, and his support from European Social Democrats like Spanish Socialist Prime Minister Felipe Gonzalez, has confounded the F.S.L.N.'s electoral plans.

Thus the Sandinistas find themselves in a quandary. Will they back down and permit Cruz to run under reasonable conditions, or will they go ahead with a discredited election? Thus far at least, the Sandinistas seem unwilling to pay the price of submitting their rule to a popular test. One Sandinista official, whom I have always considered a moderate, told me privately that they would prefer a U.S. intervention because it would "vastly accelerate the Latin American revolution against U.S. imperialism." He told me that the Nicaraguan Army would immediately invade Honduras and Costa Rica and be greeted as "liberators" by the people.

One can only hope that cooler Sandinista heads will prevail. Authentic elections may be the last chance to avert full-scale civil war. If democratic channels cannot be opened, the civilian opposition will be forced to link up with the armed opposition—which is exactly what happened in the 1970s in El Salvador after fraudulent elec-

tions. The United States, which has a monstrous record in Nicaragua, can do something to help. What is needed now most urgently is a bipartisan effort in support of authentic elections in Nicaragua.

As we pulled out of Managua in the fading light of a Sunday afternoon, we found ourselves directly behind an army convoy made up of about twenty vehicles. But unlike the army convoys I have seen in El Salvador, Honduras, and elsewhere, it would not permit traffic to pass. A large vehicle with a blinking light occupied the left lane, forcing vehicles coming toward us off the road. A soldier with a machine gun was poised on the rear truck. It took us four hours to cover the fifty miles to León. It was a grueling microcosm of Nicaragua today: the Sandinistas in the "vanguard" preventing the normal flow of traffic, whether out of real fear, paranoia, or bullying. Behind them the rest of the population followed, inconvenienced, irritated, and enduring another pointless "sacrifice" for the Sandinistas' militarism. Our inconvenience was only four hours: the Nicaraguan people experience this twenty-four hours a day. Their patience has worn thin.

Robert S. Leiken is a senior associate at the Carnegie Endowment and the editor of "Central America: Anatomy of Conflict." (Pergamon-Carnegie).

LABOR UNDER SIEGE

(By Sam Leiken)

In the last several years, a number of union friends of mine have returned from Sandinista-sponsored tours of Nicaragua with enthusiastic reports of the achievements of the revolution. I visited Nicaragua myself this summer, meeting with members of both official Sandinista labor federation and the independent unions. I didn't expect to discover a workers' paradise in this underdeveloped and crisis-ridden region, or to see workers running the factories. But I did hope to find signs of progress toward empowering the workers and peasants. Instead, I saw a labor movement battling a "Socialist" government which resists worker demands with tactics ranging from state-controlled unions to spurious arrests and violent goon squads.

In the 1970s labor was united against the Somoza regime, and workers expected that it would remain united to rebuild the country in the aftermath of Somoza's fall. But after assuming power, the Sandinistas sought a large measure of control over the workers by enrolling all Nicaraguan unions in the *Central Sandinista de Trabajadores* (C.S.T.). In 1980 the C.S.T. joined the World Federation of Trade Unions, headquartered in Prague. "The F.S.L.N. wanted to impose a central union, not build one," one opposition labor leader told me.

When centralizing efforts failed, the Sandinistas used state power to penalize unions unwilling to affiliate with them, to organize disruptive factions, and ultimately to jail opposition union leaders. I was told of death threats, beatings, police raids on union headquarters, military conscription of union dissidents, and blacklisting. Opposition leaders are now reluctant to use the recently restored right to strike for fear of being charged with "economic sabotage" and "abetting imperialism."

I talked with truckers from the port city of Corinto who had voted to disaffiliate their local from C.S.T. and to join the independent C.U.S., which is associated with the A.F.L.-C.I.O. through the International Confederation of Free Trade Unions. Soon thereafter, the local's office was attacked by

police and turbas. Later some had their drivers' licenses revoked, and a half-dozen union leaders were jailed. In another incident a leader of the other independent union, the C.T.N., said he had been beaten and his nose broken by turbas at the Managua airport in full view of military and civil police.

The Sandinistas have also alienated workers in their own unions, which has led to increasing numbers of wildcat strikes. Several years ago, when the Sandinistas nationalized the German Pomares sugar works, they ousted the independent union. Then, to ensure a docile new leadership, they stacked the vote by trucking in illiterate cane cutters. This summer workers at the refinery defied their leaders: They struck after the union allowed management to cut back worker access to the company store's superior goods and low prices.

While we were in Managua there was a wildcat sit-in at the government-owned Victoria Brewery. Truck drivers there earn 3,000 cordobas a month. Rents average 1,000 a month, and a pair of pants cost 1,000. One deliveryman told me, "We've had the same salaries for the last five years and hunger has made us explode." The Victoria workers knew that to return to work without a contract can spell defeat. Forced to go back on the job, they effected a slowdown as a way to sustain their leverage.

The official F.S.L.N. newspaper, *Barriada*, carried a single article on the Victoria "labor dispute." It quoted Sandinista union leaders as saying that they offered "full support to the workers," but also said that they were urging them to return to work immediately. In contrast, *La Prensa* carried a front-page picture of 200 Coca-Cola drivers parading their trucks in solidarity with the Victoria workers. I was able to confirm *La Prensa's* report that solidarity brigades were sent by the competing brewery Tona, *La Milca* fruit punch, Pepsi-Cola, and Standard Steel. Several of these unions also have announced impending strikes.

The dissident labor leaders I met were plainspoken, accustomed to dealing with concrete facts. The C.S.T. official I spoke with talked grandly about how the Sandinistas reorganized Nicaragua's tiny, undeveloped labor unions "by industrial branch." Yet he was at a loss to explain why they had abolished the Nicaraguan equivalent of the U.S. National Labor Relations Board (*Tri-bunales de Trabajo*).

He often contradicted what the workers had told me. The workers at the San Antonio sugar refinery said that they had launched a wildcat strike last February to uphold a wage agreement reached between workers and management. According to the workers, the labor minister, backed by the C.S.T. leadership, disallowed the labor contract because its wages exceeded government guidelines. The C.S.T. official claimed that the labor minister had rejected the contract because its wages were too low, and even credited the C.S.T. with leading the strike to raise wages. He went on to dismiss the Victoria wildcaters as "backward" and "disobedient." He saw his role not as a representative of the workers, but as their "intermediary" with the employer.

Numerous dissident union leaders described their situation as closely resembling that of the Solidarity movement. One leader, comparing Nicaragua to Poland, told me: "We are both small countries and have suffered many invasions. We both experience long lines and scarcity while many of our products are shipped off to the Soviet bloc. We are Catholic countries with close

ties between the unions and the church. We live under regimes where citizens can be jailed at will. And both governments brand independent unions 'anti-Socialist agents of imperialism.'" Listening, I found myself wishing that some of my fellow union activists had come with me to Nicaragua. They would have been as shocked and disappointed at the repressiveness of this "government of workers and peasants" as I was.

Sam Leiken, who has spent the last decade as a machinist and labor activist, is studying at the Kennedy School of Government at Harvard. ●

MR. MONDALE'S TAX INCREASE IS GUARANTEED TO SLOW THE ECONOMY AND INCREASE THE DEFICIT

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. KEMP. Mr. Speaker, The credit for offering one of the most reactionary fiscal proposals in recent history goes to the Presidential candidate of the Democratic Party. He promises to impose on America's working families an additional \$85 billion in new taxes just when we began to crawl out from under the tax burden the Carter-Mondale administration had bequeathed.

Among the most insidious aspects of the Mondale tax plan is that it proposes to restore the inflationary spiral and rollback inflation indexing in order to achieve its objectives. Never before has any major Presidential candidate openly said he will inflate the economy in order to balance the Federal Government's books. Herbert Hoover himself, no slouch at tolerating austerity, would have recoiled at Mr. Mondale's unruffled suggestion that inflation become America's budget balancing policy. It seems Mr. Carter's Vice President not only wants to be elected, but he also intends to punish Americans for having repudiated the administration in which he played such a prominent policy-setting role.

Alan Reynolds has unmasked this astonishing proposal in the following article, and I urge my colleagues on both sides of the aisle to study it carefully. It demonstrates the cul-de-sac the once unchallenged majority party finds itself in this year.

[Exerpts from Reynolds article follow]

MR. MONDALE'S INFLATION TAX

Although the next Presidential term ends in 1988, Walter Mondale has offered a budget plan for 1989. Half of the plan consists of higher tax rates; most of the rest is all the good things that higher tax rates and loose money are supposed to do for the economy, like raise farm prices and real GNP. Any spending cuts are strictly "blue smoke and mirrors," like an "overall spending limit" for health care, or getting Congress to reverse itself on the B1 bomber and MX missile.

In January, a Mondale fact sheet estimated that the 10% surtax on couples earning over \$60,000 would generate only \$6 billion in 1989; the 20% surtax above \$100,000 would supposedly yield \$5 billion. As President Mitterrand of France recently discovered, however, such punitive marginal tax rates only succeed in "stifling initiative and output." By discouraging the not-so-easy task of raising family income above \$60-100,000, there would be fewer high incomes left to tax. More of the tax burden would then fall on lower incomes.

Nearly half of Mondale's tax increase (\$35 billion) is expected from "bracket creep"—allowing families with gross incomes above \$25,000 to be inflated into ever-higher tax brackets, for an indefinite period, at the rate of 4% a year. Although \$25,000 is near the 1984 median income for one-earner families of four, most families have two or more workers. By 1989, average two-earner families will probably earn \$50-60,000, and the \$25,000 cut-off for complete tax indexing would mean that "bracket creep" would affect families with incomes that are well below average. Since those earning \$60-100,000 today would soon be in the top 55% tax bracket, Mondale's limit on indexing would mainly affect those whose incomes are average or below.

Attempting to use inflation to reduce the deficits means that Mondale dare not let inflation slip below 4% a year. This is somewhat ironic, since a 1% inflation rate would cut the 1989 deficit by \$44-52 billion, which is more than the hoped-for yield from perpetual bracket creep.¹

In reality, every attempt to raise tax rates through bracket creep has had the same effect as Mitterrand's ill-fated surtaxes—rising marginal tax rates always suffocated initiative, effort and entrepreneurship. Periods in which inflation seemed to raise Federal revenue, like 1974 and 1979, actually widened the deficit by collapsing real economic growth.

Mondale claims that "average income families . . . got no relief from Mr. Reagan's tax cuts." This is not true, even for median one-earner families. Previously legislated increases in Social Security taxes did offset half of the cut in average income taxes, but the marginal rate on future pay increases was significantly reduced (from 24% to 22%) and protected against inflation. Individual Retirement Accounts also help middle-income families accumulate wealth, and new tax credits offsetting the "marriage penalty" are particularly helpful for two-earner households. Together with stopping inflation, these marginal tax incentives have helped to raise real after-tax income of median families by 5.6% since 1981. The median family's living standards fell every year with Carter-Mondale "bracket creep," and would do so again under Mondale's proposed revival of the same policy mix.

The Mondale plan would sharply increase the steep climb through rising tax brackets, penalizing the added output and income that constitute economic growth. As young couples progressed to more demanding jobs, they would face three demoralizing hurdles: loss of protection against bracket creep at \$25,000, and two 10% surtaxes at \$60,000 and \$100,000. These marginal disincentives to added effort and personal investment would resemble a staircase, where taking the next step results in the tax collector

grabbing a much larger share of any added earnings. The inevitable result would be reduced motivation, mobility, risk-taking, learning, wealth accumulation and business formation. The economy would stagnate.

Mondale's revenue estimates from higher tax rates depend critically on the hidden assumption that higher tax rates have no adverse effects at all on real GNP, interest rates or inflation. Indeed, Mondale somehow forecasts that real GNP will grow faster if the government keeps a much larger share of that added production.

Even within orthodox econometric models, higher tax rates have negative "feedback effects" that reduce the static revenue estimates by shrinking taxable earnings.² Steeper marginal tax rates obviously reduce the after-tax interest paid to personal savers, which would raise interest rates. The gap between yields on taxable and tax-exempt securities would widen, indicating a larger premium to compensate for higher taxes. In "Keynesian" econometric models, Mondale's tax proposals could only reduce interest rates by reducing investment and economic growth.³ Clearly, the dilution of accelerated depreciation, by renewed inflation and the "minimum tax," would reduce business fixed investment, but that is a perverse method of lowering interest rates.

From a supply-side perspective, the Mondale tax proposals are inherently inflationary, because they contract production and productivity. The Swedish economist Assar Lindbeck explained this process as follows:

Higher marginal tax rates create disincentives for the intensity of work, the ambition to strive for promotion, the willingness to shift from one job or geographical region to another, the desire to invest in human capital (if taxes are progressive), etc. Both households and firms may also be increasingly induced to substitute productive effort in the "underground economy" for work in official markets—as well as to participate increasingly in zero sum games of search for tax loopholes and profitable financial speculation. The ensuing slowdown of productivity growth in official markets is likely to result in higher inflation. . . .⁴

Mondale has also been quite candid about his intent to sink the dollar by 30%, which would raise broad price indexes by at least 6%. The devalued dollar is the explicit way Mondale expects to reduce farm subsidies—by inflating food prices. Mondale's advisors know perfectly well that the value of the dollar depends on the Federal Reserve. They are not really deluded by Feldsteinite nonsense about the need for tight money to bribe foreigners to finance the deficits (foreigners now hold only 13.6% of the national debt, down from 17.5% in 1980).⁵

As *The New York Times* reported on September 11, "Mr. Mondale and some of his advisors have talked of a specific 'accord' with the Federal Reserve to guarantee the decline of interest rates. . . . Mondale

economists say that without an easing by the Federal Reserve, the increases in taxes proposed . . . could throw the economy into recession." Actually, these taxes could throw the economy into recession with or without Fed easing. The "supply shock" of the tax hike plus the "demand stimulus" of a significantly weakened dollar adds up to falling output and accelerating inflation.

The Mondale taxes alone would sink the dollar by making the tax-cutting nations (Japan, Britain, Germany and France) relatively more attractive places to invest. Market knowledge of Mondale's intent to reach an accord for loose Fed policy would provoke an immediate flight from dollar-denominated assets. As in 1978-79, monetarist rules would stall the necessary tightening, because the problem would be from the falling world demand for outstanding stocks of U.S. money, not from the new flow of "money supply." Some weakening of the dollar's foreign exchange value is currently prudent and desirable, but it would quickly get out of hand under the Mondale policy mix.

In short, by giving the government budget priority over the budgets of families and firms, Mondale's tax and monetary proposals would collapse real production, stimulate "demand" (spending), and revive acute stagflation. These results are not conjectural because the "new" Mondale package is essentially the same one tried in the U.S. in 1978-80, and more recently in France.

The starting point for Mondale's calculations is the August budget forecast from the Congressional Budget Office (CBO). The CBO is often said to be "nonpartisan," but that does not mean the organization is either nonideological or accurate. The CBO is evidently pleased that "the Federal Reserve is likely to contribute to slowing [real GNP] to a sustainable pace." That sustainable pace turns out to be "2.8 percent next year." Slow growth is desirable, in the CBO model, because an unemployment rate below 6.3% is considered inherently inflationary. Inflation rises to 4.8% for the rest of the decade "because unemployment is assumed to decline to a range in which most economists believe wage growth will show no further deceleration." The CBO's maniacal attachment to this obsolete "Phillips Curve" view is the reason that they assume that interest rates and unemployment must remain high in order to prevent higher inflation. The CBO's large budget deficits are a result of its recommended monetary policy.

Suppose the following minor revisions in the CBO's "assumptions":

- Raise real growth by 1% per year.
- Lower unemployment by 0.5%.
- Lower inflation rates by 1%.
- Lower interest rates by two percentage points.
- Reduce estimated growth of spending by 1%.

These are not massive changes, yet they have enormous cumulative effects on deficits and debt. By the CBO's own rules-of-thumb, the budget would be essentially balanced by 1988. The Mondale Budget Program, however, claims "the CBO projections rest on relatively optimistic assumptions." That is, a permanent inflation rate of 4.8% and unemployment of 6.3% is the best we can do.

A key question, then, is whether or not the revised economic assumptions could be achieved if Phillips Curve ideology did not stand in the way. At first glance, the assumption of 4.2% average real GNP growth

¹ Congressional Budget Office, *How Changes in Fiscal Policy Affect the Budget: The Feedback Issue* (June 1982).

² Richard Kopcke, "Will Big Deficits Spoil the Recovery?" in *The Economics of Large Government Deficits* Federal Reserve Bank of Boston (1983).

³ Assar Lindbeck, "Budget Expansion and Cost Inflation," *American Economic Review* (May 1983) p. 286.

⁴ The inflow of foreign capital fell in 1983-84—it just did not fall as much as did U.S. lending to LDCS: Federal Reserve Bank of St. Louis, *International Conditions* (August 1984).

⁵ Congressional Budget Office, *Baseline Budget Projections for Fiscal years 1985-89* (February 1984) p. 56.

may appear wildly optimistic. However, such a growth rate merely required that real GNP in this decade expand at about the same depressed rate as it did in the 1970's. Between the first quarters of 1979 and 1984, real GNP growth averaged only 1.9% a year—far below the 3.9% average from 1948 to 1968. The CBO forecast assumes that the economy never gets back to a normal trend, and never recovers from the 1980-82 contraction. Indeed, the real economy expanded more rapidly from 1931 to 1940 than the CBO projects for 1980 to 1989, or 1985 to 1989.

Assume that the CBO is underestimating long-term real growth by \$20 billion a year (only six months ago, the CBO underestimated real GNP in the coming quarter by \$65 billion). The path may not be smooth, of course, averaging much more or less than 4.2% in some years. But a 4.2% trend is a quite modest objective through 1989, far below the 5-6% potential estimated by Pierre Rinfret.⁶

A decline in unemployment of one-half percentage point per year is possibly ambitious for 1985, but pessimistic for later years. Aside from the CBO, even Phillips Curve theorists now argue that the reduced influx of women and teenage job seekers (who change jobs often) makes an unemployment goal of 4.5-5% quite feasible.⁷ With the CBO's "sustainable" growth of 3.1%, however, unemployment would increase unless productivity gains virtually stopped. Productivity has been rising at a 3.9% rate in the recovery, and the labor force at 1.9%. Even if productivity slowed to 2% and the labor force growth to 1.5%, then 3.5% growth of real GNP would not be enough to reduce unemployment. The CBO is "unrealistic."

Reducing the CBO's estimated inflation by only 1% seems a modest objective in view of falling producer prices and the still punishingly-high real interest rates. The CBO predicts that inflation will remain at around 5%, with interest rates 4-7 percentage points higher. In the long-run, that is not a feasible combination. The real return on borrowed capital would decline with diminishing returns (and more so with the Mondale taxes), so that maintaining such high real rates would be deflationary. The revised forecast therefore drops the real interest rate by one percentage point, to 3.1%. Mondale's forecast implies a lower real rate (2.7%)—actually much lower because of his inflationary tax and exchange rate policies.

Also assume that federal spending grows at a 1% slower rate than CBO estimates, regardless of the economic forecast. This may be regarded as an extremely modest policy objective, achieved through such devices as the line-item veto and a few Grace Commission reforms. Alternatively, it could be regarded as sheer skepticism that federal spending will otherwise rise as rapidly as the CBO projects—namely, by 9-10% a year.

In the first 10 months of the current fiscal year, revenues rose at an 11.5% rate, spending by 5.2%. If that trend were to continue, the deficit would be \$134 billion next year, with a surplus in 1988.

In order to claim that deficits will instead increase, the CBO has to reverse the existing trends and get spending to increase

more rapidly than revenues. Dismal economic assumptions are not enough to generate such a dramatic turnaround.

It is commonly reported that differences in budget projections merely reflect different assumptions about the economy, particularly about interest rates. There are other sources of error. Only six months ago, the CBO projected that spending—aside from interest—would rise by 5.5% this year. That now looks like an error of \$11-16 billion in a very short period, and the CBO attributes none of that change to revised economic conditions.

The CBO now "projects" that the actual rate of increase in federal spending will nearly double next year—an increase of 10%, followed by 9% increases through 1989. Although spending has fallen from 24.9% of GNP in 1982 to 23.5% this year, the CBO projects spending growing faster than GNP from here to eternity. I merely assume that the 1985 increase in spending is \$9 billion less than the CBO now expects, either by accident or design.

Finally, the net effect of these minor adjustments is that the 1989 national debt is \$715 billion (29%) smaller than the CBO estimate. I estimate the savings in interest payments on that smaller debt, assuming 9% average interest rate on bonds and bills. These savings would be larger at a higher interest rate, though lower in the interest rate column. I also assume, conservatively, that lower inflation and higher growth do not reduce off-budget deficits.

In early 1983, the CBO described its current 3.1% growth forecast as the "low-growth alternative." Yet the national debt was then expected to hit 49.5% of GNP by 1988, compared with the current "low-growth" estimate of 43.2%. In the same period, the OMB's infamous \$306 billion "structural deficit" for 1988—a deficit that could not be reduced without a contingency tax—has been quietly cut in half. With "technical re-estimates" of this magnitude after only 18 months, how can anyone propose to base current policies on a budget forecast for 1989?

The alternative approach is to continue the recent policy of keeping tax revenues growing more rapidly than spending. This involves a more symmetrical monetary policy than that proposed by either the CBO or Mondale—that is, the Fed must be equally intolerant of both falling and rising commodity prices, rather than keeping interest rates artificially high or low. A growth-oriented approach must also keep marginal tax rates as low as possible, given the average tax rate, in order to maintain growth of reported earnings.

There is nothing inherently impossible about strong economic growth, a stable currency and low unemployment. Japan has accomplished those results for several years, yet Japanese investors are now betting that the potential is even greater in the U.S. That potential cannot be realized under a Fed-CBO policy of deliberately keeping the economy underemployed. Nor can it be realized under a Mondale policy of penalizing added output, and relying on a substantially weakened dollar to generate tax revenue through permanent inflation. A weak-dollar and high-tax policy would revive the inflationary suffocation of economic incentives experienced in 1978-81, at least doubling the deficit by 1986.●

PRESIDENT REAGAN SUPPORTED FOR BACKING GENOCIDE TREATY

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. PORTER. Mr. Speaker, I would like to commend the administration for supporting the ratification of the Convention on the Prevention and Punishment of the Crime of Genocide. This treaty simply condemns "the intentional destruction of any national, ethnic, racial or religious group * * * by killing its members * * * imposing conditions of life intended to bring about their physical destruction, imposing measures intending to prevent birth" and other measures pioneered by the Nazis.

Despite the support of Presidents Truman, Kennedy, Johnson, Nixon, Ford, Carter, and now Reagan, this treaty has languished in the Senate, opposed by a few people who may have felt that genocide was a thing of the past. Over the last 39 years, this assumption has been proved terribly naive. In Kampuchea, Uganda, East Timor, Iran and many other places, governments have ruthlessly exterminated groups of their own citizens with a brutality that rivals their Hitlerian mentors.

Mr. Speaker, the United States can no longer dither over a document so basic to civilization. I trust that my colleagues will join with me in the hope that the United States will put itself squarely behind the treaty against genocide.●

TRIBUTE TO JIM HARTUNG, OLYMPIC GOLD MEDALIST

HON. HAL DAUB

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. DAUB. Mr. Speaker, in Omaha, NE, we take great pride in the accomplishments of Jim Hartung who joined with five other young Americans earlier this summer in the pursuit of an Olympic gold medal. As the Nation now knows, Jim returned from the 1984 Olympics and brought the gold home with him.

If international recognition is new to Jim, national prominence certainly isn't, and Nebraskans have, for a long time, appreciated this young man's hard-earned skills. Since his days at Omaha South High School, Jim's impressive accomplishments have become very familiar to us. As a member of the Nebraska NCAA gymnastics championship team and a former member of the U.S. junior

⁶Pierre A. Rinfret, "The U.S. Could Be in for Incredible Growth," *Business Week* (September 24, 1984) p. 22.

⁷Some Economists Call for lowering Natural Jobless Rate to Cut Deficit," *the Wall Street Journal* (September 11, 1984).

gymnastics team, Jim—time and again—demonstrated that intense practice, dedication, and determination leads to bigger and better goals and achievements.

We who count ourselves among Jim's friends and neighbors are proud of his contribution to gymnastics and to the American team's victory in Los Angeles. I know that my colleagues will want to join me in congratulating Jim on this prestigious recognition of his superior talent and his dedication to excellence.●

PROTECT ANATOLY SHCHARANSKY AND JOSEF BEGUN

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. PORTER. Mr. Speaker, I would like to call my colleagues' attention to a petition signed by 48 former Soviet refuseniks, all of whom have served a prison sentence as a result of their quest for freedom. This petition is addressed to Members of the U.S. Congress and Canadian Parliament and describes the prison conditions for Anatoly Shcharansky and Josef Begun and a recently adopted law granting prison officials authority to extend the length of time prisoners must serve.

Both Shcharansky and Begun are serving prison terms for so-called "criminal acts," but we, in the West, know that they are really being persecuted solely for their commitment to their religious faith, and for their desire to emigrate from the U.S.S.R. Recently reports from the Soviet Union indicate that both of these men are in need of medical attention which the prison authorities have not adequately provided them. Equally distressing is the adoption of the law to give prison officials additional responsibilities in administering punishments to their prisoners. I am greatly concerned that this new law will be used against Prisoners-of-Conscience who have in the past been singled out for harassment by prison authorities.

I urge my colleagues to join me in raising their voices to urge Soviet officials to reexamine their policy of mistreating prisoners of conscience and to take the necessary steps to provide adequate medical care for Anatoly Shcharansky and Joseph Begun.

August 14, 1984.

To the U.S. and Canadian Congresses and to the Governments of all European Countries:

SIRS: The Soviet authorities continue to exacerbate their policy towards all Soviet Jews. As usual, the first victims of this worsening situation are the Prisoners of Zion and the Jewish movement's activists. Anatoly Shcharansky's health has been damaged by the 100-day hunger strike which he un-

dertook to protest his illegal isolation from the outside world. Now, authorities threaten to add three more years of strict regime imprisonment to his sentence. Josef Begun, who began a hunger strike in May to protest the illegal worsening of his prison conditions, was taken to the prison hospital in serious condition and is also under threat of cruel punishment.

A new law which has been passed by the USSR allows prison authorities to add up to three years of imprisonment after a prisoner has completed his term and this can, in effect, condemn any political prisoner to life imprisonment without any legal investigation. A law like this, which was enforced only in Stalin's day, goes beyond all democratic norms.

Today it is still not too late to prevent the execution of judgment on the national Jewish movement. We, the Jewish activists, former Soviet citizens, ask you to intervene immediately because only such intervention can save the lives of the two sick prisoners, Anatoly Shcharansky and Josef Begun, and can stop the process of this law. The political and social pressures of the free world have in many cases stopped the tyrannical behavior of Soviet authorities.

FORMER REFUSENIKS

Dr. Lazar Lubarsky, Hillel Butman, Anatoly Altman, Yosef Mendeleovich, Sylva Zalmanson, Boris Penson, Ruth Alexandrovich, Arieh Khnokh, Raisa Polatnik, Natan Malkin, Lev Roitburd, Dina Voitevskaia, Sender Levenson, Mark Dymshitz, Yakov Suslensky, and Dr. Meyer Gelfand.

Dr. Avram Salamonik, Dr. Mila Finkelman, Dr. Chaim Margolies, Dr. Dan Roginsky, Dr. Alexander Blank, Dr. Yosef Ahs, Dr. Yuri Shtern, Dr. Lev Utevsy, Dr. Tsvi Medarek, Dr. Yuri Kolker, Prof. Emil Lyoboshets, Prof. Yitzhak Galkhberg, Prof. Alexander Voronel, Shmuel Azarkh, Channa Yelinson, and Prof. Israel Piatetsky-Shapiro.

Dina Beilina, Vladimir Gluzman, Inessa Rubin, Natasha Markova, Vladimir Levin, Boris Moshkozitch, Mikhael Nudler, Valery Sorin, Shimon Schwartzband, Marina Kaneyvskaia, Lev Genin, Eli Silverman, Silva Gottrab, Avigdor Lieberman, Alexander Shipov, and Edward Ussaskin.●

TRIBUTE TO TOM CORCORAN

HON. J. KENNETH ROBINSON

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 1, 1984

● Mr. ROBINSON. Mr. Speaker, I have never had the pleasure of serving with our colleague, TOM CORCORAN of Illinois, on a standing or select committee here in the House of Representatives.

But we have shared a common commitment to conservative principles with regard to a number of the great issues that have been before this body during our mutual service in the Congress, including mutual opposition to the Panama Canal giveaway, and mutual support for many elements of President Reagan's program.

So I rise to join in expressing appreciation for the leadership that he has rendered to his country in addressing such issues so straightforwardly, as

well as to thank him for his service on the House Energy and Commerce Committee and on the House Post Office and Civil Service Committee.

It is regretted that he will not be returning to this body in the next Congress. One way or another, however, I'm confident that his voice will continue to be heard in support of commonsense policies of benefit to the Nation.●

NONDISCLOSURE OF HEALTH AND SAFETY INFORMATION: A CRIMINAL ACT

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. CONYERS. Mr. Speaker, today, I introduced H.R. 6350, the Corporate Criminal Liability Act of 1984. If enacted, H.R. 6350 would create criminal liability on, and financial sanctions against corporate managers who knowingly fail to disclose health and safety information relating to any business practice, process or product. I welcome all cosponsors.

In the 97th Congress, the Subcommittee on Crime, which I chaired, held extensive hearings on a similar bill introduced by my friend and colleague, Congressman GEORGE MILLER of California. These hearings recounted a litany of instances in which the willful suppression, distortion and manipulation of health and safety information resulted in disease and death of literally tens of thousands of workers exposed to toxic chemicals, of residents living in environmentally polluted communities, and of consumers subjected to tainted consumer products. In short, the hearings documented that the time honored democratic right to informed consent, in the area of health and safety, has been persistently subverted.

Indeed, known instances of suppression, distortion and manipulation of health and safety information are legion. The dangers of asbestos, for instance, were well known to the asbestos industry by the 1930's but were intentionally suppressed by that industry until the 1970's. This willful act of nondisclosure meant the death and permanent disability of tens of thousands of victims previously exposed to asbestos. Similarly, in the 1960's the manufacturers of the pesticide kepone discovered its toxic and carcinogenic properties, but failed to reveal these dangers until the mid-1970's once hundreds of workers had developed debilitating neurological and reproductive disorders. These instances are illustrative of a wide range of other examples including the failure by the particular manufacturers to disclose the potential and often fatal dangers of DBCP,

chlordan/heptachlor, benzene, flame-retardant carcinogenic children's sleepwear, and hazardous automobile defects, just to name a few.

The frequency of these practices preclude their dismissal as aberrations. And as we begin to realize the paucity of information on a wide range of chemicals and substances being used today in commerce, the issue begins to assume even larger dimensions. For instance, while there are more than 60,000 chemicals and substances currently in commerce, there is public information on less than 5 percent of these substances. In the meantime, there is no assurance that particular short-term economic interests of a firm who seeks to market a product with one or many of these substances will not supplant the health and safety interests of workers, consumers and the public at large. It is the realization of the extent of the information which the public is still not privy to which is a main impetus behind the introduction of the legislation at this time.

This bill is not intended as an antagonistic indictment against the business community. Rather, it is an attempt to codify respect and responsibility for human life at every level of business management, and to remove the glaring legal disparities between crime in the suites and crime in the streets. It offers business the timely opportunity to explicitly reassert its highest ethical standards and, by policing itself, to preclude or limit the need for further regulatory action. The bill imposes no unreasonable restraints on commerce or on technological innovation, but merely seeks to encourage honest disclosure of lethal defects and to deter and punish those who commit criminal acts of nondisclosure. In doing so, the legislation will discourage the introduction into commerce of products with lethal defects, with attendant major economic dislocation following their subsequent withdrawal once these defects become belatedly recognized. The bill is an attempt to make the system work. The bill follows.

H.R. 6350

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

That chapter 89 of title 18 of the United States Code is amended by adding at the end the following new section:

"§ 1822. Nondisclosure of serious concealed dangers by certain business entities and personnel

"(a) Whoever—

"(1) is a manager with respect to a product or business practice;

"(2) discovers a serious concealed danger that is subject to the regulatory authority of an appropriate Federal agency and is associated with such product (or a component of that product) or business practice; and

"(3) knowingly fails during the period ending fifteen days after such discovery is made (or if there is imminent risk of serious bodily injury or death, immediately)—

"(A) to inform an appropriate Federal agency in writing, unless such manager has actual knowledge that such an agency has been so informed; and

"(B) to warn affected employees in writing, unless such manager has actual knowledge that such employees have been so warned;

shall be fined not more than \$250,000 or imprisoned not more than ten years, or both, but if the convicted defendant is a corporation, such fine shall be not more than \$1,000,000.

"(b) Whoever knowingly discriminates against any person in the terms or conditions of employment or in retention in employment or in hiring because of such person's having informed a Federal agency or warned employees of a serious concealed danger associated with a product or business practice shall be fined not more than \$50,000, or imprisoned not more than three years or both.

"(c) If a fine is imposed on an individual under this section, such fine shall not be paid, directly or indirectly, out of the assets of any business entity on behalf of that individual.

"(d) As used in this section—

"(1) the term 'manager' means a person having—

"(A) management authority in or as a business entity; and

"(B) significant responsibility for the safety of a product or business practice or for the conduct of research or testing in connection with a product or business practice;

"(2) the term 'product' includes services;

"(3) The term 'discovers', used with respect to a serious concealed danger, means obtains information that would convince a reasonable person in the circumstances in which the discoverer is situated that the serious concealed danger exists;

"(4) the term 'serious concealed danger', used with respect to a product or business practice, means that the normal or reasonably foreseeable use of, or the exposure of a human being to, such product or business practice is likely to cause death or serious bodily injury to human life (including human fetal life) and the danger is not readily apparent to the average person;

"(5) the term 'serious bodily injury' means an impairment of physical condition, including physical pain, that—

"(A) creates a substantial risk of death; or

"(B) causes—

"(i) serious permanent disfigurement;

"(ii) unconsciousness;

"(iii) extreme pain;

"(iv) genetic or chromosomal damage of any kind; or

"(v) permanent or protracted loss or impairment of the function of any bodily member, organ, or mental faculty;

"(6) the term 'warn affected employees' means give sufficient description of the serious concealed danger to all individuals working for or in the business entity who are likely to be subject to the serious concealed danger in the course of that work to make those individuals aware of that danger; and

"(7) the term 'appropriate Federal agency' means the Federal agency on the following list which has regulatory authority with respect to the product or business practice and serious concealed dangers of the sort discovered:

"(A) The Food and Drug Administration.

"(B) The Environmental Protection Agency.

"(C) The National Highway Traffic Safety Administration.

"(D) The Occupational Safety and Health Administration.

"(E) The Nuclear Regulatory Commission.

"(F) The Consumer Product Safety Commission.

"(G) The Federal Aviation Administration.

"(H) The Federal Mine Safety and Health Review Commission."

Sec. 2. The table of sections for chapter 89 of title 18 of the United States Code is amended by adding at the end the following new item:

"1822. Nondisclosure of serious concealed dangers by certain business entities and personnel."●

DAILY HERALD URGES AIR SAFETY, HIRING MORE CONTROLLERS

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. PORTER. Mr. Speaker, safety is a major concern to those of us who fly. A newspaper in my district, the Arlington Heights Daily Herald, ran an excellent series this summer on O'Hare International Airport's crowded skies and the need for more air traffic controllers.

The Herald said that fewer air traffic controllers today handle at least as many flights as were handled before the 1981 strike, in which 11,400 controllers were fired. The Federal Aviation Administration has approved a 12-percent increase in traffic at O'Hare for 1984, bringing the year's total to 1.8 million flights in the Chicago area.

While I staunchly supported President Reagan's decision to fire those striking controllers who were working against the public interest, I think the time has come to rehire experienced controllers. Those who stayed in the towers during and after the strike did a commendable job. But we must be realistic that the system is flirting with disaster and punishing the present controllers as long as the system remains understaffed and the number of flights increases. The FAA has proceeded carefully in rebuilding the controller force, but it takes time to train new people.

A valuable resource to the flying public is sitting idle as long as the striking controllers are barred from being rehired. Enough time has passed. Protect the safety of the skies.●

BROOKLYN'S FULTON STREET MALL OPENS WITH SPEECHES, SONG, AND WACKY HATS

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. TOWNS. Mr. Speaker, after 7½ years of construction costing an estimated \$25 million, Brooklyn's Fulton Street Mall was officially opened on Thursday, September 13, at ceremonies marking the occasion at Fulton Street and DeKalb Avenue on the Mall.

At the event, attended by Mr. Richard Nasti, Regional Administrator of the Urban Mass Transit Administration, Department of Transportation, along with New York State Lt. Gov. Alfred Del Bello, Brooklyn Borough President Howard Golden, New York City Comptroller Harrison Goldin, and other city, State, and Federal officials, Michael Strasser, executive director of the 220-member Fulton Mall Improvement Association said:

America's sixth largest shopping district, Brooklyn's first shopping street, is looking fresh again. The Fulton Street Mall shows what can happen when public and private sectors join in true partnership. The Mall has done more than revitalize Brooklyn's main shopping district; it has spurred the reinvestment in the entire downtown Brooklyn area.

Mr. Strasser cited, during his remarks, the Department of Transportation, which had given the initial \$8 million urban mass transit capital improvement grant in 1977 that began the project.

The ribbon cutting ceremonies, which followed an eight-block tour of the mall, included entertainment from performers from the Broadway shows "42nd Street," "Chorus Line," and "Dream Girls."

Prior to the ribbon cutting, guest and dignitaries heard speeches from Curt Champlin, A&S senior vice president and general manager, and president of the Fulton Mall Improvement Association Board, Brooklyn Borough President Howard Golden, Lt. Gov. Alfred Del Bello, Deputy Mayor Kenneth Lipper, Comptroller Harrison Goldin, and Mr. Nasti, representing the administration.

Wearing whimsical "Wacky Hats" created for the occasion by Brooklyn artisan Wendy Brackman, Strasser, Champlin, Golden, Nasti, and other officials stepped to a ribbon strung across Fulton Street and cutting the ribbon, symbolically opening the new Fulton Street Mall.

This was, indeed, a glorious occasion, Mr. Speaker, and one in which all of us in Brooklyn take great pride.●

TRIBUTE TO HON. JOHN ERLBORN

HON. J. KENNETH ROBINSON

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 1, 1984

● Mr. ROBINSON. Mr. Speaker, I rise to join in paying tribute to the 20 years of distinguished service of our friend and colleague, Congressman JOHN ERLBORN of Illinois, who will be retiring from this body at the end of the current Congress.

During all the time that I've served here, JOHN has been regarded as one of the leading experts on our side of the aisle in the complicated fields of education and labor law, by virtue of his conscientious work as a member of the House Education and Labor Committee.

He has played a strong role in shaping key educational and pension reform programs of benefits to millions of citizens. His leadership, as top-ranking minority member on that panel, will be sorely missed, without question.

His departure will also leave the minority with a large void to fill on the House Government Operations Committee, where JOHN has also served with dedication and energy.

Nevertheless, as one especially mindful of the mounting stresses imposed by prolonged public service, and as one also preparing to retire at year's end, I'm delighted to salute JOHN for his solid record of legislative accomplishment in this hallowed institution. I share the hope that he and his family will enjoy every happiness over the years ahead.●

CONGRESSMAN BILIRAKIS ADDRESSES TAMPA COLLEGE

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 1984

● Mr. YOUNG of Florida. Mr. Speaker, earlier this year, my colleague from Florida, MICHAEL BILIRAKIS, addressed the 700 graduates of Tampa College at that institution's 95th commencement exercises. While in his first term, Mr. BILIRAKIS has displayed a keen interest in education, and Tampa College, realizing Mr. BILIRAKIS' commitment to higher education, conferred upon him the honorary doctor of humane letters degree. Because of his insights and understanding of the personal challenges faced by students and their families in the pursuit of higher education, I recommend to my colleagues Mr. BILIRAKIS' address to the graduates of Tampa College.

The address follows:

REMARKS OF THE HONORABLE MICHAEL BILIRAKIS, COMMENCEMENT ADDRESS, TAMPA COLLEGE, JUNE 30, 1984

Thank you, President Jones. You know it is an honor for me to be here this morning. Your gracious invitation asking me to address the class of 1984 ranks high among the many duties I have taken on since becoming a Member of Congress.

And I say that in all sincerity, because as I stand here, I am privileged to see the next leaders of America and American Business, ready and willing to accept their responsibilities, capable of sustaining and expanding our social and economic recovery right into the next century.

So, President Jones, Dean Lima, Dean Crawford, Father George, let me congratulate all of you and your fine faculty for preparing this class for their individual and mutual challenges. Their successes will be yours as well, and I know you are proud of all of them.

Now I'd like to ask the class to rise and give a heartfelt round of applause to the men and women on this dais who have brought you to this moment in your lives. You and I know that the true leader is the one who inspires the heart and the mind to achieve the difficult goal.

Your teachers, your counselors, and your administrators have that quality that have devoted their lives to passing it on to the future through you. And I join with you in acknowledging that selfless contribution.

And of course, there is one more very special group that is the most deserving of your tribute, both for what they gave you, and for what they gave up for you. If this were a commencement exercise of 20 or even 10 years ago, I'd say let's give a hand to your parents.

But the 1980's are a time of renewed pride in, and respect for, education, and it is a time for students of all ages to reap the benefits of collegiate disciplines. In this class of 1984, there are mothers and fathers whose children are bursting with pride over their parents' accomplishments.

They are proving that one is never too old to learn, that it is never too late to seek knowledge. But there is a cost for schooling. I don't mean tuition either, or books, or room and board.

For the families of students there are trips not taken, cars in need of repair, houses in need of paint, overtime at work, luxuries never considered, necessities barely afforded. I know. I have seen it. I was once the student and I am also the parent of students.

But that is the reality. Our parents—and also our children who have student parents—accept those inconveniences because they believe in education. They know in their hearts that knowledge is the key to the future and that without knowledge we are destined to fail.

So now I ask you to join me in applauding those who have given so much so that you could be here today, your parents, your children, your families.

After today—after all the shouting and celebrations begin to fade—you will have some decisions to make that will set your lives on courses beyond the control of those who have so far supported you. They have done all they can, now you must steer your own boats.

You now have the basic instruments to do that. Your challenge is to go beyond the familiar shores and apply your experience here to the rest of the world. It would be

nice before you set out if you knew that there were safe harbors conveniently located along your route.

Well, I'm not going to say that there are, because in my lifetime I've seen too many "sure things" go down overnight. Small businesses run by inexperienced entrepreneurs and major banks run by large boards have failed in both good and bad economic times.

One week the stock market will rise on bad news and fall on good. And the next week will reverse itself for no apparent reason. The so-called leading economic indicators generally lead only momentarily blips—they have yet to successfully predict long-term recoveries or declines.

All in all, then, I am telling you that there are no guarantees that a predicted landfall will occur in the real world of business. You are going to have to deal with the future on your terms, not those of pollsters, analysts, or other experts.

More than 40 years ago, when the United States was attempting to set up airfields across Northern Africa—particularly the Sahara Desert—many so-called experts said it could not be done. They thought there was no way to move the necessary materials across the wastelands where there was no water, there were no roads, where there was no fuel.

But a dedicated group of engineers devised a very simple, very efficient method of conquering the environment, using little more than small convoys of jeeps.

The first jeep set out with sufficient gas for a round trip plus a barrel of fuel to leave at the far end of the trip. The next jeep added some of the barrel to its tank—proceeded to a more distant point—and left its extra drum of fuel even further than the first.

Every succeeding jeep managed to trek a little deeper into the desert, dropping off a drum of gas, some needed supplies, something, to form a chain of waypoints that would later serve the construction teams

who did, successfully, build vital emergency landing strips to support the American Air Force during World War II.

Just as a sidenote: The team of engineers and analysts who directed the project, later became the core of one of this country's leading "think tanks,"—companies that consider the impossible as possible.

I would encourage you to consider this example of ingenuity as a means toward your ends. Tampa College has equipped you for the first leg of the journey, your degrees will get you out into the market, into the real, often harsh world, beyond the limits of those who do not value education as you do.

Those are your critics. They will be the ones on the magazine covers and the editorial pages who say that today's graduates have little to gain with their new degrees. They say you will just add to the glutted market and that you will be frustrated in your search for employment and advancement.

They are wrong on at least two counts.

A degree will always be valuable because it says you are an individual capable of disciplining yourself and achieving a goal through that discipline.

And the job market will, in bad times, look for a measure of a candidate against all other applicants. Your degree is that measure.

In good times, and this is where the critics are wrong again, because we are on the leading edge of a nation going back to work.

In good times, your education gives you access to an expanding list of opportunities, options to consider that would not be available had you not completed your studies here.

Recall that I said your degree was fuel for the first leg of your journey. With that degree you gained something even more valuable: the ability to question the impossible and make it the possible.

As an example, those of you who have benefitted from the fine computer-sciences department of this school know the tremen-

dous changes that have occurred in the high-tech field, both in hardware and applications.

Just a few years ago processing small amounts of data required cumbersome equipment and complex routines. Today you can bring a 5-year plan spreadsheet right into the boardroom in a briefcase-size computer and plot out critical path projects while in the foreman's trailer on a construction site.

I'm sure you can tell me more about this technology than I can tell you, but we can all agree that it is symbolic of the options that are now waiting for you when you leave this ceremony and set out on your own journeys.

Quite frankly, I admire you and I envy you. The classes ahead of you, the men and women who have set some of the links in place, are to be commended for persisting in what have been difficult economic times.

Many suffered, no part of this country was isolated from unemployment, high interest rates, high consumer prices. Your mothers and fathers, older sisters and brothers, relatives, friends, neighbors all felt the pressure and the restrictions.

But they stuck to their jobs and their faith in our ability to dig out and recover and they bought you some time to finish here and join them. Now it is your turn to complete that chain for yourselves and for the classes of '85 and beyond.

Many of this class have been out forging those links before coming here as first-time students or former students. Veterans, housewives, businessmen, blue-collar workers, office secretaries, they differ in many ways but they stand together with the rest of you in one:

They wanted to be better and they have what it takes to achieve that goal. I believe you are all going to make life better for the rest of us, and for those yet to come. The world is waiting for you. Go out and be great.

Thank you. ●