

## EXTENSIONS OF REMARKS

## NATIONAL OUTDOOR RECREATION RESOURCES REVIEW COMMISSION II

HON. JOHN F. SEIBERLING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. SEIBERLING. Mr. Speaker, the Interior Committee's Subcommittee on Public Lands and National Parks will soon begin hearings on proposals to establish a new, high-level commission to review how the Federal, State, and local governments are now responding to the American people's interest in outdoor recreation.

Specifically, we will be looking at two bills, H.R. 2837 and S. 1090, which would establish a National Outdoor Recreation Resources Review Commission mandated to make recommendations aimed at assuring the continued availability of quality outdoor recreation experiences in America to the year 2000.

The new Commission would be parallel to the composition and mandate of the pioneering Outdoor Recreation Resources Review Commission (ORRRC) which was established in 1958 and which issued its report in 1962.

The ORRRC report of 1962 was an important landmark in the history of Federal policymaking. We in the Congress are still heavily involved in implementing the ORRRC recommendations in such ways as designation of new wilderness areas and national parks; allocations of funds from the land and water conservation fund; designations of new wild and scenic rivers; designation of scenic and historic trails; and assistance to the States and local governments through the land and water conservation fund so they can respond to the need for quality outdoor recreation opportunities.

The ORRRC recommendations of 1962 also laid the foundation for many of the most important laws and policies now in place for management and protection of parks and public lands, historic and cultural resources, fish and wildlife habitat, wilderness, and other resources and values.

The original Commission concept can be traced to a series of public concerns that emerged in the mid-1950's. These included burgeoning visitation to Federal and State parks poorly equipped to accommodate heavy use, a growing interest in the protection of

scenic areas in the face of expanding urban growth, the loss of hunting and fishing opportunities in the countryside, and an awareness of deteriorating air and water quality in the Nation as a whole. These concerns found expression in the legislation which created the commission and in other statutes which gave life to the Commission's recommendations.

At the conclusion of an exhaustive 3-year study, the 1962 report stated that although outdoor recreation was a major leisure time activity bringing individual satisfaction and national economic benefits, there were serious deficiencies in the Nation's supply of outdoor recreation opportunities. The three major findings were:

Outdoor recreation opportunities were most urgently needed near metropolitan areas.

Although considerable land was available for outdoor recreation, it did not effectively meet the need.

To meet the need for outdoor recreation, additional funding was required at the Federal, State, and local levels.

The recommendations of ORRRC were implemented through actions by the Congress and succeeding administrations. These included: The Land and Water Conservation Fund Act (LWCF) of 1964, through which offshore oil revenues came to be used, along with some other receipts, to acquire and develop local, State, and Federal parkland; legislation establishing national systems of wilderness, rivers, and trails; the transfer of Federal surplus land to States and localities for park and recreation purposes; and the establishment of Federal, State, and local recreation areas in or near heavily populated urban centers.

The report of the Commission guided national outdoor recreation policy for two decades. Unfortunately, under the direction of the current administration:

Land and water conservation fund requests have been reduced to near zero levels.

Significant land resources which had been designated for wilderness study by the Bureau of Land Management have been removed from consideration by the Department of the Interior.

National park units near urban areas, established as an outgrowth of the ORRRC study, have come under increasing attack by the Department of the Interior resulting in reduced funds for land acquisition, reduced

staff, and declining services to the public.

The Heritage and Conservation Service (recommended by the ORRRC study as the Bureau of Outdoor Recreation) was abolished by the administration.

Numbers bills to establish wilderness areas within units of the national park system and the national forests have been passed by the House only to flounder in the other body, in part because of opposition by this administration.

Mr. Speaker, when we consider the many changes that have taken place in our society since 1962, there may be merit to the idea of establishing a new nonpartisan ORRRC Commission to review the actions taken on the recommendations of the 1962 report and to make further recommendations on those matters and on new developments relating to outdoor recreation. However, I think it is important to recognize that there is still a considerable way to go to achieve the goals formulated by the original ORRRC in 1962 and subsequently adopted by the Congress in general legislation.

Appointing another Commission is no substitute for substantive action in support of outdoor recreation for all Americans. It is sad but true that when this administration came to office, it immediately began a campaign to reverse the thrust of the original Commission's program. This campaign included proposals to deauthorize seven national urban recreation areas, to impose a 5-year moratorium on new land acquisition by the national park system, to divert land and water conservation money from land acquisition to other uses, to abolish the Youth Conservation Corps, to reduce to zero grants from the fund to the States for acquiring recreation land, to drop wilderness study areas, and to open up wilderness areas to oil and gas exploration and development. At the same time, the administration has opposed most of the major pieces of wilderness legislation approved by the House. They have also opposed related legislation such as the American Conservation Corps and national park protection bills.

Of course, there is still time, before the end of this session of Congress, for the administration to reverse its negative approach and to support a constructive resolution of the many wilderness and outdoor recreation-related

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

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issues pending in Congress. But time is running out. Before the House gives the President and the Senate the opportunity, between them, to appoint a majority of the members of a new-ORRRC, the House ought to insist on significant support for these substantive pieces of legislation as a demonstration of practical commitment to outdoor recreation and, in particular, to the protection of key outdoor recreation resources.

I hope Members of the House will consider the situation I have outlined before committing themselves to a position on the proposed ORRRC. ●

#### WHAT PRICE HOME TAPING?

### HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. EDWARDS of California. Mr. Speaker, this past January, the Supreme Court handed down its long awaited decision in the Betamax case. Despite the Court's reversal of the ninth circuit decision which had found the manufacturers of video cassette recorders liable for contributory copyright infringement, it is significant that all nine justices—both the five constituting the majority and the four who dissented—felt the issue of home recording and its implications for copyright was one that could best be addressed by the Congress.

The Court's decision was based on evidence from 1978 when the number of home video recorders was 800,000. Had the Court considered the rapid increase in the number of home recorders, now estimated at 10 million with up to 7 million more predicted to be sold this year, and the implications this burgeoning number of VCR's has for the health of the entertainment industry, its decision may well have been a different one.

Other factors have also changed significantly since the Betamax case was originally heard. New technology has produced new kinds of video cassette recorders which facilitate commercial deletion. Increasingly, advertisers are balking at paying for ads that are never viewed. An entire market for the sale and rental of prerecorded cassettes exists now that was simply not present in 1978.

A recent editorial in the New York Times examines some of these factors, and concludes that some sort of royalty arrangement to compensate the movie and recording industry for losses associated with home recording is necessary. I feel strongly that Congress must eventually address this issue. The editorial provides useful information for that task, and I commend it to the attention of my colleagues.

The editorial follows:

[From the New York Times, Mar. 30, 1984]

#### WHAT PRICE HOME TAPING?

Inexpensive recorders and blank tapes now allow anyone to preserve a rare old Mozart recording without buying a new one, or to copy a Eurythmics album borrowed from a friend, or to collect Mary Tyler Moore shows snatched from the air. But the technology that gives consumers such pleasure is eroding the income of the producers of these entertainments—the studios, writers, violinists and drummers who depend on royalties from each performance or recording sale. And they are pressing Congress for compensation.

Unlicensed home recording of their copyrighted work may not now be a mortal threat to the entertainment business. But there is nonetheless a good argument for giving copyright holders some income from home recording. And there is at least an imperfect way to do it.

The owners of music, film and TV shows have long asked for royalties from a fund built by a kind of tax on the sales of recording equipment and blank tape. But Hollywood producers failed to persuade the Supreme Court this year that they had suffered enough injury to permit the Court, rather than Congress, to impose such a tax. That "Betamax" decision was based on evidence from the late 1970's, when relatively few homes had video recorders. Claims of greater damage now are likely to be pressed in court if Congress fails to act.

The pending legislative proposals deal with both audio and video recording. But the damage to the music industry is more easily demonstrated. Surveys show that five of every six home recordings are appropriating copyrighted music. And Alan Greenspan, an industry consultant, estimates that 40 percent of these represent lost sales and lost royalties for performers and composers.

Whether home video taping does much economic harm is not yet equally clear. Surely many home viewers are only watching shows or films at a more convenient time and could be added to the Nielsen-counted regular audiences. But surveys indicate that many of these viewers "fast-forward" their tapes through the commercials and are thus lost to the advertisers who pay for the programming. And at least a third of home video recordings are of movies that can be passed from home to home, thus reducing the markets for commercial tapes of film, repeat showings on the air and pay-per-view cable presentations.

A common argument against any royalty fee for home recording is that the entertainment business is rich enough to afford the loss. But most recordings of music and the artists who make them are not commercially successful. Home audio recordings surely damage the industry, particularly its classical music branch. In movies, too, any technology that diminishes the paying audience will have the effect of favoring mass tastes and diminishing the choice for minority audiences.

The entertainment industries propose a system of negotiated royalties on the sales of hardware and blank tapes, backed by arbitration. Such a system has long been used to collect royalties from radio stations that play copyrighted music over the air.

There remain many questions about how the royalties would be distributed to make sure that the most often "appropriated" works get a fair subsidy. But if a royalty charge can be worked out, it would promote

diversity in performances and thus benefit the entertained as well as the entertainers. ●

#### BULLETPROOF VESTS DO THE JOB AGAINST "MOST" BULLETS

### HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. BIAGGI. Mr. Speaker, Du Pont, the company that makes a bullet-resistant fiber called Kevlar, estimates that approximately 600,000 bulletproof vests have been made in this country since 1973. These vests are comfortable—weighing only about 3 pounds—and, more importantly, they can stop the conventional handgun ammunition used by most criminals.

In fact, Du Pont informs me that—

There have been between 500 and 600 documented reports of law enforcement officers who have been saved from death or serious personal injury by wearing vests made with "Kevlar." This estimate is probably conservative in that there is no established procedure to insure that all "saves" are actually reported.

Currently, more than half of our Nation's 528,000 law enforcement officers wear bullet resistant body armor on a daily basis. The U.S. Justice Department reports that more than 400 police lives have been saved by these vests. In fact, during the 10 years, 1974-83, that bulletproof vests have been used, handgun-related police deaths have declined by 43 percent—93 in 1974 to 53 in 1983.

Our newspapers tell the story. For instance, on December 1, 1982, Washington Post readers were told in graphic detail just how effective bulletproof vests can be:

William Johnson struggled for the .357 magnum revolver held only inches from his chest. He watched the gun as it fired seconds later. He saw his shirt tear as the bullet struck. He felt its crushing force. And because the 62-year-old Alexandria deputy sheriff was wearing a bulletproof vest, he was alive yesterday to help convict the man accused of trying to kill him.

Although not designed to stop rifle ammunition, the 18-layer Kevlar vest most commonly worn by police officers will stop the conventional handgun bullets used by criminals. As a result, more and more police are looking to soft body armor for protection. Just last year, in fact, I joined in the effort to raise \$624,000 to furnish more than 3,000 District of Columbia police officers with a bulletproof vest.

Yet, despite its ability to stop conventional handgun ammunition, soft body armor is totally useless against a small class of handgun bullets specially made for maximum penetration. For example, the Teflon-coated KTW bullet, which is generally regarded as the most powerful of these armor-piercing bullets, can penetrate the

equivalent of four bulletproof vests—72 layers of Kevlar—in a single shot. Significantly, these high-powered projectiles are not used for any legitimate purposes, but they have been used by criminals.

As a 23-year veteran of the New York City Police Department and one who was wounded 10 times in the line of duty, I was asked by the law enforcement community to author legislation that would outlaw these so-called cop killer bullets. My bill, H.R. 953, would ban the future manufacture, importation, and sale of the approximately eight different armor-piercing handgun bullets that now exist, and would prevent any new ones from being developed.

In addition, this legislation would also impose a mandatory, 1- to 10-year prison sentence on any person that uses such ammunition in a crime. My distinguished colleague from New York, Senator MOYNIHAN, has also introduced an identical bill, S. 555, in the Senate.

While there have been hearings in both the House and Senate on this legislation over the past 2 years, the two measures remain stalled in committee. One of the major reasons for this delay: An unreasonable, yet fierce campaign against any ban on "cop killer" bullets being waged by the National Rifle Association. Their rationale has varied, but most recently they told a Senate Subcommittee that since "there has been no rash of criminal misuse of armor-piercing handgun ammunition. . . . there is no demonstrated need for this legislation."

Frankly, I believe it is better to prevent police deaths than respond to them. That is why I authorized the Law Enforcement Officers Protection Act and based on the overwhelming bipartisan support this legislation has received, I am confident it is only a matter of time before a Federal ban is enacted against "cop killer" bullets.

At this time, Mr. Speaker, I wish to insert a recent article that appeared in the New York Post, which helps to illustrate why bulletproof vests are so important to police, and why we must do everything possible to keep armor-piercing handgun bullets away from criminals. The article, written by Jack Peritz and Paul Tharp, begins:

A gunman was riddled in a blazing shootout in a Harlem schoolyard yesterday that left one cop wounded and another thanking God for his bulletproof vest. . . .

**TWO COPS WOUNDED IN SCHOOLYARD GUN DUEL**

(By Jack Peritz and Paul Tharp)

A gunman was riddled in a blazing shootout in a Harlem schoolyard yesterday that left one cop wounded and another thanking God for his bullet-proof vest.

From his hospital room, a housing cop who received only a bruise after being shot in the chest at near point-blank range recalled his promise to his mother never to take off his bullet-proof vest.

"Thank God for the vest," said Officer John Leho, 29.

"Mother made my brother—he's a cop in the 48th Precinct in The Bronx—and I make a pact that no matter how hot it got we would always wear the vest."

Leho and two fellow housing officers—one who was wounded—were involved in the shootout that erupted at 2:25 p.m.

Just minutes earlier an off-duty cop spotted a man with a gun in his waistband walking through the playground outside PS 194 at 8th Ave. and 143d St., Harlem.

William Martinez, assigned to the 46th Precinct in The Bronx, ran around the corner to Housing Police headquarters in the Drew Hamilton housing project.

Three cops—Leho, John Bailey and John Washington—were dispatched to the crowded playground.

As they approached Daryl Jones, 21, of Linden New Jersey, he whipped out a long-barreled .22-caliber revolver and began shooting, police said.

One shot ripped into Leho's bullet-proof vest, stunning him momentarily before he managed to empty his gun.

Washington was sent sprawling with a bullet in his foot, but he too emptied his gun.

Bailey blasted off two shots at Jones, police said.

Jones was hit in the wrist, shoulder and chest.

He was taken to Harlem Hospital in critical condition.

Mayor Koch, who with Police Commissioner Benjamin Ward rushed to visit the cops at Columbia Presbyterian Medical Center, said, "I am fortunate to be able to talk with the officers involved Thank God."

He asked Washington why he wasn't wearing his bullet-proof socks.

"I hadn't heard about those," the wounded officer laughed.

Bailey, slated to retire in two months after 20 years on the force, said he was too shaken to talk.

Koch said yesterday was the first time Bailey had not worn his vest.

"I made him raise his hand and swear to me he would never go on duty without the vest," the mayor said.

Ward also said that two hours before the shooting a man drove past the 28th Precinct at 2271 8th Ave. and fired two shots at cops.

They chased Alessandro Penna, 30, a known cocaine dealer, up to 125th St. where he stopped his car, pulled out a .357 Magnum and killed himself. ●

**SSI EQUITABLE IMPROVEMENTS AND REFORM AMENDMENTS OF 1984**

**HON. FORTNEY H. (PETE) STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. STARK. Mr. Speaker, on behalf of myself, Mr. FORD of Tennessee, Mr. FOWLER, Mr. MATSUI, and Mrs. KENNELLY, I am today introducing the Supplemental Security Income—SSI—Equitable Improvements and Reform Amendments of 1984. I am also pleased to announce that Senator Moynihan will be introducing the same bill on the Senate side. This legislation will make the SSI program

more manageable, more effective and better able to serve the needy aged, blind, and disabled. A major goal of this bill is to improve the present unrealistic standards and administration of the program that now impede the efficacy, access and above all fairness of the SSI program.

On the 10th anniversary of the SSI program, it seems appropriate to compare the program's performance with its original goals and expectations. SSI began in January 1974 as a federally funded means tested income assistance program authorized by title XVI of the Social Security Act. It is 100 percent federally funded. Its main objective is to provide basic support to needy aged, blind and disabled individuals who meet nationwide eligibility requirements.

Unfortunately, Mr. Speaker, as former chairman of the Public Assistance and Unemployment Compensation Subcommittee, and now ranking member, I have watched the SSI program in the past few years become needlessly complex and rigid and have seen negative, unintended consequences of current law hinder the original objectives. Likewise, certain provisions have not kept pace with inflation. My bill does not propose comprehensive welfare reform, although that certainly would be a worthy goal. Nor does it try to correct all of the inequities in the program. Instead, it takes incremental—but no less important—steps toward a fairer, more responsive, and more manageable SSI program. These are steps I believe we must take if we are interested in reducing the "meanness factor" which has crept into the program for present beneficiaries. Also, the resource limits need to be adjusted so that truly needy aged, blind, and disabled individuals will become eligible. My legislation contains several proposals that lead us in this direction.

First, it would correct some unfair consequences of current SSI law by not counting gifts or small inheritances as income in a month, if in the following month they would be excluded as resources. Present law inhibits the normal kind of gift giving and inheritance practices between family members and friends. When the Social Security Administration learns of these gifts and inherited items, it counts them as income which results in the reduction of benefits for the month, even though the items will not be converted into cash and will become excluded resources the following month. This has been an extremely harsh provision which has unfairly reduced benefits even though the person could not use the item in question to meet normal living expenses.

This bill would correct another unfair consequence of current law by allowing SSI recipients who receive

large retroactive SSI or social security checks a full year to spend this money before making them ineligible for SSI. Presently they must spend the underpayment money in 4 months, even if it makes more sense to wait a longer period of time before spending the sum. Further, the legislation eliminates the requirement that temporary income received in the initial month of eligibility for SSI be counted more than once in retrospective budgeting. Under retrospective budgeting this initial temporary assistance is counted three times (that is, in the initial month and then in the third and fourth months) even though the money is not available to the recipient. The provision would prohibit such duplicate counting.

Other provisions of my bill would make the SSI program simpler and less expensive to administer, while also improving benefits to recipients. For example, this legislation would make permanent provisions which exclude from income certain emergency and other in-kind assistance and make permanent the exclusion of energy assistance provided by private nonprofit organizations on the basis of need. These provisions will expire June 30, 1985. Without the permanent extension, privately furnished assistance will again be counted as income even though State-funded identical assistance is excluded. Administratively this makes no sense and certainly discourages private efforts to provide assistance to SSI recipients and negates the effect of the private program. Further, interest and dividend income would not be counted in determining the income of an SSI recipient. Interest and dividend income for an SSI recipient is limited to what can be earned on resources within the limits of the SSI program (\$1,500 for individuals and \$2,250 for couples). The interest income, almost always under \$10 a month, frequently puts people over the assets limits and they are thrown off the rolls. Administratively it is very costly to take people off the rolls and then put them back on when they have spent the interest income. Needless to say it is a tremendous hardship for these people to lose their entire SSI benefits because of the small interest income they have received. Another provision that would produce administrative savings is my proposal to exclude the total value of one car from the SSI assets test. The administration's SSI Regulations Simplification Task Force, found that excluding a first vehicle entirely from the assets computation would save no program cost and would save administrative costs.

Further, there are proposals to make the SSI guidelines more reasonable and flexible in dealing with recipients who have received overpayments. Presently the Social Security Adminis-

tration is allowed to withhold the entire benefit check to recoup an overpayment it has erroneously made. To make the recoupment of overpayments more reasonable, my proposal limits decreasing SSI payments by no more than the greater of \$10 or 10 percent of the benefit check. The bill will also limit recoupment of overpayments to the actual amount overpaid. Current law provides that a recipient is no longer eligible for SSI benefits when the \$1,500 or \$2,250 asset limit is exceeded, and that the entire SSI benefit check is to be considered an overpayment. By limiting the definition of overpayment to the actual amount that the benefit check exceeds the assets limit, people will not lose their entire benefit check when they exceed the assets limit by small amounts. Also current law allows the Social Security Administration to reduce an overpayment by the amount of any underpayment without giving the individual a chance to question the overpayment. My legislation provides that where an individual has been both underpaid and overpaid, no adjustment will be made against the underpayment until the individual has had an opportunity to seek waiver of the overpayment.

There are also provisions to make the determination of SSI benefit amounts fairer. It is estimated that some \$70 million in underpayments were made as a result of the current law's one-third reduction formula applied to those initial applicants who have no income and live in another person's home. Once these people receive their first check they can pay for their support, which means that the next several SSI checks, before a readjustment is made, are less than the amount due them. The bill provides that for this category of people (that is, applicants without any income) the SSI reduction will be based on a determination of the value of support and maintenance provided. Another provision of current law requires that residents of Medicaid facilities have their SSI benefits reduced to \$25 a month after 1 month in the facility. This has forced people to give up their independent living arrangements and has increased the likelihood that recipients will remain in the institution for lack of an alternative. By continuing full benefits through the second month of institutionalization, this legislation reduces the number of people who will have to live out their lives in Medicaid facilities.

My bill expands eligibility to truly deserving individuals who presently do not qualify for SSI. Disabled children of military servicemen and others transferred to duty out of the country would be eligible for SSI under this legislation as long as the individual's parents retain their legal residence in a State. So too, the bill reduces from 6 months to 1 month the time that an

SSI individual and their eligible spouse must be living apart before they will be treated as individuals for determining eligibility for SSI benefits.

Equally important, the legislation allows several categories of disabled SSI recipients to retain their SSI and Medicaid rather than being forced to accept social security or railroad retirement benefits and then have to wait 3 or 4 years to become eligible for Medicare.

Updating certain resource limits and benefit standards are other important provisions of this bill which will further the goal of aiding the truly needy. The assets limitations of \$1,500 for individuals and \$2,250 for couples have not been changed since 1974, even though the CPI has increased by 119 percent. The administration has proposed increasing the food stamp resource limit to \$2,250 and \$3,500 for individuals and couples respectively. My legislation proposes an even more modest increase in the assets limits for individuals to \$2,000 and \$3,000 for couples. This will allow many more elderly people who are truly poor qualify for SSI. Likewise the personal needs allowance for SSI recipients in Medicaid facilities has remained \$25 a month since 1974. This works out to 83 cents a day. My modest proposal would increase this amount to \$35 a month and would annually increase it by a cost-of-living adjustment as other SSI benefits are adjusted.

The SSI program was instituted to replace the much criticized old-age assistance, aid to blind and aid to the permanently disabled Federal matching grant programs in the States. My legislation would also replace these same programs in Guam and the Virgin Islands and grant SSI benefits to these people. A study of the feasibility of extending SSI to Puerto Rico is another proposal.

Lastly, this legislation seeks to provide better Outreach and assistance to applicants and recipients of SSI. Because the actual and potential SSI population is made up of less literate aged, the blind, and mentally ill and retarded individuals, special efforts need to be made in order that these people hear about the program and come to realize the benefits available to them. The written notices also need to be rewritten in order to make them more understandable to this population. For example, one judge has commented that the notices sent to disabled SSI recipients were difficult for him to understand.

Taken together these proposals will, in my estimation, make the SSI program fairer for recipients, easier for them to understand, more responsive to the truly needy aged, blind and disabled, and simpler and cheaper to administer. These are goals which I be-

lieve all of my colleagues can support. I am pleased to announce that the Save Our Security Coalition (SOS), made up over 100 national organizations and 100 local groups, is supporting this SSI legislation. The following summary includes those proposals discussed above and others that are self-explanatory.

**SUMMARY OF SSI EQUITABLE IMPROVEMENT AND REFORM AMENDMENTS OF 1984**

**TITLE I—TREATMENT OF INCOME**

Section 101. Excludes certain gifts from income, e.g., property received which in the following month would be excluded as a resource or a gift which is not converted into cash.

Section 102. Makes permanent provisions which exclude from income certain emergency and other in-kind assistance provided on the basis of need by non-profit organizations and makes permanent the exclusion of home energy assistance provided by private organizations on the basis of need.

Section 103. Interest and dividend income on countable resources that are within the resource limits would not be counted as income.

Section 104. Requires that temporary one-time income received in the initial month of eligibility for SSI is not counted more than once under the retrospective budgeting process.

Section 105. Excludes from income reparations received from the West German government by holocaust survivors.

**TITLE II—TREATMENT OF RESOURCES**

Section 201. Establishes certain limits on the amount of overpayments incurred when it is found that an SSI recipient's resources had in a previous month exceeded the allowable limit by an amount less than the individual's SSI payment.

Section 202. Provides that in the SSI program, as in the Medicaid program, that when resources are transferred at less than fair market value to qualify for benefits, that the length of delay in eligibility for benefits would be in proportion to the uncompensated value of such resource instead of current SSI law's penalty of no less than a two year delay in eligibility.

Section 203. Excludes from being counted as a resource for 12 months for SSI eligibility purposes the value of retroactive SSI or social security checks.

Section 204. Increases the SSI countable resources limit from \$1500 to \$2000 for an individual and from \$2250 to \$3000 for a couple.

Section 205. Provides for exempting from the SSI resources limit the applicant's or recipient's automobile instead of current law which provides for the Secretary to periodically adjust the allowable limit on the amount of the value of a car which is exempt from the resources limit. (Current law also exempts the applicant's or recipient's home in contrast to the original SSI law under which the Secretary had authority to set a value limit on the home.)

**TITLE III—DETERMINATION OF BENEFIT AMOUNTS**

Section 301. Modifies the assumptions to be used in determining whether or not an SSI applicant is receiving in-kind assistance when living with others in such a way as to protect SSI applicants from an automatic ½ reduction in their initial SSI benefit if at the time of application they are living with a relatively low income household.

Section 302. Instead of residents of Medicaid facilities having their SSI benefits reduced to \$25 a month (as adjusted by Section 303) effective the first full month in such a facility, they would not have their SSI benefit standard reduced until the second full month in such a facility.

Section 303. The current \$25 a month SSI benefit standard for residents of Medicaid facilities would be increased to \$35 and would be annually increased by the same cost of living percentage as other SSI benefit standards.

**TITLE IV—PROVISIONS RELATING TO ELIGIBILITY**

Section 401. Protects disabled children against ineligibility for SSI disabled children benefits solely because their parents have been transferred out of the country and have lived out of the country more than 30 days.

Section 402. Expand eligibility for retroactive benefits of deceased recipients to the spouse, the parent of a disabled child, those with whom they were living and the ½ reduction for in-kind assistance was applied or if none of the above, other persons who can demonstrate that they furnished the recipient with support during the period covered by the retroactive check. Present law provides that only an eligible spouse may receive the retroactive payment that was due a deceased SSI recipient.

Section 403. Provides that for SSI applicants or recipients under age 65 a person will not be required to file for Social Security or Railroad Retirement benefits, if receipt of such benefits would disadvantage the individual, e.g. loss of eligibility for SSI and subsequently health services under Medicaid.

Section 404. Provides for the reduction from six months to one month the time that an SSI individual and their eligible spouse must be living apart before they will be treated as individuals for determining eligibility for and amount of SSI benefits.

**TITLE V—OVERPAYMENTS, UNDERPAYMENTS AND BENEFIT REDUCTIONS**

Section 501. This provision limits the rate of recoupment of SSI overpayments. SSA would not be allowed to recoup from SSI recipients who have been overpaid, an amount which would result in decreasing their SSI payment by more than the greater of \$10 or 10 percent per month, in those cases not involving fraud.

Section 502. Expansion of the interim assistance program to include payment of the appropriate amount of retroactive SSI funds to the State, when the State has provided financial assistance to SSI recipients who have appealed a termination of benefits, subsequently won the appeal, and have qualified for retroactive SSI benefits.

Section 503. Repeal of provision which reduces the SSI recipient's benefits if the group living facility in which they reside does not meet State standards.

Section 504. Emergency advance payments which can be paid directly by a district Social Security office to those in need of immediate subsistence income would be increased from up to \$100 a month to 3 months of SSI benefits.

Section 505. Treatment of concurrent overpayments and underpayments. Provides that when an individual's benefits they had received under SSI involves both underpayments and overpayments, that no adjustment in SSI benefits is to be made by SSA to recover the underpayment until the individual has had opportunity to exhaust their appeal on the overpayment.

Section 506. Improving the notice recipients receive regarding overpayments. When an individual has been overpaid the Secretary is to send the person a notice which contains, in simple language, the following information: the precise amount of the overpayment; the months in which the overpayment occurred; the reason the overpayment occurred; a complete statement of the individual's right to seek reconsideration of the finding that overpayment occurred; the right to seek waiver of repayment; and notice that if waiver or reconsideration is sought, payment of full benefits will continue until a decision is made.

**TITLE VI—EXTENSION OF SSI PROGRAM**

Section 601. Provides for the extension of the SSI program to Guam and the Virgin Islands effective October 1, 1985.

Section 602. Requires HHS to conduct a study of the feasibility and cost of the extension of SSI to residents of Puerto Rico.

**TITLE VII—MISCELLANEOUS PROVISIONS**

Section 701. Provides for HHS to conduct a statistically reliable survey of current and potential recipients of SSI benefits with the objective of determining the number of eligible individuals (adults and children) who do not participate in the program because of lack of knowledge, excess resources, the marginal nature of the amount benefits they would receive or other factors including perceptions about the program. A report would be submitted to the Congress by April 1, 1986.

Section 702. Requires HHS to establish and conduct an outgoing SSI outreach effort.

Section 703. Requires that SSA give special attention to assisting SSI applicants and recipients who are physically or mentally incapable or severely limited in their ability to apply for benefits or to provide information on a regular basis to SSA while they are recipients.

Section 704. Requires that HHS take certain action to increase the clarity and readability of written materials to be used by SSI applicants or recipients. ●

**RELIGIOUS LIBERTY: A MARYLAND HERITAGE**

**HON. MICHAEL D. BARNES**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. BARNES. Mr. Speaker, an article appeared in the March 5, 1984 Christian Science Monitor commemorating Maryland's 350th anniversary which gives an excellent account of Maryland's history of religious liberty and toleration.

Maryland was one of the first experiments in the Western World in religious toleration and separation of church and state. Although we now hold religious freedom as one of our most guarded and fundamental liberties, to the 140-odd people in 1634 who crossed the Atlantic Ocean, this was a bold answer to the problem of religious persecution they had encountered in England.

The article follows:

## RELIGIOUS LIBERTY: A MARYLAND HERITAGE

(By Lois Green Carr)

## ANNAPOLIS

When Maryland enters its 350th year in March of 1984, the Old Line State will join as exclusive club: Among the 50 states, only three can trace their history back 3½ centuries—back to the days of Europe's Renaissance and Reformation.

This alone is cause for celebration. But Maryland has also been an active participant in the fabric of American history. From the frontier days of the 17th-century tobacco coast to the Revolutionary War era when Annapolis served as the US capital; from the original clipper ships to the original "Star Spangled Banner," from the first national road to the first American railroad, from Margaret Brent's 1648 appeal for a vote in the Assembly to Harriet Tubman's underground railroad, and from the first manned balloon ascension to the first airport, the state of Maryland has been an active partner in US history.

During 1984 Maryland is above all celebrating the courage and initiative of the 140-odd people who in 1634 risked their lives in small wooden boats to cross thousands of miles of ocean and establish the fourth permanent English settlement in the wilderness of mainland North America. While Lord Baltimore's settlers were establishing a foothold in North America, Englishmen were reading the first book of Shakespeare's plays and Galileo was being persecuted for daring to think that the Earth was not the center of the universe.

In many respects, these settlers were more distant from the world they had known than orbiting astronauts are from our world today. The hard work of these first adventurers and the efforts of those who followed them carved out a secure foothold in the New World. From these colonies came the country we know.

The early history of Maryland has another important aspect. Maryland was one of the first experiments in the Western world of religious toleration and separation of church and state. Today we regard religious toleration as one of our fundamental liberties and separation of church and state as the public policy best suited to ensure toleration.

But to most men and women of the 17th century, toleration was an evil that allowed the devil to ensnare unwary souls, and one of the goals of any state was to force everyone to accept the same religion. Why an experiment in religious freedom was undertaken as part of the Maryland colony is a fascinating story.

It began as a pragmatic solution to a political problem born of the English Reformation. George and Cecil Calvert, the first and second Lords Baltimore, were the Roman Catholics who undertook a grand enterprise to establish a New World colony. Like other colonial developers, they sought profits for themselves and others. But as Roman Catholics they had a second purpose: to provide a refuge from religious and political disabilities—and sometimes persecutions—they suffered in England.

These disabilities were the product of the struggle between Catholics and Protestants that dominated English life through much of the 1500s and ended in the triumph of Protestants. During the reign of Elizabeth I (1558-1603), laws were passed that permitted Roman Catholics to worship only in private, levied heavy fines for refusing communion in the state-approved Church of England, and excluded Catholics from polit-

ical life. Many Englishmen of the time believed that to be Roman Catholic was treason, reasoning that if Catholics put the Pope above the King in religion they might do the same in politics. The attempted conquest of England by the Spanish Armada in 1588 did nothing to dispel such suspicions, which continued through the 1600s.

The Calverts hoped to combine profits for investors in their colony with liberty there for Catholics; but, taken together, the two objectives created a difficulty: the Maryland proprietor could not hope to develop his province with the help of only Roman Catholic settlers. England was a Protestant kingdom. To establish an entirely Catholic colony would have been politically impossible. Lord Baltimore needed Protestant settlers, too. But if Protestants and Catholics could not live freely and peaceably together in England, how could they do so in Maryland?

The Calvert solution came in three parts: First, he declared, a white person's religion would be his private affair. White people of any religion were welcome in Maryland. No one was to criticize others for their religious beliefs or practices or try to convert others to his own. (This policy did not extend to Indians or later to Negro slaves). When George Calvert asked Charles I for a grant in the New World, he specified as a goal the spreading of Christianity to barbarous people, having no knowledge of the Almighty God." This was a standard statement, representing the cultural outlook of Englishmen. The Calverts' groupings for a policy that would allow Catholics and Protestants to live together as religious and political equals was a pioneering contribution to human freedom—even though the policy did not apply to all.

A second and equally new aspect of Calvert policy allowed any qualified man to hold political office, whatever his religious beliefs. In England, Roman Catholics could not be appointed or elected to public office. In Maryland, Catholics and Protestants shared power in a political process, and for 55 years this cooperation worked. Finally the public tithes that in England supported the Church of England clergy were not allowed in Maryland Congregations, whether Catholic or Protestant, were expected to build churches and pay clergymen of their choice with voluntary contributions. Unfortunately, the result was a lack of churches or ministers for Protestants, a condition that led to trouble.

The first Lord Baltimore died just before the Maryland charter had finished its progress through the royal bureaucracy. Cecil Calvert, the second Lord Baltimore, received the grant, which was worthless without settlers to develop it. Cecil Calvert could not expect to lure even Roman Catholics to his province with promises of religious freedom alone. What he chiefly had to offer was land—millions of acres occupied only by Indians, whose claims all Englishmen ignored.

To attract major investors, he promised grants of 2,000 acres for every five able-bodied men transported and equipped for a year—or 400 acres per settler. Such investors were also to be leaders, with titles of honor and positions in the provincial government. To others, he promised less. But anyone willing to immigrate—rich or poor, Roman Catholic or Protestant—was offered opportunity to acquire land. The land was not free—everyone had to pay the costs of surveying and patenting his tract—and in addition owed a small yearly rent to Lord

Baltimore. Nevertheless, the cost was extraordinarily low in comparison to the costs of obtaining land in England.

These generous terms drew settlers. On the first expedition, 17 gentlemen investors sailed in the ships Ark and Dove. The other 120-odd passengers were nearly all indentured servants, who were to repay the investors for transportation costs with four or five years of labor. All the gentlemen were Roman Catholics. The majority of the rest Protestant—and from a broad range of society below the gentry. Whether investors or servants, almost all were young men ready for adventure. There were only a handful of women, although more came later. All hoped to make their fortunes and many hoped for freedoms denied them at home.

Not all who arrived on those ships, and in later crossings, achieved their dreams. They had moved into an entirely new and dangerous environment. Of those who came in the Ark and the Dove, a fifth or more probably died in their first year—and the proportion may have been much higher. Many other settlers died before they had time to acquire or develop land.

Nevertheless, for those who did labor long and hard, Maryland was a promised land. Growing tobacco and corn required little equipment. The poor man who had finished his term of service could easily rent land, raise corn to eat, and quickly make profits from his tobacco crop. Later he could survey and patent land of his own. Some even grew rich and held positions of power that would have been impossible to attain for men of their social origins and education in England. Opportunities on this scale for the poor did not last indefinitely in Maryland. But over at least the first four decades, Maryland was good country for both rich people and poor people who could survive the rigors of the new continent. And all opportunities, as promised, were open to Catholics and Protestants alike.

Although this early experiment in religious toleration ended in 1689, it is remembered with pride by many state citizens as Maryland celebrates its 350th birthday. For 55 years, people of different religions cooperated in the common tasks of building farms in the wilderness and establishing a government that brought the peace and order essential for success. Roman Catholics and Protestants made laws together in an elected assembly and sat together in courts of law that were blind to religion. These men set a precedent to which the people of Maryland later returned. In 1777, with the end of English rule, toleration for all Christians and separation of church and state were made part of the first constitution. With this act, the vision of the early Lords Baltimore became the permanent law of Maryland and today extends to all.●

## WEAPONS IN SPACE: THE HIGH RISK FRONTIER

## HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. EDWARDS of California. Mr. Speaker, the House and Senate Armed Services Committees continue to debate the new military budget proposed by President Reagan. In the

near future, the House as a whole will be called upon to consider this budget.

As we continue to struggle with this controversial issue, I again call the attention of my colleagues to the next two editorials in a series by the San Jose Mercury News, dealing with weapons in space.

[From the San Jose Mercury News, Feb. 14, 1984]

#### GROUNDING SPENDING

The Soviet Union says it wants a treaty banning weapons from space. The Reagan administration is uninterested. Disturbed by the president's plans to spend billions of dollars on a new arms race in space, some members of Congress have attempted to block those expenditures—or at least tie them to negotiations seeking such an agreement.

At stake is whether a treaty can be put in place before new, more dangerous space weapons are deployed—and whether spending programs will be halted before they become unstoppable forerunners of very large future budget deficits.

No one can be sure, without testing the prospect at the conference table, that the Soviets are serious. But they are certainly making noises. Not quite a year ago, the late Yuri Andropov called for an agreement "prohibiting the placement in space of weapons of any kind." Then in August, Andropov pledged a unilateral ban on anti-satellite weapons by the U.S.S.R., and then Soviets submitted to the United Nations a draft treaty calling for destruction of such weapons.

The general response of the Reagan administration has been to say that such a deal would be too difficult to verify. Officials point out that with anti-satellite (ASAT) weapons, a little cheating could do a lot of damage, because there are only a limited number of targets. That objection may be limited application, say American experts outside the government, since it is our own ASAT's, not the Soviets', which would be most difficult to detect.

Whether because of verification fears or simply because it is committed to building new space weapons, the Reagan administration has spurned the Soviet overtures. "Clearly, the conditions do not exist which would make negotiations appropriate," Vice President George Bush told an international meeting a year ago. And Casper Weinberger's still classified but widely leaked Defense Guidance document says that ASAT weapons will be pursued "as a matter of priority." It adds: "We must ensure that treaties and agreements do not foreclose opportunities to develop these capabilities and systems."

The bald assertion that new weapons should take priority over arms control efforts is chilling in its implications. Troubled by the administration's direction, a bipartisan group of 127 House members have signed HJR 120, a resolution calling on the president to begin immediate negotiations with the Soviets to ban all weapons from space. Signers from this area include Representatives Norman Mineta, Leon Panetta and Don Edwards, all Democrats, and Rep. Ed Zschau, a Republican.

The Union of Concerned Scientists, meanwhile, has prepared a draft treaty to limit ASAT weapons, which could provide a starting point for the preparation of a U.S. opening position.

But draft treaties and non-binding resolutions have little force. The real battles have

been fought over attempts by some Congress members to "fence in" spending authority and thereby push the administration to the conference table while holding space weapons in abeyance. So far, such efforts have been inconclusive. But this spring's deliberations on the fiscal year 1985 defense budget may be decisive.

[From the San Jose Mercury News, Feb. 15, 1984]

#### WEAK LINK: ASAT, TALKS

If all goes according to schedule, a six-foot balloon will be sent into orbit from Wallops Island, Va., sometime this spring. And if all goes according to plan, an F-15 jet fighter will maneuver under the balloon and fire an 11-inch warhead that will park in space—and wait until the balloon smashes into it.

The event will be the first targeted test of the Air Force's new anti-satellite weapon. It also has become a symbol of the struggle by some members of Congress to force the Reagan administration to slow down its development of new space weapons—and to start negotiating a treaty to ban them.

That struggle will intensify in budget hearings this spring. Some insiders believe the next few months could be decisive; others believe the Reagan administration may attempt to side-step direct confrontation with its congressional critics, which could make the ASAT program an issue in the November election.

Whether the ASAT can knock a balloon out of orbit already has been linked with the question of whether Reagan can pry more money out of Congress for the program. Last year, with no opposition, Sen. Paul Tsongas, D-Mass., amended the defense authorization bill to specify that none of the money could be spent to test the ASAT against targets in space until the president could certify two things.

One was "that the United States is endeavoring, in good faith, to negotiate with the Soviet Union a mutual and verifiable ban on anti-satellite weapons."

The other was that, pending such a ban, the president could show that such a test was "necessary to avert clear and irrevocable harm to the national security."

All this high-minded language will have little effect; Tsongas himself has said the amendment only requires the president to certify that "the U.S. government is actively assessing the possibility of negotiating." And because the ASAT test schedule already has slipped, the administration may delay the balloon test until after October 1, and then argue the amendment has no effect in the new fiscal year.

The General Accounting Office predicts that the ASAT program could cost tens of billions of dollars by the 1990's, but critics cannot claim any enormous cost escalation yet; after asking \$222 million in fiscal year 1984, the administration wants \$226 for fiscal year 1985, and \$249 for fiscal year 1986.

The concern is that this is the point in the weapons's history when funding begins shifting from research and development to procurement. In fiscal year 1984, only \$19 million was for procurement; in fiscal year 1985 the figure is \$83 million, and it will be \$128 million by fiscal year 1986.

House members last year tried to cut the fiscal year 1984 procurement money, when they didn't have enough votes to do that, they built a legislative fence around it. This particular \$19 million cannot be spent, the Senate agreed, until after the president presents another report to Congress.

Due March 31, this report must list "the specific steps the administration contemplates undertaking . . . to negotiate a verifiable agreement with the Soviet Union to ban or strictly limit existing and future ASAT systems."

From a think-tank at Harvard University, the administration has commissioned a report, which was due February 1, on ASAT arms control options. The Harvard report has not been made public. Critics on Capitol Hill have no idea what Reagan plans to say in his March 31 report, or even whether he plans to make such a report; some think he will forgo the \$19 million, for now, and say nothing.

Meanwhile, the president has sent Congress his fiscal year 1985 budget, which asks another \$83 million in ASAT procurement money, and \$143 million for further R&D.

This spring, congressional advocates of arms control almost certainly will try again to condition these funds on negotiations toward a treaty.

But what if the president calls their hand? What if the administration simply begins negotiations that, like its previous negotiations on nuclear arms, go nowhere?

The hard fact is, talking with the Soviets about banning weapons from space could serve as a cover for more weapons development. Even should the Reagan administration sincerely seek a treaty, it would have to overcome enormous obstacles, some of its own making.

As Leslie Gelb wrote recently in the New York Times, "The differences between the two sides in almost every region of the world and on almost every issue are profound and have been building since the mid-70's. Trust is required to conduct negotiations, but, judging from comments by officials on both sides, it is now near rock bottom."

The implication for Congress is clear. Linking ASAT funding to arms talks probably will be an empty and futile (though politically attractive) gesture, so long as the Reagan administration doesn't want a new treaty.

If members of Congress really intend to restrain future deficits and prevent a new arms race in space, they will have to bite the bullet and find the resolve to deny further ASAT funding for now—or at least to cut off procurement money while perhaps granting limited funds for further R&D.

The Soviets proclaimed their own unilateral ASAT ban last August. Congressional actions to slow our program could contain a safety valve that would allow funding to escalate again, if there is evidence that the Soviets are changing the status quo. As in last year's Tsongas amendment, Congress could require the president to show that "clear and irrevocable harm to the national security" would be caused by failure to authorize more spending.

In principle, of course, the goal of negotiating a new treaty on space weapons ought not be abandoned. Should the Reagan team reverse its positions, or be replaced by an administration with different priorities, the quest for such an agreement might again become profitable.

But for the present, indications are that the president and his men will shun such a deal, both because they want the new ASAT system, and because an ASAT treaty might hamper their plans for other space weapons, much larger and costlier than ASAT. ●

**WOMEN'S ECONOMIC EQUITY  
ACT—TIMELY ACTION NEEDED**

**HON. MARIO BIAGGI**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. BIAGGI. Mr. Speaker, as a cosponsor of the Economic Equity Act, I wish to reiterate my strong support for this comprehensive approach to addressing many of the barriers faced by women in our society in achieving economic parity.

Pay equity will clearly be a major issue in Congress this year as we seek to advance many of the individual legislative proposals which are incorporated in the Economic Equity Act. Title I seeks to target reform in the areas of tax and retirement matters. Keeping women economically sound both during their working years—as well as in their retirement years—requires a major restructuring of our pension and retirement programs. The assumptions which drove the creation of the social security system in the 1930's—which stressed women as dependents—are unquestionably out of step with the realities of both the workplace—and the family of the 1980's.

I strongly endorse the reform areas in title I of the act which address tax and retirement matters. To reinforce my concern in these areas, I have also joined as a cosponsor to the individual bills upon which title I is based.

These bills include:

H.R. 4280, Private Pension Reform Act which requires payment of survivor annuity to spouse of a working widow who was fully vested, even if that worker dies before the annuity starting date; requires written consent of both spouses to waive survivor annuity option; permits assignment of pension benefits by State divorce courts in cases related to alimony, child support and marital property rights; lowers the minimum age for participation in a pension plan from 25 to 21; modifies break-in-service rules and abolishes ERISA provision allowing denial of widow's benefits if an otherwise qualified spouse dies within 2 years of choosing survivor benefits (if the death was from natural causes). This bill has been reported from the House Education and Labor Committee where I am the ranking New York member, and awaits action by the Ways and Means Committee;

H.R. 2099 Which permits the establishment of an individual retirement account (IRA) by homemakers and allows alimony to be treated as compensation for the purpose of eligibility to open an IRA;

H.R. 2127 provides a tax credit to employers who hire displaced homemakers of \$3,000 in the first year and \$1,500 in the second year;

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H.R. 2300 Which provides for civil service pension reform by entitling reforms similar to those provided under H.R. 4280 for civil service employees, retirees and their spouses; and

H.R. 2126 which revises the Federal income tax rate to allow single heads of households to a zero bracket amount equal to that allowed on a joint return.

Together, these bills form the basis of an important floor of changes that will assist women who depend upon pensions as their primary source of income. Current policy in both public and private pensions fails to recognize the contribution of a homemaker to a worker's pension. Further, there is no security for these same homemakers in the event of divorce and these bills, together would indeed provide for such security and assist both women and their families.

The Economic Equity Act also addresses the importance of dependent care for working women. Women are the primary caregivers in families and as such, as most directly penalized by the lack of incentives which allow their entry into the job market.

The participation of women in the work force has increased dramatically—from 23 million in 1960 to 43 million today, and is expected to grow even more to 60 million by 1990. The greatest increase in this participation is found among working women ages 20 to 44, those same women with child-bearing and caring responsibilities. Over half of all children today have mothers in the work force, including almost 46 percent of preschool age children.

The Economic Equity Act also recognizes the increase in disabled and elderly dependents within families which often prevent women from working. Today, 8.4 million severely disabled adults, age 18 to 64, are cared for in the family home. Eighty percent of all persons over 65 receive some care from their children and 1 in 8 retired women provide home care for dependents. As such, economic equity through reform of existing tax laws and expansion of services which assist families in the care of dependents, is critical.

Title II of the act proposes to make dependent care more affordable and accessible to women in the workplace. I have joined as a cosponsor of the following individual bills as well which compose title II of the act:

H.R. 1991 which increases the percentage of dependent care costs which can be claimed as a tax credit by low-income families. In 1981, Congress enacted such a sliding scale and over 4 million families now use this credit. However, only 7 percent of the claims by families with an income of less than \$10,000;

H.R. 2093 would make this same credit refundable for those families

whose income is so low that they owe no Federal taxes; and

H.R. 2242 which would establish a child care information and referral system through the provision of seed money to community-based organizations in order to assist them in the creation of development of such systems.

It should be noted that women with children work because of economic necessity in many cases. According to the Congressional Caucus on Women's Issues, in 51 percent of two-income families with children age 13 and under, the husband earns less than \$15,000. The caucus also points out that 5.7 million children age 13 and under, including 1.7 million under age 6, live in single-parent families where the parent works. For these families, dependent care is costly and a range of prices is not available. The amount of money a family would have to pay for such care bears no relation to the family income until that income begins to exceed \$50,000 per year. As such, passage of these bills would address the current inequities that plague working women in this area.

Mr. Speaker, I have not addressed all the reforms proposed in the Economic Equity Act, but have, in fact, outlined what I believe to be some of the most important provisions addressing pay and pension reform. We recognize that there is a growing body of support for passage of these bills, and I plan to work, both as a senior member of both the House Education and Labor Committee and the House Select Committee on Aging, to assist in their timely consideration by Congress. I also look forward to reviewing the report by the Department of Health and Human Services on earnings sharing under social security, which will be provided to those of us who are members of the committee's Task Force on Women and Social Security.

Mr. Speaker, I also wish to point out that I remain a strong advocate for passage of the equal rights amendment, which is the cornerstone of our agenda to break down existing barriers to women. While the Economic Equity Act represents a comprehensive approach to reform, I believe that we should be equally as enthusiastic in our support for the individual pieces of legislation that are incorporated into the act and which will be the real vehicles for legislative action in this area. Economic justice for all is not merely a women's issue—it is also a civil rights issue and a human rights issue. I stand ready to work with my House colleagues to assist in the achievement of these rights. ●

## IMPACT AID AMENDMENTS

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. GOODLING. Mr. Speaker, today I am proud to introduce a bill to amend the impact aid program statute. The heart of this program is section 3 of Public Law 81-874 which authorizes payments to schools based on the number of children whose parents work and/or live on Federal property.

This legislation has been drafted by the administration and is consistent with the President's stated policy regarding this important program: namely, that the Federal Government has a clear responsibility to assist school districts that are directly affected by the presence of Federal installations or properties which also serve as places of residence for families with school age children.

I support the overall aim of this legislation and I have consistently insisted for 10 years that a clear distinction exists between the Federal responsibility for the so-called 3(a) and 3(b) children.

Even the strongest critics of impact aid acknowledges that "a" children whose parents live and work on non-taxable Federal property are associated with a clear tax loss to the school districts. However, no such consensus exists regarding "b" payments for children whose parents live or work on Federal property.

It might be useful to recall that, in 1974, Congress eliminated or reduced entitlements for "b" children. For example, "b" children whose parents work outside the State in which the local education agency is located were eliminated as eligible federally connected children, although the 90-percent hold-harmless provision effectively limited this reform. Similarly, entitlements were lowered for "b" children whose parents work outside the county in which the local education agency is located.

These changes were based on the argument that because the parents of these children pay residential property taxes, and because the tax loss from the nonresidential property occurs outside the county or State of the local education agency receiving the impact aid money, there is little or no burden on the local school district. In many instances, the Federal presence has stimulated more economic activity and has led to the creation of more taxable property than otherwise would have existed. The argument has been made that, in a majority of cases, the Federal presence resulted in an expansion of commercial activities, employment, and the local private residential tax base.

Another longstanding criticism of the impact aid "b" payments is that it results in the distribution of large payments to affluent school districts which may have actually benefited from Federal activity and which could easily support a high level of educational expenditure without impact aid. If one agrees that a major purpose of the impact aid program is to provide an in-lieu-of-tax payment for school districts which have suffered some tax revenue loss through Federal presence, logic alone leads one to question the appropriateness of providing payments for "b" children whose parents work outside the jurisdiction of the school system in which the child attends school. This is especially true in light of the fact that residential property values are often inflated as a result of the demand for property created by the Federal presence. Those people who argue that the tax loss created by the nontaxable status of the Federal installation in their area usually display their ambivalence when anyone threatens to remove that Federal activity to another area of the Nation.

We must have the courage to recognize that there is absolutely no way to accomplish meaningful reform and simultaneously maintain these open-ended payments. We should not lose sight of the fact that the impact aid Federal payment is, in reality, an euphemism for the redistribution of citizens' tax dollars from one geographic area to another. The irony is that in many instances, money is taken from poorer areas and redistributed to wealthier ones. How can this be justified?

The administration is correct in insisting that Congress keep its pledge made in 1981 for a 3-year phaseout of the "3(b)" payments, ending September 30, 1984. However, during our committee deliberations of H.R. 11, a bill to extend various expiring education programs including the impact aid law, I plan to offer an amendment which would provide an exception for school districts that have a high concentration of 3(b) children in their schools—the so-called super "b" schools. Such a compromise is reasonable and is consistent with the budget recommendations submitted by the Republicans on the Committee on Education and Labor. The overall recommendations from the minority on the Subcommittee on Elementary, Secondary, and Vocational Education on which I serve as the ranking Republican member, were identical to the President's budget request for a slight increase in education spending in fiscal year 1985, although some of our priorities differed from those of the administration. One of the slight, but important differences was in the impact aid program as I have outlined to you.

In balance, I feel that congressional action on this legislation is long overdue and I applaud the administration for its efforts. With the few changes that I propose to offer in committee, I think this bill should be enacted into law.

For the benefit of my colleagues, I have included a brief summary of the administration's bill:

## IMPACT AID—ADMINISTRATION'S FISCAL YEAR 1985 PROPOSAL

The administration continues to believe that the Federal government has a clear responsibility to assist school districts that are directly affected by the presence of Federal installations or Federal properties which also serve as places of residence for families with school age children. However, financial assistance should not be provided for children who do not represent an actual burden to the school districts which educate them. So-called "b" children do not represent such a burden.

Congress has voted to end support for "b" children after fiscal year 1984. This bill amends the program statute to make it conform to this legislative action. The bill removes provisions of the program statute which determine amounts of entitlements for "b" children; further, language that includes these children for eligibility and for payments under Section 3(d)(2)(B) is removed.

The bill redefines full entitlement, the maximum payment allowed under the law for children who reside in federally subsidized, low-rent housing with a parent employed on federal property to be 15% of the amount determined under calculations currently in the program statute. This is proposed in order to make more equitable payments of funds on behalf of children living in such housing.

The bill would make changes affecting preliminary payments. The amount paid to local school districts in preliminary payments, which are made at the beginning of the fiscal year prior to submission of an application, would be limited to 75 percent of the amount any "Super a" district received under Section 2 or 3(a) of the program for the previous year and reduced to 50 percent of the amount that any other agency received for the previous year under Section 2 or 3(a).

The bill would replace the tiered payment schedule in current law, which has not been implemented in recent years, with a simple formula for making section 3(a) payments. The formula first would provide to each Super a district, a payment of 100 percent of entitlement. Any other LEA would receive a pro rata share of its full entitlement based on the funds remaining available after "Super a" districts are paid. Section 3 payments would be limited to those which are at least \$5,000.

For the Disaster Assistance program, the bill would raise the threshold of eligibility under the program statute to \$10,000 or 5 percent of prior year operating expenditure, whichever is less.

Finally, the bill would repeal the "hold harmless" provisions enacted under the Education Amendments of 1974. These provisions were intended to help school districts adjust to the effects of declining enrollments caused by decreases in federal activity. The affected districts have now had sufficient time to adapt to these enrollment

reductions, making the hold harmless provisions unnecessary. ●

## INTRODUCTION OF THE OLDER AMERICANS ACT AMENDMENTS

HON. JOHN N. ERLNBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. ERLNBORN. Mr. Speaker, I am pleased today to introduce legislation to reauthorize the Older Americans Act of 1965 for 3 additional years. This legislation has been recommended to the Congress by the administration and, I am happy to say, includes several provisions designed to strengthen the ability of the local aging network to meet the needs of our senior citizens.

The major improvements in the act would come in the area of increasing the flexibility of program administration both for the Federal Government and for States. The major provisions of the bill are as follows:

Under existing law States receive funds under title III of the act under four separate authorizations. Under this arrangement, States receive separate allocations for administration, supportive services, congregate meals, and home-delivered meals. The administration proposes to consolidate these four authorizations into a single allocation while preserving all of the organizational and programmatic requirements of the current act. In merging these authorizations, the administration is not proposing a block grant. Rather it is addressing the need expressed in many States for additional flexibility in the administration of Older Americans Act funding. Because of the increased flexibility called for under the bill, States would be much better able to address the special conditions and challenges facing the elderly in their jurisdiction. The mix of services needed in my State of Illinois, for example, differs from that needed in Mississippi.

The bill would also transfer the U.S. Department of Agriculture cash-or-commodities program to the Department of Health and Human Services. Currently, over 90 percent of the resources distributed under this program are distributed in the form of cash. The logic for transferring the program to HHS, therefore, is quite strong. In addition, States will remain eligible to receive donated commodities from USDA, as well as having the right to purchase additional USDA commodities if they so desire. Finally, a 3-year hold-harmless is included in the legislation to assure that no State will be adversely impacted by the transfer. I believe that this particular provision will not only simplify the Federal administration of our aging programs, but also will save local agencies on

aging and the States from significant paperwork requirements.

The administration also proposes to require the States to establish and publish, before the beginning of their program year, their goals for meals and the estimated cost per meal. This requirement is designed to help the public make their needs known as priorities are established within each State. It should also help alleviate any concern local providers may have about the impact of the consolidation of the title III authorizations.

The bill considerably streamlines the training, research and discretionary projects authority included in title IV of the act, thus giving the Commissioner on Aging proper authority and flexibility to meet the changing needs of our elderly population. The title, as revised, would continue to provide authority for grants and contracts for training and recruiting personnel for the field of aging, multidisciplinary centers of gerontology, research and development projects, demonstration projects, and national impact activities.

Finally, the bill would allow the Secretary of Labor to transfer to the Administration on Aging the task of distributing funds to State Agencies on Aging for the 22 percent of the community services employment program, which goes to the States rather than to the national contractors. This change is designed to improve coordination between the title V program and other Older Americans Act supported activities.

Mr. Speaker, I believe this proposal addresses many of the problems facing the aging network in providing services to senior citizens. It is my hope that the Committee on Education and Labor will take a careful look at this legislation as it moves forward with reauthorization this year.

A copy of a section-by-section of the bill follows:

### OLDER AMERICANS ACT AMENDMENTS OF 1984—SECTION-BY SECTION SUMMARY SHORT TITLE

Section 1 provides the short title of the bill. When enacted, it would be cited as the "Older Americans Amendments of 1984".

#### CONSOLIDATED AUTHORIZATION OF APPROPRIATIONS FOR STATE GRANT PROGRAM

Section 2 of the draft bill would eliminate the separate appropriations authorizations for supportive services and senior centers, congregate and home-delivered meals, and State plan administration under title III of the Older Americans Act of 1965 ("the Act"), and would provide instead a single consolidated authorization of appropriations for both administrative costs and service delivery under this program. All separate ceilings on spending for certain purposes would be eliminated, and the Federal share of all program costs would be limited to 85 percent, the current law match rate for parts B (supportive services and senior centers) and C (nutrition services).

Included in the consolidated authorization of appropriations for the State grant pro-

gram would be an amount equal to the FY 1984 funding for cash-or-commodities meals assistance program presently administered by the Department of Agriculture under section 311(d) of the Act, which would be repealed by section 3 of this draft bill.

This section would amend the Act to provide that the populations-based formula presently used to allocate funds for the services program would be used to allocate all Federal funding; the separate population-based formula for allocating State administrative funds, and the formula based on number of meals served used for distributing commodities assistance funding, would be eliminated. However, in order to afford State time to adjust to changes in funding levels, the draft bill provides that for FYs 1985, 1986, and 1987 amounts equal to the total FY 1984 funding for these purposes would be distributed to States in the same proportions as for FY 1984.

This section would extend authorizations of appropriations for the State grant program for three years, through FY 1987. It would authorize appropriations of \$760,746,000 for FY 1985, \$781,769,000 for FY 1986, and \$802,414,000 for FY 1987.

#### AMENDMENTS TO USDA COMMODITIES PROGRAM

Section 3 of the draft bill would amend section 311 of the Act to eliminate the requirement that the Secretary of Agriculture provide assistance to States in the form of cash or commodities for each meal served under their title III nutrition programs. The Secretary of Agriculture would retain the authority to donate agricultural commodities acquired under price support and surplus removal programs for nutrition services under the Act. Authority would be continued for States to have the Secretary of Agriculture purchase commodities on their behalf for use in providing nutrition services.

#### OTHER AUTHORIZATIONS OF APPROPRIATIONS (FEDERAL COUNCIL ON THE AGING; INDIAN TRIBES)

Section 4(a) of the draft bill would authorize funding for the Federal Council on the Aging of \$175,000 for each of FYs 1985, 1986, and 1987.

Subsection (b) would authorize funding for direct grants to Indian tribal organizations of \$7,500,000 for FY 1985, \$7,672,000 for FY 1986, and \$7,836,000 for FY 1987.

#### CLARIFYING AMENDMENT CONCERNING VOLUNTARY CONTRIBUTIONS FOR NUTRITION AND SUPPORTIVE SERVICES

Section 5 of the draft bill would amend the Act to make clear that projects providing nutrition or supportive services under the State grant program are not authorized to charge for those services, but are required to afford participating individuals an opportunity to make a voluntary contribution to the cost of the service provided, and that such voluntary contributions must be used for the services provided under the program.

#### REQUIREMENT TO ESTABLISH GOALS FOR NUTRITION SERVICES

Section 6 of the draft bill would establish a new State plan requirement concerning nutrition services, intended to help ensure that nutrition services are responsive to the needs of local communities. States would be required to publish before the beginning of the fiscal year their goals as to the number of meals to be served under the program in each of the planning and service areas within the State, and the cost per meal, and to publish after the end of the year a state-

ment of the actual numbers of meals served and the cost of those meals. In order to give States time to comply, this amendment would become effective beginning with the first State fiscal year during Federal FY 1986.

AMENDMENTS TO AUTHORITY FOR DISASTER  
RELIEF TO STATES

Section 7 of the draft bill would make amendments to the authority to provide funds under the Act to States for disaster relief services, in order to make this authority more useful in responding to emergencies.

Subsection (a) would permit payments to be made to States in the form of grants (present law permits payment only by way of reimbursement, thus making it difficult to deliver the funds when they are most urgently needed).

Subsection (b) would permit payments under this provision to be used for nutrition services (present law permits use of these funds only for supportive services).

REVISION OF TITLE IV—TRAINING, RESEARCH,  
AND DISCRETIONARY PROJECTS AND PROGRAMS

Section 8 of the draft bill would revise title IV of the Act. This title would continue to provide authority for grants and contracts for training and recruiting personnel for the field of aging, multidisciplinary centers of gerontology, research and development projects, demonstration projects, and national impact activities. However, requirements to give priority to certain projects, detailed descriptions of projects and activities which may be funded, and ceilings on funding for certain purposes would be eliminated. Appropriations would be authorized for the purposes of title IV of \$5,000,000 for fiscal year 1985, \$5,115,000 for FY 1986, and \$5,224,000 for FY 1987. Language is included to ensure that there is an equitable distribution of research and development funds between projects serving urban and rural areas.

DELEGATION OF AUTHORITY FOR STATE GRANTS  
FOR COMMUNITY SERVICES EMPLOYMENT

Section 9 of the draft bill would permit the Secretary of Labor to delegate to the Secretary of Health and Human Services authority to make grants to State agencies for community services employment under title V of the Act.

TECHNICAL AMENDMENTS

Section 10 of the draft bill makes various technical amendments.

EFFECTIVE DATE

Section 11 of the draft bill provides that the amendments made by the bill to the Older Americans Act of 1965 would become effective October 1, 1984.

AGE DISCRIMINATION REPORTING  
REQUIREMENTS

Section 12 of the draft bill would amend the requirements under the Age Discrimination Act of 1975 for reports by Federal departments and agencies to the Secretary of Health and Human Services, and by the Secretary to the Congress. The present requirement for annual reports would be amended to provide for such reports after 1983 only as the Secretary deemed necessary. This change would save staff time and would not result in a loss of useful information provided to the Congress.●

TRIBUTE TO THOMAS C.  
GIORDANO

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. BIAGGI. Mr. Speaker, Junior High School 45, Bronx, N.Y., is in the process of changing its name to the Thomas C. Giordano School. At this time I would like to pay tribute to Thomas C. Giordano, an outstanding citizen who died recently.

Thomas C. Giordano was born on August 5, 1936. He spent his whole life in the Belmont community of the Bronx, N.Y. Throughout his life Tom served his community with love and a dedication that reached out and touched everyone he knew. Tom started his teaching career at JHS 45 in the Bronx in 1959, where he became affectionately known to children and staff as Mr. G. From 1965 to June 1973 he served as dean of discipline. On September 1, 1973, he became assistant principal of JHS 45. Tom's skill and dedication as an educator was well recognized by his peers and in December of 1975 he was assigned principal of PS 205 in the Bronx. While at PS 205, Tom was able to influence the lives of many young children. He always had time for their problems and their needs, no problem was too small and to Tom every child was special. Tom was also instrumental in having the school named after Fiorello H. La Guardia. Tom served as principal of this school until his untimely death on October 1, 1983.

Despite his deep commitment to his job, Tom was an active community member who was highly respected by local civic, religious and political organizations. Tom approached his civic responsibilities with vigor, a deep sense of duty and a genuine concern for his fellow citizens. There was always time in Tom's busy schedule for children and you could regularly see him on the local basketball court, softball field, or football field tutoring neighborhood youngsters. And they could not have had a better teacher. Tom was considered a premier athlete in his community. His prowess extended to softball, baseball, basketball and football. He was noted as a world-class softball player with the Metropolitan Allstar Players. In 1968 at the World Tournament in Quebec, Canada, he hit the longest homerun witnessed at that time.

Tom was also highly committed to the Italian-American community and he worked tirelessly to organize the Forum of Italian-American Educators (FIAME) which has flourished and grown to include hundreds of members. He served on the executive board, the political action committee, and the student affairs committee.

Tom was acutely sensitive to the needs of the Italian-American community in Belmont and he kept alive many of the fine traditions from the old country.

Thomas C. Giordano left behind a legacy of love, commitment, and caring to the schoolchildren of district 10 and the entire Belmont community. Tom was also a devoted family man. His lovely wife Kathleen and their five children will sorely miss Tom. All who knew him are diminished by his loss.

The spectrum of Tom's love and caring knew no racial, ethnic or social boundaries. He was always there to extend a helping hand to all those in need, both young and old. He was never too busy to stop and talk with troubled youths or concerned citizens. Anyone who knew him was touched by his warmth and genuine concern. His memory will remain in the hearts of the thousands of people he reached out to.

Thomas C. Giordano represented the best of what the Bronx has to offer. Perhaps in identifying several of his many deeds one can better appreciate the type of humanitarian Tom was and the many contributions he made to the entire Bronx community.

Tom was one of the three founding fathers of the Belmont Athletic Association (1958) which became the largest youth activity program in the county, serving 1,500 young men and boys at its peak.

Tom was a charter member of the Fordham Kiwanis International, established 1967-77, as a youth services chairman. He was vice president of the Belmont Athletic Association from 1960 to 1983. As the director of the Belmont Center, Tom worked extensively with the police athletic league. Never retreating from his commitment to young people, Tom was teacher in charge of the vacation playground at JHS 45 from 1958 to 1983, and he wrote a proposal for summer and year-round programs for title I programs at JHS 45. He was also the little league manager and coach of the basketball team at JHS 45 for 10 years.

The Italian-American community is indebted to Thomas C. Giordano for his work or their behalf. As the founding father of FIAME Tom shall forever represent the "soul" of that organization and his memory will serve as a symbol of the dignity of the Italian-American community both in New York City and throughout this great Nation that Tom loved so dearly. It was through Tom's strength and determination that FIAME was able to grow and develop. Tom sought to create and substantiate a bilingual and Italian language program at Christopher Columbus High School. He also worked hard on behalf of the Italian-American professional and was instrumental in their great progress during

the past 20 years. In addition to his long time commitment to FIAME, Tom was also a member of the Knights of Columbus, and the St. Martin of Tours Council. Highly active in his church, Tom was an officer of the Junior Holy Name of Mount Carmel Church.

This is but a small example to the type of person Thomas C. Giordano was. All of us who knew him were amazed at his boundless energy and his tremendous capacity to help and serve others. We are all better people for having known Tom and he will survive in our memories as a man of dignity, a man of love, a man who dedicated his entire life to the service of others—especially those in need. Tom will forever remain as an inspiration to all who strive to serve their fellow man.●

#### AIR FORCE HONORS HARD- WORKING SERGEANTS FROM GUAM

#### HON. ANTONIO BORJA WON PAT

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. WON PAT. Mr. Speaker, it was recently called to my attention that there will soon be four new Chief Master Sergeants from Guam in the U.S. Air Force.

For the uninitiated the Chief Master Sergeant's rank is the highest rank attainable for an enlisted member of the Air Force. This rank is clearly not won by the vast majority of men and women who serve. It is reserved for only the select few who have shown the highest level, training, devotion to duty and country, and of course, leadership ability.

The four from Guam who have just achieved the rank of Chief Master Sergeant are: Chief M. Sgt. Roland S. Combado, Hq. Air Force Communications Command; Chief M. Sgt. Tomas Q. Fernandez, 603 Military Airlift Support Squadron (MAC); Chief M. Sgt. Augusto F. Cepeda, Hq. U.S. Air Force Europe; and Chief M. Sgt. Selectee Francisco G. Benavente, 3900 Computer Services Squadron (to attain rank in fall, 1984).

The success of these outstanding men deserves noting. We who serve, as I do, on the House Armed Services have heard extensive testimony that we are losing men of the excellence exhibited by the top noncommissioned officers. I am doubly pleased therefore to know that the leadership of today is in the hands of men such as these who are the backbone of our military and our ability to deter aggression against this Nation.

These men are also a continuing reflection of years of proud service to this Nation by the people of Guam.

Today, there are over 5,000 men and women from my island serving in the Armed Forces of the United States. Guamanians have won a well-deserved reputation as professional military men and women. The men whom I mention today continue that proud tradition.

To these men, their families and to countless others who serve America, often at great personal risk, I offer my congratulations and appreciation. They all too often work in the most difficult conditions at less than appropriate pay or benefits. They do so with never a complaint and with a sense of duty and accomplishment seldom found in other areas of either public or private enterprise.

When an airman has risen to the top of this profession, he is awarded a special certificate by the Chief Master Sergeants of the Pentagon. I believe that the wording of this certificate is especially appropriate and ask that it be included in the RECORD at this time. Thank you.

HEADQUARTERS, U.S. AIR FORCE,  
Washington, District of Columbia.

Be it known to all who see these presents, that Chief Master Sergeant Augusta "Gus" Tepeda has been inducted into the membership of the Chief's Group upon elevation to the grade of Chief Master Sergeant in the United States Air Force. Implicit in individual membership in this select group is the creed that its members are individually to be regarded as people . . .

who cannot be bought;  
whose word is their bond;  
who put character above wealth;  
who possess opinions and a will;  
who are larger than their vocations;  
who will not lose their individuality in a crowd;

who do not hesitate to take chances;  
who will be as honest in small things as in great ones;

who will make no compromise with wrong;  
whose ambitions are not confined to their own selfish desires and interests;  
who will not say they do it "because everybody else does it";

who are true to their friends through good report and evil report, in adversity as well as prosperity;

who do not believe that shrewdness, cunning, and hardheadedness are the best qualities for winning success;

who are not ashamed or afraid to stand for the truth when it is unpopular, who can say "no" with emphasis, although all the world is saying "yes".

Presented by the Chief Master Sergeants of the Pentagon.●

#### SENATOR BAKER SPEAKS HIS MIND

#### HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. MICHEL. Mr. Speaker, Senator HOWARD H. BAKER, JR., of Tennessee will retire next year. His absence from our deliberations in Washington will

be a loss to the Congress and to the country. Recently, he gave us some intriguing and thought-provoking ideas about how we might improve the congressional process. I commend them to your attention and to the attention of our colleagues.

At this time, I wish to insert in the RECORD, "Congress According to Baker" by Senator HOWARD H. BAKER, JR., in the New York Times Magazine, Sunday, April 1, 1984.

The article follows:

#### CONGRESS ACCORDING TO BAKER

(By Howard H. Baker, Jr.)

When I first entered the United States Senate in 1967, I was invariably described as my father's son, as my father-in-law's son-in-law and as a "wealthy young lawyer." Seventeen years later, my familial and political associations with Howard Baker Sr. and Senator Everett McKinley Dirksen remain sources of great pride for me. But I am a "wealthy young lawyer" today only when compared with the truly impecunious, the truly ancient and those who have never been called to the bar. What I have been for most of the last 17 years is a full-time Federal employee with no business but Government and no real home but Washington.

Almost from the beginning of my Senate service, I have been waging a one-man crusade to restore the Congress to its original and intended character as a "citizen legislature" and not an assemblage of elected bureaucrats. To this end, I propose a greatly reduced Congressional session, so Congress can stay in closer touch with the people we represent. Lowering our salary accordingly, we should allow outside income. More important, Congress needs to begin to work more closely, less antagonistically, with the President. And so that we might examine the impact of our legislation on Americans, we should limit its life.

Not so long ago, members of Congress were real people with real jobs in real communities throughout the country. They were truly representative of the people who elected them because they played an integral and active part in the civic and economic and social affairs of their constituencies. They went to Washington temporarily and they came home.

I recall quite clearly when my father first went to Congress in the early 1950's. He went to Washington on the train, an overnight trip from Tennessee. He went in January and had no plans to come home before Easter, when Congress would adjourn. He never thought about moving his family permanently to Washington or giving up his home in Tennessee. He never thought about giving up his profession or his business and civic enterprises and personal interests. He was a Tennessean, temporarily in Washington to speak for his neighbors.

For all practical purposes, today's members of Congress consider Washington home, and we're tourists in our own constituencies. We're committed year round to the legislative undertaking. We pass statute after statute forbidding us to do anything but legislate 12 months a year. We're expected to be free of any conflict of interest by abdicating all interests but political power.

As virtual captives of the capital, we think up more and more Government programs—whether we need them or not—because that's all we have to do. We pass thousand-

page legislative bills that read more like bureaucratic jargon than public law. We stopped seeing the forest for the trees a long time ago. Now we label the leaves.

An \$850 billion Federal budget is only one result of this exclusive concentration on Government. It costs nearly a billion dollars a year just to run the Congress itself, with a staff almost four times as large as it was in my father's day. Members of Congress now make \$72,200 a year as Federal employees—several times what most of our constituents make—and still we complain about the high cost of living in Washington and commuting to the state on hurried weekends or overnight excursions.

But the problem is not just a matter of Government expense, or Congressional pay, or nostalgia for a simpler time. Rather, it's a question of function and faithful representation. Congress cannot really be representative, cannot really know or accurately respond to the concerns of the American people while we are strangers in our own country, sequestered from our fellow citizens by public law and the Potomac River.

We in Congress are trustees of the ultimate sovereignty in this country—the full expression of the desires and demands of the American people. But in ourself-imposed isolation, we grow more and more susceptible to the loudest voice or the largest mailing on any given issue. We surrender the power of independent judgment when we have no personal experience or insight to guide us—when we lose contact with the real world and the practical consequences of our political actions.

Our role is to represent the people on major policy decisions, to translate the public will into public law on matters of national and international importance. It is not to manage the Federal establishment to the last detail. We have an executive branch—a President, a Vice President, 13 Cabinet departments and dozens of regulatory agencies—to do that, and we have all the supervisory powers over them we need.

The Constitution defines the roles of the legislative, executive and judicial branches; the powers of the Federal Government, and the essential rights of American citizens in fewer pages than most of the bills—and many of the amendments—we write on the least significant issues, many of which might better be resolved in state legislatures, city councils or even local school boards. But Congress gets into everything because we think it's our job.

For nearly three centuries for example, public education was virtually the exclusive province of local governments. The Federal Government got into the education business in a big way only after World War II, with the G.I. Bill of Rights, but that involvement was largely at the college level, with few regulatory strings attached. A Department of Health, Education and Welfare was added to the Cabinet in 1953, but the direct Federal role in education was still quite limited.

Four years later, with the launch of the Soviet satellite Sputnik, Washington was exhorted to "do something," and it responded with the National Defense Education Act of 1958. Federal aid to education expanded throughout the 1960's and 1970's, and with it regulations on everything from bilingual curriculum to girl's basketball.

Despite this huge Federal involvement, the quality of education has been decreasing. The major reforms now underway in public education are being led by people like Gov. Lamar Alexander of Tennessee, not by Federal officials in Washington.

Because Congress habitually yields to the temptation to do something, we get into everything, but we stand increasingly in peril of accomplishing nothing. Twice in two years, the Federal Government has run out of money, because the Congress has failed to approve funds in time to meet the payrolls of executive departments and agencies. The simplest piece of legislation is now regularly festooned with amendments, both relevant and irrelevant, by professional legislators.

I think we can do better, not by doing more but by doing less. Let me suggest a few reforms:

Congress should be in session for only six or so months of the year—with four months at the beginning of the year devoted to the authorization process (enacting laws authorizing Government action on matters of national importance) and two months in the fall devoted to the appropriation process (deciding how much the Government should spend on those actions).

The other half of the year should be spent not in Washington but in the rest of the country—seeing firsthand the practical effect of Federal laws on private lives and enterprise, staying in personal touch with the people we're elected to represent, experiencing real life in America not as distant observers but as involved participants.

The counter argument is that a part-time Congress would cede too much power to a full-time President or be insufficiently versed in complex issues. This argument misses the point of what Congress is supposed to be—the nation's board of directors, with the President as chief executive officer. We couldn't compete with the information that flows to him if we stayed in Washington 13 months a year.

The Supreme Court sits in formal session only six months of the year, but every President and every Congress since Marbury v. Madison, which in 1803 determined the importance of the Court, have understood the co-equal power this "part-time" tribunal wields. As long as the Congress keeps the power of the purse, it will be first among equals in the Federal Government whether it meets three days a year or 365. It is worth recalling that when Congress was a part-time legislature, the Federal Government consistently ran budget surpluses rather than deficits. Whether cause or coincidence, it is a fact.

For working only half the year in Government service, members of Congress ought to get about half the salary we currently pay ourselves—\$36,100 a year should be plenty.

Congress should repeal all laws forbidding or limiting income earned by its members from sources other than the Federal treasury. The appropriateness of outside income, fully disclosed and regularly reported, is a political question, not an ethical or a moral one.

If the electorate perceives that a representative is serving special interests to the detriment of the public interest, they can throw the rascal out. Congress itself has exercised its right to discipline or expel members for such conduct.

I believe that while some sacrifice of financial gain may be in the nature of public service, an explicit penalty or prohibition against earned income—as opposed to inherited or otherwise "unearned" income—flies in the face of basic fairness and subverts the work ethic we prize so highly in this country. The surveyors and planters and printers and merchants who founded this country didn't give up their private professions for public service, and they didn't do a bad job.

Congress as an institution should go to the people a great deal more often. No law states that every Congressional hearing must be in Washington. Now and then, a few hearings are scheduled in other parts of the country. But not enough.

In the House of Representatives, the number of oversight hearings actually dropped from about 7,000 in the 96th Congress to about 5,500 in the 97th, with a similar though less pronounced decline in the Senate. Midway through the 98th Congress, it appears this trend is continuing.

We in Congress are a bit like the French police officer in the movie "Casablanca." Whenever a new subject for investigation arises, we round up and interrogate the same small universe of witnesses year in and year out. Although eminently qualified, they are no more than 2,000 out of 235 million Americans, and it's time we called on someone else. The hard information may be about the same, but a few new perspectives would be tremendously valuable.

The potential benefits of taking the Congressional show on the road are great. A good firsthand understanding of what dioxin or a shut-down steel mill can do to a community is simply impossible without a visit to the site. Holding more oversight hearings outside of Washington could also increase their "grass-roots" character and encourage greater and broader citizen participation in the legislative process. The Congress as a whole need not be in session for such hearings to be conducted. Much of this investigative work could be done during the six months that citizen-legislators are away from Washington. Representative democracy is a two-way street, and the mountain has been going to Mohammed long enough.

While I'm at it, let me reform a few other things:

Congress and the President should remember that Pennsylvania Avenue is a two-way street. The antagonism that has grown in between the legislative and executive branches is among the least healthy aspects of Government in our time. The constitutional system of checks and balances need not involve the kind of acrimony, rivalry and contradictory agendas that have come to characterize legislative-executive relations.

Most recent Presidents have come to Capitol Hill once or twice a year, usually to deliver a State of the Union address. These rare appearances have been reduced to a formality, with the Presidents using the Congress as official scenery and the Congress responding with a cacophony of criticism to nearly everything they have to say.

Both the executive and the legislative branches have a responsibility for governing the country; and they ought to work together a good deal better than they do. Thus, a President ought to consult yearly with Congress on formulating a national agenda for action.

Such cooperation is not impossible, and it need not be the inevitable casualty of partisan political warfare. I say this not as a callow political science major but as a scarred and grizzled veteran of the political wars. The biggest problem Republicans and Democrats have today is that too many Americans wish a pox on both their houses. Politicians are too prone to forget that Americans can see through sham. A little less sham and a little more substantive progress and there would be plenty of political credit and success to pass around in both parties.

In recent months, the Congress passed a bipartisan Social Security reform package and a jobs bill as well as a War Powers resolution on Lebanon, the strongest bipartisan statement on American foreign policy in the last 30 years. While the bipartisanship has faded a bit in this election year, these examples showed a strong President and a strong Congress working well together. This kind of consultation, and the broad political support it wins for important initiatives, cannot be overemphasized and should not be underemployed.

Congress should incorporate "sunset" provisions in more of its basic legislation so that effect of the law expires within five years unless it is reauthorized.

President Reagan is absolutely right when he says a Government program is the closest thing to eternal life we will see in this world.

The question is not whether we keep a tea-tasting commission, for example, but rather whether we keep a Department of Education or a CETA job-training program or highway-user tax long after its mission has been accomplished, or worse, hopelessly bungled. The burden of proof is now on the Congress to justify abolishing programs, rather than on the programs to justify themselves. Sunset laws would shift the burden where it belongs.

The sunset approach would allow Congress to examine how the bureaucracy has interpreted the law in its rules and regulations; to see whether or not the law is having its intended effect, and to determine whether it should be renewed, revised or removed. Such an approach would free Congress from writing specific rules and regulations into the law. We would be responsible only for setting Federal policy, and the civil service would be held strictly responsible for its faithful implementation. All of this can be done, and done better, if members of Congress spend less time in Washington and more time closer to home.

There are many more part-time than full-time public servants in this country. They do their public duty, work in private enterprise, campaign gently every day in the coffee shop or at the hardware store and go home to their families, friends and varied interests. They perform all these roles with extraordinary skill and grace and success.

Anyone in politics, from precinct captain to President, is always campaigning one way or another. That's what government by the consent of the governed means, what real democracy is about. A member of Congress doesn't have to be in Washington every day to be a conscientious and skillful legislator, and he or she can't be in Washington every day and remain truly representative of the people "back home."

As I prepare to leave the Senate at the end of my term next year, I'm under no illusion that may call for a "citizen legislature" will be heeded any time soon. But after nearly two decades in Washington, I have no doubt that it should be. ●

#### ACID RAIN

**HON. SILVIO O. CONTE**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. CONTE. Mr. Speaker, despite the scores of studies isolating the causes and documenting the effects of

acid rain, this Congress has made little progress in arresting this problem. I urge my colleagues to closely examine the actual and potential impact of this silent killer.

Acid rain can affect human health. My Appropriations Subcommittee on Labor/Health and Human Services/Education recently received a report from the National Institutes of Health entitled the "Potential Human Health Effects of Acid Rain." Although the findings and conclusions are not definitive, the report points to a potentially devastating effect of acid rain: The mobilization of dangerous minerals in drinking water and the food chain. Acidification increases the accumulation of mercury in fish, thereby increasing the risk to toxicity in people who eat fish caught in an acidified region. The report also points to a disturbing result that may affect our children. Quoting from the report:

The acid rain phenomenon increases lead in drinking water and the food chain, thereby increasing human exposure.

The aquatic effects of acid rain in my own State of Massachusetts are well documented and equally devastating. Due to a largely volunteer effort, over 1,200 waterways across the State were tested for their pH level. The results were disturbing. Over 70 bodies of water were acidified or what is commonly called dead. These waterways experienced a severe loss of fish and other aquatic life. In fact, 85 percent of all the lakes, streams and reservoirs sampled by the volunteers were sensitive to acid rain to some degree.

The "Acid Rain Monitoring Project," administered by the Water Resources Center at the University of Massachusetts, should be commended for their fine work in gathering this important data. Over 900 individuals across the State participated in this program.

I am submitting for the RECORD an article written by Dr. Paul Godfrey, the director of the Water Resources Center. It appeared in the March-April edition of the UMASS magazine Contact. I urge my colleagues to review this article.

#### ACID RAIN

(By Paul Joseph Godfrey)

On the third Sunday of each month, a small all-volunteer army marches forth to do battle. Their mission is to collect scientifically valid data. Their weapons are one-pint plastic bottles. Their enemy is acid rain. They are part of a unique statewide effort known as the Acid Rain Monitoring Project.

Acid rain action is becoming recognized as one of the most insidious threats to the environment in many parts of the world, including Scandinavia, eastern Canada, the Adirondacks, the eastern United States, and the Rocky Mountains. Many lakes in these regions have experienced severe damage, indicated by extreme decreases in fish populations. About 9,000 such lakes have been documented in Sweden, 1,500 in Norway, 200 to 400 in the Adirondacks, and more than 400 in Canada.

Massachusetts has much in common with these areas in terms of water resources. But until the Acid Rain Monitoring Project began, we had relatively little idea of the condition of our lakes and streams, under the onslaught of acid rain. Limited information existed for approximately 600 lakes and a lesser number of streams out of the total of 2,675 lakes and ponds, and 2,027 streams and rivers. Information was needed on many more water bodies, as well as information from critical seasons, especially early spring. The task of obtaining these data by using state or university personnel would have been overwhelmingly time-consuming and expensive. Another way had to be found. In the fall of 1982, the Water Resources Research Center at UMass/Amherst, supported by a grant from Trout Unlimited, initiated its alternative. We proposed to enlist the help of Massachusetts citizens.

Other citizens action groups were already in operation on the acid rain problem in New England. But most of them evaluated pH only, using inexpensive and not terribly accurate pH paper, which requires no training to use. However, the use of pH papers meant that the results of these citizen efforts would never be accepted or used by the scientific community or regulatory agencies. We devised a way to combine citizen involvement with the accuracy of state-of-the-art analytical techniques. Citizens would collect the water samples and bring them to existing professional laboratories for pH and alkalinity analysis using sensitive and accurate instrumentation.

Surprisingly, we had little trouble finding professional laboratories to volunteer for the analysis of samples. They represented a wide spectrum of interests: municipal wastewater and water supply facilities; universities, colleges, high schools, industry; environmental education centers; private laboratories; state, federal, and county laboratories; and private individuals with access to laboratories. All responded generously with their time and equipment.

By the beginning of March 1983, everything was ready for sampling the state on the third Sunday in March. Twelve county coordinators, 75 district coordinators and laboratories, and approximately 800 volunteers were ready with as many sample bottles as could be assembled. Each laboratory had the appropriate chemicals for analysis and had already undergone one quality control check. Each volunteer had selected the lakes and streams he or she would sample.

Within days after the scheduled sampling, data sheets began to trickle into the Water Resources Research Center. The trickle quickly turned to a flood with a new crest after each successive third Sunday, as the volunteer network functioned beyond all expectation. Throughout the spring and summer the Center's staff worked feverishly to develop the computerized database, to respond to the hundreds of requests for information from reporters, and to begin a preliminary review of the results.

Volunteers had sampled 1,229 lakes, ponds and reservoirs, roughly 26 percent of the total in the state. But the heartwarming success of the volunteer effort was cooled by the hard facts of what we learned about the status of our water resources.

Explaining the significance of what we learned requires a brief digression on the nature of acid rain and the way that it affects the chemical dynamics of sensitive environments.

Acid rain is created by emissions of sulfur dioxide and nitrogen oxides. In the eastern

U.S., at least 90 percent of these emissions are not from natural sources. Instead, they are from the combustion of fossil fuel. Sulfur dioxide and nitrogen oxides are transformed in the atmosphere to secondary pollutants. If these combine with water vapor, they may fall as wet acid precipitation and become what scientists call wet deposition. The secondary pollutants that do not combine with water vapor are also deposited in dry form as sulfates and nitrates. The environment is girded for an attack of acids, to a degree at least. The forests, soils, geology, and waters are all somewhat prepared to neutralize incoming acids. Some environments have large amounts of acid neutralizing capacity and can handle present levels of acid deposition without difficulty. Much of the farm belt in the mid-west has this capacity. Other environments like those in Massachusetts are poorly equipped. The soil is thin and high in natural organic acids, largely due to acid-producing coniferous forests. The geology is relatively unreactive. The water resources of the region reflect their watershed and have little acid-neutralizing capacity. Only small quantities of acid deposition can be tolerated without noticeable change. Research suggests that these sensitive environments can tolerate precipitation acidities with a pH of 4.6 or higher. Expressed as sulfate, deposition levels greater than 20 pounds per acre cannot be tolerated without significant environmental changes. Massachusetts receives 40 to 70 percent more than this maximum amount.

Although New England lakes are generally more sensitive to acid rain than midwestern lakes, not all of them are the same. In fact, they display a remarkable degree of variability in various characteristics including area, depth, productivity, and acid neutralization capacity. Each of these characteristics helps to determine the sensitivity of the water body to acid inputs.

Sensitivity reflects the degree to which a lake, stream, or reservoir can absorb acid without exhibiting adverse chemical or biological changes. If the water body and its watershed exhaust their neutralizing ability, pH will change rapidly and result in increased mobilization of heavy metals and aluminum from the watershed and corresponding losses of aquatic life.

The Acid Rain Monitoring Project has divided the continuum of sensitivity into six categories:

[In parts per million]

Not sensitive .....	20
Sensitive .....	10-20
Highly sensitive .....	5-10
Endangered .....	2-5
Critical .....	0-2
Acidified .....	( <sup>1</sup> )

<sup>1</sup> O, pH 5.0 or lower

Ecosystems that are not comparatively sensitive exhibit a relatively small increase in alkalinity during the biologically productive months but are otherwise quite stable. Ecosystems that are endangered or critical exhibit much wider fluctuations. In the spring, alkalinities drop to their yearly minimum because of melting of the winter's accumulation of acid snow. Some recovery occurs in summer. The improvement is due in part to alkalinity generated by biological productivity but principally to the fact that acid inputs are reduced during the dry summer months. Lakes and streams in the critical and endangered category are perilously close to becoming acidified. Small changes in acid input, either annually or from day to day, cause major changes in pH.

Aquatic organisms are subjected to rapidly changing pH regimes—physiologically more traumatic for the organism than constantly low pH.

Acidified lakes and systems have lost all of their acid-neutralizing capacity; pH is sufficiently low to eliminate most fish species. Technically, an acidified lake or stream has no alkalinity and a pH below 5.0. Most have a pH in the mid-4s, near equilibrium with atmospheric inputs. These aquatic systems show little of the variation in alkalinity common to the other categories. The watershed has lost its capacity to regenerate acid-neutralizing capacity, except perhaps over hundreds or thousands of years. With this categorization as background, the Acid Rain Monitoring Project preliminary results can be put in perspective. We have chosen to focus on the early spring period because it is the most critical for aquatic organisms and reveals the water body at its worst. Other surveys, including the previous data for Massachusetts, taken only during the summer or at random times throughout the year, overlook this critical period.

Our results for April are categorized according to sensitivity, that is, their relative position on the alkalinity-pH curve.

	Percentage	Number
Not sensitive .....	15	189
Sensitive .....	23	284
Highly sensitive .....	21	264
Endangered .....	19	238
Critical .....	16	194
Acidified .....	6	70

Overall, 85 percent of the lakes, streams, and reservoirs sampled by our volunteers were sensitive to acid deposition to some degree. Because volunteers chose their sampling sites on the basis of proximity, personal concern, or knowledge of records of sensitivity, the selection was random. Therefore, it is not appropriate to extrapolate these figures to all water bodies in the Commonwealth.

As Table I shows no county is immune to the effects of acid deposition, but northern Worcester, Bristol, Barnstable, and Plymouth Counties are all severely impacted. Only in Middlesex, Essex, and southern Worcester Counties are less than one third of the lakes and streams in endangered, critical, or acidified condition. These results indicate that many Massachusetts water resources are precariously close to depletion of their acid neutralizing capacity. These are other indications that matters have taken a turn for the worse.

One of the most complete data sets detailing historical change in water chemistry in Massachusetts is that for water supply reservoirs. Here changes are obvious. Many municipalities are finding it necessary to treat their drinking water in order to decrease the acidity. The reason is not acidity per se but the fact that the acidity leaches heavy metals from the watershed and, especially, the distribution pipes. For example, in Boston, where 85 percent of the service pipes are still made of lead, pH treatment to avoid dissolving lead into the tap water is imperative and costs the Metropolitan District Commission \$1.2 million per year. In Amherst, lead levels in the drinking water at an elementary school exceeded drinking water standards by threefold when pH treatment had to be temporarily suspended. The only known source of lead was the solder joining the copper pipes in the school.

It's no surprise that acidity poses problems for drinking water supplies: 79 percent of the available surface drinking water is highly sensitive or worse to acidification according to the Department of Environmental Quality Engineering (DEQE). In a recent study of New England drinking water the New England Water Works Association (NEWWA), 85 percent of the water supplies were termed "highly aggressive," that is capable of dissolving metals from the pipes.

Recent indications suggest that reservoirs are fast approaching acidification. Sixty percent have 10 mg/l of alkalinity or less, but there is a more disturbing symptom. When watersheds become acidified, sulfate replaces bicarbonate as the dominant anion, or negative charged ion, in the water. This is called "sulfate breakthrough." Using several indices of sulfate breakthrough, DEQE has observed that 60 to 70 reservoirs have had their watersheds acidified within the last four years. Even though there may still be some acid-neutralizing capacity left in the reservoir, it will not last long. Quabbin Reservoir is one of these. Data from NEWWA also show that a greater percentage of reservoirs in Massachusetts have "aggressive" water than any other New England state.

The fisheries of Massachusetts are also suffering. The damage usually results from a combination of low pH and high aluminum concentration. Aluminum and other heavy metals are leached from the surrounding watershed by acidic runoff. The number of lakes requiring stop-gap liming to avoid fish loss has dramatically increased. Thirteen lakes presently exhibit severe impairment of natural fish reproduction, a symptom typical of acidified lakes.

The Quabbin is especially interesting because it is probably the single most valuable fishery in the state. The Division of Fisheries and Wildlife has reduced its stocking of the acid sensitive rainbow trout by half because the catch has dropped 46 percent in the past two years.

Smelt are the principal food for sportfish in the Quabbin. They have experienced a population crash since 1980. There has been a 99 percent decline in young-of-the-year smelt and a 98 percent decline in the occurrence of smelt in the stomachs of lake trout. This past spring heavy egg mortality was observed during smelt spawning in the tributaries—up to 90 percent mortality in the most acid tributaries. Seemingly healthy eggs were observed to have died in tributaries experiencing a drop in pH over just a few days.

In tributaries to the Bickford Reservoir near Fitchburg, the water was lethal to stocked trout in three days to two weeks, even though these streams historically had natural trout populations. The relationship with stream acidity and aluminum concentrations was quite clear. Aluminum leached from the watershed is typically the direct cause of fish mortality in acidified waters.

TABLE I

	Acidified	Critical	Endangered	Highly sensitive	Sensitive	Not sensitive
Barnstable .....	16	27	27	24	6	0
Berkshire .....	4	11	18	18	17	32
Bristol .....	19	22	22	23	7	7
Essex .....	2	14	8	15	44	17
Franklin .....	2	27	16	16	31	9
Hampden .....	3	13	22	18	21	22
Hampshire .....	5	8	26	16	21	24
Middlesex .....	0	4	9	18	38	30
Norfolk .....	5	14	14	23	30	13

TABLE I—Continued

	Acidified	Critical	Endangered	Highly sensitive	Sensitive	Not sensitive
Plymouth.....	8	19	27	22	4	21
Worcester (North).....	31	13	17	27	8	4
Worcester (South).....	1	11	18	39	27	3

Finally, the Division of Fisheries and Wildlife has recently surveyed 18 tributaries to the Millers River in north-central Massachusetts. In 1953 these tributaries had healthy populations of trout, dace and suckers. All had pHs in the 6s. At present, only eight retain the same fish community; these have pHs in the high 5s and alkalinities over five parts per million. Eight have lost the dace and sucker species; pH is in the 5s, but alkalinities are critical. Two have lost all fish and much of the other aquatic life; pH is in the 4s and no alkalinity remains.

What can be done? Until major government action is undertaken to curtail the problem, research will at least prepare us to meet it. Analysis of the Acid Rain Monitoring Project data, particularly the comparison with historical data, will permit a very accurate description of the current status and the trend toward acidification. The data will also allow us to refine the available predictive models of lake and stream acidification. And, of course, the data will provide a rock-solid benchmark to which we can compare our water resources in the future.

The Acid Rain Monitoring Project has touched a deep concern among Massachusetts citizens for the effects of acid rain on our environment. The unmistakable support of Massachusetts citizens from all walks of life for an understanding and resolution of the acid rain problem presents a powerful message to the nation and its policymakers. ●

#### CONGRESSIONAL CALL TO CONSCIENCE VIGIL FOR SOVIET JEWRY

**HON. LOUIS STOKES**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. STOKES. Mr. Speaker, I am proud and honored to once again participate in the Congressional Call to Conscience Vigil For Soviet Jewry, and I thank the distinguished gentleman from Pennsylvania, Mr. COUGHLIN, for organizing this effort. I believe that, as Members of this body, we must continue to take every opportunity to speak out against the flagrant denial of basic human rights in the Soviet Union.

Mr. Speaker, conditions in the Soviet Union have been deteriorating at a rapid rate for those of Jewish faith. Not only is emigration at an alltime low, with a mere 1,218 Jewish people allowed to leave in 1983 compared to the almost 51,000 allowed to leave in 1979, but reports of widespread harassment and oppression are on the increase. The anti-Semitic policies of the Soviet Government have made the daily existence of many Soviet Jews a difficult, frustrating and seemingly

hopeless, struggle for survival. The fundamental freedom to learn about, and take pride in, one's culture, history and religion is denied to the Soviet Jewish citizen. Individuals who openly attempt to develop their Jewish identity are sure to encounter various forms of intimidation and persecution. The desire on the part of Soviet Jews to escape this persecution through emigration is considered a punishable crime.

A tragic case in point is that of 23-year-old Aleksandra Lein. Aleksandra, daughter of former prisoner of conscience, Evgeny Lein, applied for permission to emigrate with her family in April 1978. Permission was refused to the Lein family in August of that year on grounds of "secrecy." Since that time, additional applicants to emigrate have been repeatedly and systematically denied. The Leins, Aleksandra included, are well known among the Refuseniks since they study Hebrew and Jewish culture and history. This labels them as "activists" in the lexicon of the Soviet regime.

Shortly after Aleksandra's first application to emigrate, she was dismissed from the night institute where she took classes. Later, she had the frightening and humiliating experience of being assaulted in the street. The police did everything possible to avoid pressing charges against her attackers. Finally, this past January, a few short months before she was to marry, Aleksandra was fired from her job as a computer operator. Aleksandra's dismissal coincided with the firing of six other prominent Refuseniks—a further attempt to harass the Jewish community as part of the Soviet leadership's intensified anti-Semitic campaign.

Aleksandra, a spirited and strong-willed young woman, took the issue to court, hoping to have her job reinstated. Her employer testified on her behalf. He told the court that she was an excellent employee—knowledgeable, skillful, and responsible. The court, however, chose to rule against Aleksandra, and for the first time, publicly stated that "those who apply to emigrate will be the first to go in cases of staff reduction."

Although Aleksandra is preparing another court appeal, her experience demonstrates in a clearer fashion than usual that anti-Semitic policies are rampant. Aleksandra, and others like her, must be admired for their bravery as well as their ability to persevere in the face of discrimination, economic hardship, and even physical abuse. However, they are counting on our efforts to bring hope for their future. We cannot let them down. I urge each of my colleagues to work not only toward increased emigration for Soviet Jews, but toward freedom and justice for those who, for one reason or another, remain in the Soviet Union. ●

#### PROTECT AMERICAN PRODUCTS FROM COUNTERFEITERS

**HON. THOMAS J. DOWNEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. DOWNEY of New York. Mr. Speaker, in the final hours of the first session I introduced H.R. 4502, legislation which uses special trade preferences as a lever to stop industrial counterfeiting by developing countries.

Today, along with 14 of my colleagues, I am introducing a bill which makes several improvements to the original. Most importantly, it affords the same protection for published products as the first bill provided for manufactured goods, and therefore it has the expanded backing of the American publishing industry. Additionally, this new bill uses language similar to that already enacted as part of the Caribbean Basin Initiative, language proved successful in halting the pirating of textbooks in the Dominican Republic and of cable television signals by Jamaica. Finally, this new bill is very similar to a bill working its way through the Senate.

Industrial counterfeiting by foreign nationals is a serious and growing economic problem for us. A recent International Trade Commission study estimated that American companies are losing from \$6 to \$8 billion in sales each year and at least 131,000 jobs.

Many counterfeit goods are sold abroad, cutting into needed markets for American goods. A wide variety of products are popular targets including clothing, precision tools, drugs, farm chemicals, and high technology equipment to name a few.

While the impact on our American manufacturers is clear, there is little they can do legally. This bill attempts to solve the problem at its source. Under the generalized system of preferences (GSP), certain countries such as Taiwan, Brazil, and South Korea qualify for duty-free tariff treatment in import dealings with our country in order to promote their economic development. This program has been beneficial to the countries known to be the source of the most notorious counterfeiters. The bill I am introducing today ties future GSP benefits to the willingness of each country to enact and enforce stricter laws protecting intellectual property rights. The GSP is due to be renewed before the end of the year and I intend to add this bill as an amendment. I invite my colleagues' support and ask that a copy of the new version be printed here:

Section 502 of the Trade Act of 1974 (19 U.S.C. 2462) is amended—

(1) by striking out "and" at the end of subsection (b)(6);

(2) by striking out the period at the end of subsection (b)(7) and inserting in lieu thereof "; and";

(3) by adding at the end of subsection (b)(7) the following:

"(8) if such country fails to provide under its law adequate and effective means for foreign nationals to secure, exercise and enforce exclusive rights in intellectual property, including patent, trademark and copyright rights, unless the President receives assurances satisfactory to him that the country is taking appropriate steps to provide such means and he submits a written report to both houses of Congress detailing the nature of those assurances.";

(4) by amending the last paragraph of subsection (b) to provide:

"Paragraphs (4), (5), (6), (7) and (8) shall not prevent the designation of any country as a beneficiary developing country under this section if the President determines that such designation will be in the national economic interest of the United States and reports such determination to the Congress with his reasons therefor.";

(5) by striking out the "and" at the end of subsection (c)(3);

(6) by striking out the period at the end of subsection (c)(4) and inserting in lieu thereof "; and";

(7) by adding at the end of subsection (c)(4) the following:

"(5) the extent to which such country is providing under its law adequate and effective means for foreign nationals to secure, exercise, and enforce exclusive rights in intellectual property, including patent, trademark and copyright rights."; and

(8) by adding at the end of section 502 the following:

"(e)(1) Not later than January 1, 1986, the President shall determine whether each beneficiary developing country designated as of the effective date of this Act satisfies the requirements of section 502(b)(8) and he shall report to Congress his determination and the reasons therefor. If the President determines that any such country fails to satisfy these requirements, he shall terminate such designation consistent with the provisions of section 502(a)(2).

"(2) With respect to any country for which the President has received assurances under section 502(b)(8), the President shall, not later than January 1, 1987, and annually thereafter, report to Congress the extent to which such assurances have been satisfied."•

#### HONORING THE MEMORY OF THOSE ADVENTURERS OF 1633

#### HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

• Mr. LONG of Maryland. Mr. Speaker, I would like to bring to the attention of my colleagues Maryland Day, which was March 25, 1984. March 25 was designated "Maryland Day" to honor the memory of those adventurous individuals who came to Maryland 350 years ago on the *Ark* and the *Dove*. The *Ark* and the *Dove* were the first two boats to land on Maryland shores on November 22, 1633. These brave pioneers were the founding settlers of the great State of Maryland and I

wish to list their names here today to recognize the contributions to the development and growth of the State of Maryland.

#### THE ADVENTURERS OF 1633

Most of the data summarized below was taken from Harry Wright Newman's "Flowering of the Maryland Palatinate," 1961 (Repr.: Baltimore: Genealogical Publishing Company, 1984). The letters following the names of the known adventurers are explained following the list.

Allen, Thomas: G K; Althome, John, Gent., d. 1640: D G I; Andrews, William: G K; Ashmore, John: G K; Ashmore, William, d. 1635: G I.

Baldrige, James, Gent., d. by 1658/9: C E H J L M N; Baldrige, Maj. Thomas, d. c.1654: C H J L M N; Barefoot, James, Gent., d. en route; Baxter, John, Gent., d. c.1637/8: C I; Beane, Ralph, Gent., d. c.1658: C G L N; Beckwith, Thomas: G K; Benham, Anam: G K; Bishop, Henry, d. 1658: D G H I; Bolles, John: H K; Bradley, Richard, d. 1638/9: I; Briant, John, d. 1637: C G I (L?); Brown, William, 1623-1666: C D I L M; Burrows, Matthew: G K.

Calvert, George: A B F I N; Calvert, Leonard: A B F H I L M; Carnell, Christopher, d. 1661: C E G I L; Charinton, Thomas, d. 1642: G H I; Cole, Richard: G K; Cook, John: G K; Cooper, Thomas, d. 1640: G I; Cornwallis, Capt. Thomas: A B C D F H K L M N; Cox, Mrs. Ann, Gentlewoman, d. 1638: C D F L M; Cranfield, Edward: F I.

Dorrell, Thomas, d. by 1637/8: F I N; Draper, Peter, Gent., d. by 1644: D F H I; Duke, Richard, c.1613- : E G K L M.

Edlowe, Joseph, d. c.1660: C G L M N; Edwards, Richard: F K; Edwin, William, c.1612-c.1663: C E G I L M N; Elbin, John: G J.

Fairfax, Nicholas, d. en route: D F; Fenwick, Cuthbert, d. c.1654: A C D G H L M; Fitter, William, Gent., c.1571- : G K; Fleete, Capt. Henry, Gent., d. 1660: A B C E F H J L N; Francisco, mulatto: G K; Fremont, Lewis, c.1623- (D?) G K.

Gerard, Richard: A B C D F K N; Gervase, Thomas, d. 1637: D G I; Gilbert, Richard, d. c.1638: C G L M; Gore, Stephen: G K; Greene, Thomas, Esq., d. by 1652: A B C D F H I L M N; Grigston, Thomas: G K.

Halfhead, John, c.1608-1675/6: C E G I L; Hallows, Maj. John, c. 1613-C G H J L M N; Harvey, Nicholas, Gent., d. 1647: C D G L M; Hawley, Jerome, c.1590-1638: A C D F H I L N; Heath, Thomas: G K; Hill, Capt. John: F K; Hill, John: G J; Hilliard, John: G K; Hills, Richard: G K; Hockley, James: G K; Hodges, Benjamin: G K; Holdern, John: G K.

James, Henry, d. 1646: G I; Jennings, Mary: G K; Josias, servant: G I.

Knowles, John, d. 1637: D G I.  
Lewis, Lieut. William: C D G; Loe, Richard, d. by 1639: G I; Lustead, Richard, d. 1642: C D G I.

Marlborough, John: G K; Martin, Christopher, d. 1641: C I; Medcalfe, John, Gent.: G H N; Middleton, Charles: G K; Minnus, Thomas: G K; Morgan, Roger: G K.

Nevill, John, d. 1664/5: C E G I L M; Nevitt, Richard: C (D?) G H L M; Norton, John, the Elder: G; Norton, John, the Younger: G.

Pike, Robert: G K; Price, "Black" John: G; Price, "White" John: G; Price, Lodovick: G K; Price, Thomas (not in Newman): L M. Rabnett, Francis: D G K; Robinson, John: G K; Rogers, Mr. Francis: G K.

Saire, William: F K; Sammon, Stephen, d. by 1651: C G I L; Saunders, John, Esq., d.

1634: F I; Sherley, Robert: G K; Slatham, Thomas: G K; Smith, Robert, d. 1671: C G I L M; Smith, Thomas: G K; Smith, William, Gent., d. 1635: C D F I; Smithson-Norman, Anne: C G L; Sousa, Matthias: G K; Sympton, Robert: G H K.

Thompson, Richard: G K; Thompson, William, Gent., d. 1650: C D H I L M; Thornton, James: G K; Thorowgood, Cyprian, Gent.: F H K N; Tomson, John, d.1649: G I.

Vaughan, Capt. Robert, Gent., d.1668: C E F H I L M.

Walter, Roger: G K; Ward, John: G K; Wells, John: K; White, Andrew, S. J., 1579- : D F N; Wilkins, Evan: G K; Wintour, Edward: A D F K; Wintour, Frederick: A D F K; Wintour, Capt. Robert, d. c.1638: D F H I; Wiseman, Robert, d. 1650: A B C D G I L M N.

This list contains 110 names of individuals listed (with one exception) in Newman's book. The letters following the name represent the following known facts: A—Parents are known. B—Grandparents are known. C—The person is known to have married. D—The adventurer was a Roman Catholic. E—The adventurer was a Protestant. F—The person immigrated. G—The individual was transported. H—He held office. I—He or she died in Maryland. J—The person is known to have moved to Virginia. K—He or she disappeared or is known to have returned to England. L—He or she is known to have had children. M—The person is known to have had grandchildren. N—The person was related to other colonists who came to Maryland at a later date, or who came to other colonies.●

#### CONGRESSMAN UDALL'S VOTING RECORD

#### HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

• Mr. UDALL. Mr. Speaker, it has become my practice from time to time to list my votes in the House of Representatives here in the CONGRESSIONAL RECORD. I strongly believe that the people of Arizona have a right to know where I stand on the issues decided by the House, and I have found that printing my record here is the best way to provide that information.

This is not an all-inclusive list. I have omitted noncontroversial votes such as quorum calls, motions to resolve into the Committee of the Whole House, and motions to approve the Journal of the previous day.

The descriptions are necessarily some what short, and I am sure that some of my constituents will have additional questions about the issues described here. So I invite them to write me for specifics, or to visit by district office at 300 North Main in Tucson or 1419 North Third Street, Suite 103, in Phoenix.

The list is arranged as follows:

#### VOTING LIST

#### KEY

1. Official rollcall number;
2. Number of the bill or resolution;
3. Title of the bill or resolution;

4. A description of issue being voted on;  
5. The date of the action;  
6. My vote, in the form Y=yes, N=no, and NV=not voting.

7. The vote of the entire Arizona delegation, in the form (Yes-No-Not voting);

8. An indication whether the motion or amendment was passed or rejected; and

9. The total vote.

201. H. Con. Res. 91. First Budget Resolution, Fiscal 1984. Adoption of the rule (H Res 243) providing for House floor consideration of the conference version of the resolution to set budget targets for the fiscal year ending Sept. 30, 1984. Adopted 265-150: Y(2-3-0), June 23, 1983.

202. H.R. 1183. Tax Rate Equity Act. Bonior, D-Mich., motion to order the previous question (thus ending debate and the possibility of amendment) on the rule (H Res 242) providing for House floor consideration of the bill to place a \$720 per return limit on the 10 percent individual income tax cut scheduled for July 1, 1983. Motion agreed to 255-165: Y(2-3-0), June 23, 1983.

203. H.R. 1183. Tax Rate Equity Act. Adoption of the rule (H Res 242) providing for House floor consideration of the bill to place a \$720 per return limit on the 10 percent individual income tax cut scheduled for July 1, 1983. Adopted 253-166: Y(2-3-0), June 23, 1983.

204. H. Con. Res. 91. First Budget Resolution, Fiscal 1984. Jones, D-Okla., motion to approve the substitute resolution, agreed to by House-Senate conferees but reported in technical disagreement, to set budget targets for the fiscal year ending September 30, 1984, as follows (totals including reserve fund items in parenthesis): budget authority, \$919.5 billion (\$928.725 billion); outlays \$849.5 billion, (\$858.925 billion); deficit, \$169. (\$179.925 billion). The resolution also sets preliminary goals for fiscal 1985-86, revised budget levels for fiscal 1983, and included reconciliation instructions requiring House and Senate committees to recommend legislative savings to meet the budget targets. Motion agreed to 239-186: Y(2-3-0), June 23, 1983.

205. H.R. 1183. Tax Rate Equity Act. McCurdy, D-Okla., amendment to call for a reduction in fiscal 1984 spending by at least the amount that is expected to be raised by placing a \$720 per return limit on the individual income tax cut scheduled for July 1, 1983. Adopted 267-155: Y(2-3-0), June 23, 1983.

206. H.R. 1183. Tax Rate Equity Act. Frenzel, R-Minn., motion to recommit the bill to the Ways and Means Committee with instructions to strike the \$720 tax-cut limit and replace it with language calling for legislation to reduce fiscal 1984 spending by at least \$12 billion. Motion rejected 181-241: N(2-3-0), June 23, 1983.

207. H.R. 1183. Tax Rate Equity Act. Passage of the bill to place a \$720 per return limit on the 10 percent individual income tax cut scheduled for July 1, 1983. Passed 229-191: Y(2-3-0), June 23, 1983.

208. H.R. 3132. Energy and Water Development Appropriations, Fiscal 1984. Conte, R-Mass., motion to instruct conferees on the fiscal 1984 energy and water development appropriations bill to insist on the House position not including funds for construction on the Garrison Diversion unit in North Dakota. Motion rejected 150-215: N(0-4-1), June 23, 1983.

210. H.R. 3363. Interior Appropriations, Fiscal 1984. Hiler, R-Ind., amendments offered en bloc to reduce appropriations in the bill for the National Endowment for the

Arts and National Endowment for the Humanities by \$40 million, returning them to fiscal 1983 levels. Rejected 150-271: N(3-2-0), June 28, 1983.

211. H.R. 3363. Interior Appropriations, Fiscal 1984. McDade, R-Pa., amendment to reduce program funding contained in the bill by 4 percent across-the-board, with certain exceptions. Adopted 211-209: N(3-2-0), June 28, 1983. (This amendment subsequently was defeated after the House rose from the Committee of the Whole).

212. H.R. 3363. Interior Appropriations, Fiscal 1984. McDade, R-Pa., amendment to reduce program funding contained in the bill by 4 percent across-the-board, with certain exceptions. Rejected 206-213: N(3-2-0), June 28, 1983. (This amendment previously had been adopted in the Committee of the Whole).

213. H.R. 3363. Interior Appropriations, Fiscal 1984. Passage of the bill to appropriate \$8,081,974,000 for the Interior Department and related agencies in fiscal 1984. Passed 272-144: Y(4-1-0), June 28, 1983. The president had requested \$6,700,928,000 in new budget authority.

214. H.R. 3398. Omnibus Minor Tariff Amendments. Gibbons, D-Fla., motion to suspend the rules and pass the bill to make 23 minor changes in tariff and customs laws. Motion agreed to 368-43: Y(3-2-0), June 28, 1983. A two-thirds majority of those present and voting (274 in this case) is required for passage under suspension of the rules.

215. H.R. 3133. Department of Housing and Urban Development Appropriations, Fiscal 1984. Adoption of the conference report on the bill to appropriate \$55,789,340,000 for the Department of Housing and Urban Development and 17 independent agencies in fiscal 1984. Adopted 314-99: Y(3-2-0), June 29, 1983. The president had requested \$49,561,458,896 in new budget authority.

216. H. Res. 245. Hearing Transcript Investigation. Wright, D-Texas, motion to refer to the Rules Committee the resolution to create a select committee to investigate alterations of hearing transcripts. Motion agreed to 265-161: Y(2-3-0), June 29, 1983.

217. H.R. 3135. Legislative Branch Appropriations, Fiscal 1984. Adoption of the conference report on the bill to appropriate \$1,473,359,000 for Congress and its agencies in fiscal 1984. Adopted 241-175: Y(3-2-0), June 29, 1983. The president had requested \$1,473,395,000 in new budget authority. Traditionally, the president simply requests the amount congressional agencies want included in the budget.

218. H.R. 3132. Energy and Water Development Appropriations, Fiscal 1984. Adoption of the conference report on the bill to appropriate \$14, energy and water development in fiscal 1984. Adopted 337-82: Y(5-0-0), June 29, 1983. The president had requested \$14,610,671,000 in new budget authority.

219. H.R. 3415. District of Columbia Appropriations, Fiscal 1984. Passage of the bill to appropriate \$544,590,000 in federal funds for the District of Columbia in fiscal 1984, and \$2,122,013,000 in funds for the district's own treasury. Passed 296-124: Y(2-3-0), June 29, 1983.

220. H.R. 2668. Consumer Product Safety Act Authorization. Shelby, D-Ala., substitute to authorize \$35.7 million for the Consumer Product P Commission in fiscal 1984, \$37.485 million in fiscal 1985 and \$39.36 million in fiscal 1986. Adopted 238-177: N(3-2-0), June 29, 1983. (The bill, as amended, subsequently was passed by voice vote.)

221. H. Res. 254. Hearing Transcript Investigation. Long, D-La., motion to order the previous question (thus ending debate and the possibility of an amendment) on the resolutions to authorize the Committee on Standards of Official Conduct to begin an investigation of alleged alterations of hearing transcripts. Motion agreed to 250-151: Y(2-3-0), June 30, 1983.

222. H. Res. 254. Hearing Transcript Investigation. Adoption of the resolution to authorize the Committee on Standards of Official Conduct to begin an investigation of alleged alterations of hearing transcripts. Adopted 409-0: Y(5-0-0), June 30, 1983.

223. H.R. 1. Housing and Urban-Rural Recovery Act. Adoption of the rule (H. Res. 248) providing for House floor consideration of the bill to authorize \$24.6 billion for the Department of Housing and Urban Development in fiscal 1984. Adopted 291-110: Y(2-3-0), June 30, 1983.

224. H. Con. Res. 126. Harry S. Truman Centennial Commemoration. Adoption of the concurrent resolution providing for the commemoration of the 100th anniversary of the birth of the late President Harry S. Truman. Adopted 382-5: Y(5-0-0), June 30, 1983.

225. S. 273. Small Business Pilot Programs. Adoption of the conference report on the bill to authorize in fiscal 1984-85 two minority enterprise pilot programs conducted by the Small Business Administration. Adopted (thus cleared for the President) 367-6: Y(5-0-0), June 30, 1983.

226. H.R. 10. National Development Investment Act. Walker, R-Pa., amendment to require the secretary of commerce to study whether adhering to federal rules or regulations affecting funding in the bill, such as the Davis-Bacon Act requiring that prevailing local wages be paid on federal construction projects, would reduce job opportunities in affected areas of the country. Rejected 170-245: N(3-2-0), July 12, 1983.

227. H.R. 10. National Development Investment Act. Walker, R-Pa., amendment to permit the secretary of commerce, upon application by an Economic Development Administration grant recipient, to waive federal rules or regulations affecting funding in the bill, such as the Davis-Bacon Act requiring that prevailing local wages be paid on federal construction projects, if the waiver would increase job opportunities in the affected area. Rejected 148-270: N(3-2-0), July 12, 1983.

228. H.R. 10. National Development Investment Act. Passage of the bill to authorize \$500 million in each of fiscal years 1984-86 for Economic Development Administration grants to state and local governments and other entities to foster economic development by improving roads, bridges and other infrastructure items and by making loans to save or start small businesses; and to authorize continued funding for Appalachian Regional Commission projects at various levels in fiscal years 1984-91. Passed 306-113: Y(2-3-0), July 12, 1983. A "nay" was a vote supporting the president's position.

229. H.R. 1. Housing and Urban-Rural Recovery Act. Wylie, R-Ohio, amendment to prevent federal funds for a new \$900 million multifamily rental housing production program from going to areas or communities that place rent control on projects built after the date of enactment. Rejected 206-208: N(3-2-0), July 12, 1983.

231. H.R. 1. Housing and Urban-Rural Recovery Act. Bartlett, R-Texas, amendment to allow the interest rates on Federal Home

insured mortgage loans to be negotiated between the lender and the buyer. Adopted 223-201: N(3-2-0), July 13, 1983. (This amendment subsequently was adopted after the House rose from the Committee of the Whole.)

232. H.R. 1. Housing and Urban-Rural Recovery Act. Bartlett, R-Texas, amendment to eliminate \$900 million for a new multifamily rental rehabilitation program and \$167 million for the Section 235 homeownership program for low and moderate income people and transfer the money to the Section 8 rental assistance program for existing housing. Rejected 120-300: N(2-3-0), July 13, 1983.

233. H.R. 1. Housing and Urban-Rural Recovery Act. Bartlett, R-Texas, amendment to allow the interest rates on Federal Home Administration insured mortgage loans to be negotiated between the lender and the buyer. Adopted 228-194: N(3-2-0), July 13, 1983. (This amendment previously had been adopted in the Committee of the Whole.)

234. H.R. 1. Housing and Urban-Rural Recovery Act. Wylie, R-Ohio, motion to recommit the bill to the Banking, Finance and Urban Affairs Committee with instructions to bar communities that place rent control on projects built after enactment from receiving federal funds from a new \$900 million multifamily rental housing production program. Motion rejected 205-217: N(3-2-0), July 13, 1983.

235. H.R. 1. Housing and Urban-Rural Recovery Act. Passage of the bill to authorize \$15.64 billion in fiscal 1984 for federal housing programs and to establish a new \$900 million multifamily rental housing production program. Passed 263-158: Y(2-3-0), July 13, 1983.

236. H.R. 2769. Caribbean Basin Initiative. Adoption of the rule (H. Res. 246) providing for House floor consideration of the bill to provide trade and tax preferences to the nations of the Caribbean region. The rule allowed no amendments except those offered by the Ways and Means Committee. Adopted 212-204: N(3-2-0), July 13, 1983.

237. H.R. 2769. Caribbean Basin Initiative. Passage of the bill to provide trade and tax preferences to the nations of the Caribbean region. Passed 289-129: Y(5-0-0), July 14, 1983. A "yea" was a vote supporting the president's position.

238. H.R. 2350. Health Research Extension Act. Adoption of the rule (H. Res. 208) providing for House floor consideration of the bill to authorize programs at the National Cancer Institute, National Heart, Lung and Blood Institute and other agencies through fiscal 1986. Adopted 388-15: Y(4-1-0), July 14, 1983.

239. H.R. 1398. Daylight-Saving Time. Costs, R-Ind., amendment to allow states to exempt themselves from the additional two months of daylight-saving time. Adopted 221-187: N(4-1-0), July 14, 1983.

240. H.R. 1398. Daylight-Saving Time. Passage of the bill to extend daylight-saving time by beginning it on the first Sunday in March rather than the last Sunday in April. Rejected 199-211: N(0-5-0), July 14, 1983.

241. H.R. 3385. Upland Cotton PIK Program. De la Garza, D-Texas, motion to suspend the rules and pass the bill to require the Secretary of Agriculture to take bids from cotton producers for federal acquisition of cotton under price support loans for use in the 1983 cotton Payment-in-Kind (PIK) program that bids meeting certain criteria must be accepted. Motion agreed to 312-97: Y(5-0-0), July 19, 1983. A two-thirds majority of those present and voting (274 in

this case) is required for passage under suspension of the rules. A "nay" was a vote supporting the president's position.

242. H. Res. 268. Committee Election. Adoption of the resolution to elect Rep. Sala Burton, D-Calif., to the Committee on Education and Labor and the Committee on Interior and Insular Affairs. Adopted 298-112: Y(4-1-0), July 19, 1983.

243. H. Res. 266. Daniel B. Crane Censure. Michel, R-Ill., motion to recommit the resolution to the Committee on Standards of Officials Conduct with instructions that the committee report a recommendation of censure instead of reprimand. Motion agreed to 289-136: Y(5-0-0), July 20, 1983.

244. H. Res. 266. Daniel B. Crane Censure. Adoption of the resolution to censure Rep. Daniel B. Crane, R-Ill. Adopted 421-3: Y(5-0-0), July 20, 1983.

245. H. Res. 265. Gerry E. Studds Censure. Michel, R-Ill., motion to recommit the resolution to the Committee on Standards of Officials Conduct with instructions that the committee report a recommendation of censure instead of merely a reprimand. Motion agreed to 338-87: Y(5-0-0), July 20, 1983.

246. H. Res. 265. Gerry E. Studds Censure. Adoption of the resolution to censure Rep. Gerry E. Studds, D-Mass. Adopted 420-3: Y(5-0-0), July 20, 1983.

247. H.R. 2969. Department of Defense Authorization. Dicks, D-Wash., amendment to remove from the bill a ban on seeking a second production source for the gas turbine engine of the M-1 tank. Rejected 187-241: Y(5-0-0), July 20, 1983.

248. H.R. 2969. Department of Defense Authorization. Bennett, D-Fla., amendment to delete \$2.6 billion for procurement of 27 MX missiles. Rejected 207-220: Y(2-3-0), July 20, 1983. A "nay" was a vote supporting the president's position.

250. H.R. 2969. Department of Defense Authorization. Seiberling, D-Ohio, amendment to bar test flights of anti-satellite weapons until separately authorized by law. Rejected 142-275: Y(2-3-0), July 21, 1983.●

#### STRONG AND IMMEDIATE ACTION NEEDED TO CONTROL GOVERNMENT SPENDING

HON. JERRY M. PATTERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. PATTERSON. Mr. Speaker, I rise today to express my deep concern over the growing deficit crisis and to request the support of my colleagues for a constitutional amendment that will require the President's submission and the Congress approval of a balanced budget.

We cannot go on borrowing and financing annual deficits of nearly \$200 billion indefinitely. The stability of our economy is severely affected by huge deficits. To finance the current deficit, the Federal Government must borrow almost 60 percent of all private savings, money which would normally be available for lending and investment in the United States. As we continue to borrow, interest rates will continue to rise, leading to sluggish business investment, minimal improvements in productivity, slower economic

growth, as well as reduced tax revenues. Higher interest rates will ultimately choke off the recovery and put us back on the downward path to economic stagnation.

Every year that we continue to incur massive budget deficits, the size of our national debt increases. In 1982, our national debt passed the trillion dollar mark. Under the current Reagan administration policies, this debt will approach \$3 trillion in 1988. The interest we pay on the national debt increases by approximately \$8 billion each year the deficit remains at its present level and now accounts for nearly 13 percent of all Federal spending.

Since World War II, Federal budget deficits have been largely a function of economic conditions and have been a relatively small proportion of the gross national product. For the most part, deficits were viewed as temporary problems and not as a severe threat to the economy. Since President Reagan assumed office, however, budget deficits have been anything but small, totaling 7 percent of the GNP in 1983, compared to only 1.2 percent in 1973. We now borrow 27 percent of our Federal budget, compared to a cumulative 4-year total of 9.5 percent under the Carter administration.

In the last few years, it appears that deficits are no longer considered temporary problems. In fact, deficit spending has become an almost acceptable norm in the Federal Government. For example, of all President Reagan's proposed budgets submitted to Congress, not one has even been close to being balanced. The President's budget proposals have requested deficit spending escalating upward every year from the \$45 billion requested for fiscal 1982 to the \$180.4 billion requested for fiscal 1985.

Neither the President nor the Congress appears willing to make any tough and perhaps politically unpopular decisions to substantially reduce the deficit, especially in an election year. Without a forceful legislative measure to control the budget, the current fiscal policy we now have will not be corrected. We cannot put off these decisions any longer. We must start closing the gap between Government spending and Government income if this deficit crisis is to be solved and the strength of the American economy maintained. We must tackle this deficit crisis head on even if special interest groups initially oppose our efforts.

Mr. Speaker, what I am soliciting today is the support of the leadership and my colleagues for a constitutional amendment to balance the Federal budget which I introduced during the first session of the 98th Congress. I will admit that in the past I have had reservations about altering our Na-

tion's Constitution to deal with budgetary crises. I had hoped that we here in Washington, representing the American people, could put our bipartisan differences aside and work toward resolving this deficit crisis without harsh measures. Recordbreaking deficits, however, have necessitated this drastic course of action.

Many bills have been introduced over the years in support of a balanced budget amendment. However, all of them have lacked one or more provisions which I believe are essential if we are going to address this problem in a direct but reasonable manner.

Let me highlight those provisions included in my proposed amendment, House Joint Resolution 428, which, when taken together, uniquely address the deficit problem:

House Joint Resolution 428 would require not only that Congress enact a balanced budget but, additionally, that the President prepare and submit a balanced budget to Congress. Since assuming office, President Reagan has yet to submit a balanced budget to Congress. Omitting the President from the balanced budget process is unrealistic. The President is responsible for preparing the Federal budget and presenting it to Congress for approval.

House Joint Resolution 428 also insures that our Federal Government's commitment to national defense will not be breached. To provide flexibility to respond to threats and emergencies affecting our national security interests, my amendment allows suspension of the balanced budget requirement in the event of a national emergency or declaration of war; and

Unlike other balanced budget amendments introduced in the past, House Joint Resolution 428 would go into effect immediately upon ratification by the States. Delaying actual enactment of the amendment only allows a President more time to slip unbalanced budgets past the American people, something our economy simply cannot withstand at this point.

Those of us who really believe the economy is in trouble and that deficits do matter, should be the first to press for passage of this amendment. We must gain control over budget deficits now. We can no longer postpone any all-out effort to reduce the deficit until after the election.

This Government's growing deficits are disastrous to our economic system and are completely unacceptable to the American people. A constitutional amendment demonstrates our resolve to force Government to live within its means. This legislation is needed to make sure intentions of a balanced budget are realized. If the administration is not willing to make some difficult decisions, we in Congress must find the solutions. A balanced budget amendment is a positive step in that direction.●

## MR. REAGAN, WE WANT SPECIFICS

### HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mrs. SCHROEDER. Mr. Speaker, in the March 29 New York Times, President Reagan made it very clear that he intends to restructure social security benefits if he is reelected. He did not, however, make clear the specifics of this restructuring.

What kind of restructuring can the elderly and the workers of America expect from a man whose definition of the truly needy is shockingly narrow, one of whose advisers publicly declares that there is no hunger in America?

Mr. Reagan talked about political demagoguery used to frighten the elderly. It sounds like demagoguery to me that Reagan is now talking about restructuring the social security program but he's going to wait until after the election, he's going to wait until after he has his votes safely in his pocket.

Mr. Reagan gives no specifics, hiding behind the excuse that this will take thorough study. Of course totally re-vamping the system will take thorough study. That's what the Presidential Commission on Social Security was for: to thoroughly study the program, then make recommendations to Congress. After a year of study and hearings, the Commission made these recommendations, Congress acted on them, the final legislation was signed by Mr. Reagan last year. If the amendments to the system that we all agonized over last year were not thorough, then what do you have in mind, specifically, Mr. Reagan?●

## NUCLEAR CRISIS CONTROL

### HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. LaFALCE. Mr. Speaker, the grave danger posed by nuclear weapons is unlikely soon to pass. As long as mankind is saddled with these weapons, however, it must make every effort to reduce their danger. Controlling the number of nuclear powers in the world, and the weapons held by those powers, may be the most important of such efforts. It is also necessary that a rough balance of retaliatory nuclear power be maintained, so that no nation initiates a holocaust in the belief that surprise might yield conquest.

These efforts are not guaranteed to succeed. While arms control limits the hardware of destruction, and deterrence seeks to eliminate any rational

motivation for using that hardware, risks are still posed by the weapons that continue to exist and the human potential for irrational action that might put those weapons into use. And if weapons fell into the wrong hands, irresponsible terrorism could ignite a general nuclear exchange.

Interest has therefore grown in measures that reduce the chance of inadvertent nuclear war. In an international crisis, our greatest peril may come from the strain placed on the individuals in charge of national security, on their sources of accurate information, and on their ability to communicate with one another. We should try to mitigate these dangers and allow our leaders to cool nuclear crises before they boil over.

I urge my colleagues to read and consider a recent article that explains the concept of crisis control, and offers concrete recommendations that could make our world a more secure place to live. Its author, Dr. William Ury, directs the nuclear negotiation project at Harvard University and is a recognized expert in his field. While his article merely introduces the subject of crisis control, and his proposals require further discussion and refinement, the protection of peace in our age is too important for us to ignore such constructive advice.

The article follows:

#### WHAT WE CAN DO TO AVERT NUCLEAR WAR

(By William L. Ury)

Nuclear war can happen two ways: by cool calculation or by runaway escalation. The public debate and official discussions dwell mostly on war by design. Yet, unintended war through the uncontrolled escalation of a crisis is by far the more likely scenario. To prevent nuclear war, we need arms control; but just as much, we need crisis control.

Today, the United States and the Soviet Union each marshaled enormous military forces poised to strike. Fearing total mutual destruction, the two sides are talking, but gingerly, suspiciously, and sometimes very little. The truce has lasted more than 30 years, but at any moment an accident, a miscalculation or a regional conflict could trigger the war no one wants.

Fascinated by the awesome destructiveness of a nuclear bomb, we have focused on the weapons themselves. Should we freeze them? Should we reduce them? Should we even increase them? Yet, with 50,000 weapons in the arsenals, even a radical reduction to half would not save us if war broke out. It would take only a few hundred to destroy America, if not the world.

The greatest danger now is not the weapons, but people making mistakes. We can stabilize the weaponry so that no sane leader deliberately starts a nuclear war, but, in times of intense crisis, miscommunication, miscalculation, stupidity, panic and organizational snafus?

Too many paths exist by which an unexpected nuclear crisis could erupt—and they are gradually multiplying. The superpowers could become embroiled in their friends' wars, as in the Middle East. Missiles might be fired by accident or without authorization. A "mad" leader with a few atomic

bombs, believing that his nation or terrorist group would be better off without the superpowers, might detonate a bomb in an American city, hoping thereby to trigger a Soviet-American exchange. Perhaps most dangerous is the scenario no one foresees.

The most serious threat in such a crisis is not to American and Soviet military capabilities, but to each side's capacity to make wise decisions. To improve that capacity is the task of "crisis control."

The existing Washington-Moscow hotline (first proposed in the pages of *Parade*) is one important step for crisis control. But we need to build further on its success.

In September 1982, the U.S. Arms Control and Disarmament Agency asked a group of specialists at Harvard, including Dr. Richard Smoke and myself, to study past U.S.-Soviet crisis and to suggest better ways of controlling them. We asked ourselves: If you were an American (or Soviet) leader as a crisis broke out, what would you wish you had discussed beforehand with the other side so as to ensure both sides reached a wise decision? Let me describe three crisis control measures our report suggested for the government's consideration.

#### CRISIS CONTROL CENTER

If a nuclear bomb suddenly destroyed San Francisco, American suspicions would fasten immediately on the Soviet Union. Feelings of outrage, calls for immediate retaliation and expectations of further nuclear attacks might drive the world toward war. But the bomb might have been detonated by a terrorist group, a third nation or even by accident. In such cases, American leaders would want proof, and the Soviets would surely want to cooperate. No one would want to go to war over a mistaken assumption.

The hotline might be inadequate for the delicate tasks of interpreting and authenticating information. We would be much safer if there existed a group of highly trained military and diplomatic experts from both sides who knew each other and had prepared intensively together for just such a crisis. Hence the usefulness of a U.S.-Soviet crisis control center with headquarters in Washington and Moscow, each staffed around the clock with American and Soviet experts.

Even better than crisis control is crisis prevention. At such a center, the United States and the Soviet Union could share intelligence and even act jointly to prevent nuclear terrorism or a nuclear attack from a third nation. It is not only possible; it has already been done. In August 1977, the Soviets tipped off the U.S. government that South Africa was planning to test a nuclear device. A strong but quiet American protest followed; and no test took place.

The center enjoys bipartisan support. The late Sen. Henry M. Jackson of Washington proposed the idea almost two years ago, and Sens. Sam Nunn of Georgia and John Warner of Virginia recently released a report urging the Reagan Administration again to consider such a center.

No idea is without problems. A crisis center could be misused for intelligence gathering or deceiving the other side. Clearly the arrangement should not depend on goodwill, for we are engaged with the Soviets in a global contest involving strong, conflicting interests. But, as Senator Nunn said: "You don't have to trust the Russians to do this; you only need to make an assumption that they are not madmen and they will act in their own interests."

#### PRESIDENTIAL CRISIS CONTROL EXERCISE

The most important decision that the President of the United States would ever make would come during a severe crisis with the Soviet Union. The fate of billions may rest on his decision. There is, moreover, no second chance. Yet the President receives very little preparation for his critical role in controlling a nuclear confrontation.

Perhaps the simplest way to pass on the lessons of past crises and to prepare for future ones would be for the President to immerse himself, possibly over a long weekend, with his closest advisers. National security experts and former government officials with experience in crises could brief the President. The participants might also engage in a "crisis game," a simulation of an emerging U.S.-Soviet confrontation. If a crisis were later to break out, those three days might be the most valuable weekend the President—or anyone—ever spent.

#### INCIDENTS IN THE AIR AGREEMENT

The terrible downing of Korean Air Lines Flight 007 six months ago raises several sobering "what ifs." What if the Soviets had attacked an American airplane? What if the attack had come during a time of acute international tension?

Could this trigger a war? Unlikely. Is it possible? Yes. World War I began with the assassination of Austrian Archduke Ferdinand at Sarajevo in June 1914. Today, as two hostile superpowers confront each other around the globe, the potential accidental triggers multiply. How can we create safety mechanisms to avoid a nuclear Sarajevo?

In 1972, concerned by the growing number of collisions and near-misses between American and Soviet naval vessels, the two navies reached an agreement on ship-to-ship signals for avoiding and coping with these dangerous incidents. Under this Incidents at Sea Agreement, naval officers from both nations meet every six months to review the process. This low-profile professional communication goes on even at times of high tension. Many fear that we cannot work with the Russians. The truth is we already are doing so.

Why not an Incidents in the Air Agreement to prevent and cope with accidental foreign intrusions into national airspace? Even given Soviet paranoia and blunders, these agreed emergency procedures might have prevented the Korean Air Lines disaster.

The superpowers could extend these procedures to cover other possible accidental triggers as well. In a nuclear armed world, this seems the height of common sense.

The center, the Presidential exercise and the agreed emergency procedures, together with the hotline, would constitute a comprehensive crisis control system much as our fire departments and fire safety regulations make up a fire control system. Just as fire controls are not guarantees against fires, however, so crisis controls are not guarantees against critical confrontations. Rather, they are small, practical steps that can reduce the risk.

Such steps are politically feasible. The superpowers both want to eliminate the risk of accidental war; and crisis control does not evoke the fears of military inferiority that stymie the arms talks.

The time is right; interest is growing. Last summer, the U.S. government started discussions with the Soviets on improving the hotline. Now we need to go beyond the hotline.

In a metaphorical sense, all humanity was aboard the Korean airliner. We are all passengers on a fragile craft, vulnerable to sophisticated technological attack, the possible consequences of miscalculation, fears, miscommunication and outright blunders.

The passengers on KAL 007 had no idea what hit them. We, however, can now see what might hit us. A runaway crisis is the greatest nuclear danger today. Crisis control is our greatest opportunity to reduce that danger. And it has ties within our grasp. There is still time for the world to step back from the brink. ●

#### PAYROLL DEDUCTION FACILITATION ACT

HON. FERNAND J. ST GERMAIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. ST GERMAIN. Mr. Speaker, on April 2, 1984, the House passed H.R. 3879, the Payroll Deduction Facilitation Act. The bill, which was introduced by our distinguished colleague, the gentlelady from Ohio (Ms. OAKAR), allows Federal employees to request that up to three deductions or allotments from their paychecks be sent to financial institutions at no cost to the employee or the designated financial institution. This is a distinct improvement over current law which charges the financial institution (and ultimately, the employee) for the administrative costs of processing two out of the three payroll deductions.

Mr. Speaker, H.R. 3879 was jointly referred to the Committee on Post Office and Civil Service and the Committee on Banking, Finance and Urban Affairs. The Subcommittee on Compensation and Employee Benefits of the Post Office Committee reported out H.R. 3879 deleting a provision which would have amended the Right to Financial Privacy Act of 1978. With the deletion of that provision, H.R. 3879 is substantially similar to H.R. 4703, as amended, which was unanimously reported out of the Banking Committee and passed by the House under suspension on April 27, 1982.

H.R. 3879 promotes savings and thrift, corrects an inequity against the Federal civilian employee that has existed for far too long, and ends a burdensome billing practice which is not cost effective.

Mr. Speaker, the gentlelady from Ohio is to be commended for her leadership and diligence in bringing this matter again to our attention. I am encouraged by the administration's support of this legislation and would encourage our colleagues in the Senate to promptly pass the bill. ●

WILL ON JERUSALEM EMBASSY  
CONTROVERSY

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. GREEN. Mr. Speaker, I would like to enter into the RECORD a column in the April 9, 1984 edition of Newsweek entitled "Power, Politics and the Embassy."

In this column George Will, in his own inimitable style, addresses some of the arguments which have been offered against moving our Embassy to Israel's chosen capital and leaves these arguments looking pretty lame. The Embassy issue may not be the most important foreign policy question of the year, but our handling of it is the most important policy statement this country will have to make. Will we cave in to threats of "Islamic extremism" or will we, as Will challenges, stand tall?

The column follows:

POWER, POLITICS AND THE EMBASSY  
(By George F. Will)

In the controversy about where the U.S. Embassy in Israel should be located, both sides have been asking for trouble in loud voices. Trouble is something fate has a way of furnishing with a lavish hand.

Since the founding of Israel, the U.S. Embassy has been in Tel Aviv. Israel says its capital is Jerusalem. Israel alone among nations is denied by other nations the right to stipulate its capital. Now Sen. Pat Moynihan has 37 cosponsors for his bill to move the embassy and ambassador's residence to Jerusalem, and Rep. Tom Lantos, Democrat of California, has 213 cosponsors for an identical bill. Secretary of State George Shultz opposes the bills on three grounds, only one of which seems strong.

Shultz says moving the embassy "would be taken" as a prejudgment of "one of the key issues"—the status of Jerusalem—"which must be freely negotiated between the parties" and might fatally damage U.S. credibility as "peacemaker." But there is only one other party with the slightest claim to Jerusalem. It is Jordan, which after 36 years of refusing all negotiations with Israel has forfeited its right to consideration. And King Hussein has recently expressed his disdain for the United States as peacemaker.

Shultz says moving the embassy would "fan Islamic extremism" and perhaps provoke mob violence against U.S. personnel and facilities. But U.S. policy is not a thermostat capable of controlling Islamic extremism, which will continue to rage against the United States no matter what U.S. policy is. And it is well to remember this: one reason there is a Reagan administration is that the previous administration was perceived as weak when dealing with mobs and an embassy in the Middle East.

Policy: More importantly, Shultz says the Moynihan and Lantos bills improperly infringe on the president's "exclusive constitutional responsibilities to conduct diplomacy and to determine the country's recognition policy." But this is not a recognition question comparable to extending or denying diplomatic recognition to a nation. Con-

gress would be compelling the president only to abandon a chimera and to conform policy to an incontrovertible fact. The chimera is the belief that the status of Jerusalem is negotiable. The fact is that Jerusalem is Israel's capital. Ask a random sample of Americans to name the capitals of, say, Delaware, Vermont and Israel. More will know Jerusalem than Dover or Montpelier.

The proposal to move the embassy is designed to nip in the bud a noxious growth. Israel's enemies have taken to stressing that even west Jerusalem is "occupied territory." Now, the correct (that is, my) position on the embassy is wine too strong for the likes of Hart and Mondale. It is: move the embassy to east Jerusalem, the part captured when Jordan attacked in 1967. That would express, emphatically, the fact that the 19-year division of Jerusalem was an accident of the 1948 armistice, and the unification of Jerusalem 17 years ago is irreversible. Perhaps in the late 1940s it was possible to believe that negotiations could produce concord about Jerusalem. Today it is not possible. No visible or anticipatable Arab government will countenance a united Jerusalem under Israeli sovereignty, and no conceivable Israeli government will consider anything less. When a subject is, on every side, nonnegotiable, it is imprudent to pretend otherwise.

The issue of moving the embassy suits Mondale's taste for a foreign policy long on moral poses and short on more tangible forms of power. And it fits his "cafeteria politics," whereby groups are invited to Walter's Restaurant to fill their trays from a rich selection of dishes for every appetite. Hart could have used this issue to underscore his advertised reluctance to leap through hoops at the command of particular constituencies. Instead, he did an ungainly somersault through the hoop. He changed his position to support the move and blamed his earlier opposition on his staff, as usual. Reagan's threat to veto any bill mandating movement of the embassy is misguided policy, but is at least manly. (And it probably will cause Moynihan and Lantos to try to pass only a nonbinding resolution.)

National Pride: It sometimes seems that the foreign policy of the Democratic left is that the United States should be only strong and assertive enough to defend Israel. Imagine the dismay and contempt among Israel's leaders as they watch Hart and Mondale scramble for Jewish votes. In New York both divided their time between promising to move the embassy and vying to see who could seem most horrified by any use of U.S. power. The safety of Israel depends not at all on moving the embassy 47 miles. It depends considerably on the credibility of U.S. power. Such credibility is a small part of the foreign-policy calculations of Hart and Mondale.

They are trying to evict an administration that prides itself on realism and the restoration of national pride. Yet the administration has unrealistic hopes for negotiations and an undignified eagerness to make preemptive concessions to Arab mobs. Reagan has a remarkable capacity to have a ceiling cave in on him without it leaving so much as a flake of plaster in his hair. The Lebanon debacle seems not to have damaged him. But that was another instance in which it was safer to be America's enemy than its friend. The Moynihan-Lantos effort is an opportunity for the United States to say: we know our friends, and with them we stand.

In August 1980, the United Nations demanded that the 13 nations with embassies

in Jerusalem remove them. They did, but one, Costa Rica, has returned to Jerusalem. Some persons will say: Costa Rica can do that because it does not aspire to be an impartial mediator in the region. But impartiality is not a worthy aspiration for the United States where Israel is concerned. The most important reason for moving the embassy is not to serve Israel's security, but to serve the American spirit. The mere fact that nations are presuming to dictate where a U.S. Embassy can be is a sufficient reason for adhering to Nelson's fire-poker principle. Admiral Nelson said: "It matters not at all in what way I lay this poker on the floor. But if Bonaparte shall say it *must* be placed in this direction, we must instantly insist upon its being laid in some other one." Call it standing tall. ●

OUTSTANDING CONTRIBUTIONS  
TO THE FIELD OF ENTERTAINMENT

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. LONG of Maryland. Mr. Speaker, I would like to recognize three constituents of mine for their outstanding contributions to the field of entertainment. Thomas McDonald Small III, Joseph James Gladmond, and Homeretta M. Ayala, all members of the Dundalk Community Theatre (DCT), who will be honored this Thursday evening, April 5, 1984, at a surprise buffet dinner.

The individual involvement of these three people with the theatrical community is so extensive that it would be impossible thoroughly to describe it here. However, I would like to mention a few highlights of their careers.

Mick Small, currently director of the DCT, has been an active DCT member since its beginning. In addition to serving as vice-president of production on the board of directors of DCT, Mr. Small teaches acting and directs the productions of ACT I, the Performing Arts Program at Dundalk Community College. Mr. Small studied acting at Towson State University and holds a masters degree from The Johns Hopkins University. When not directing or acting, Mr. Small works in the Baltimore County School System.

Joe Gladmond, presently the choreographer for DCT, began his dance training in Baltimore at an early age and later studied dance in New York. Mr. Gladmond has appeared professionally on and off Broadway and his wide range of abilities has been demonstrated by his performances in over 40 musicals as well as dramas and operas. He has choreographed over 20 DCT productions and is the dance instructor for ACT I.

Homeretta Ayala, musical director for DCT, received her bachelors of music education from Florida State University and her masters degree

from Towson State University. Included in her credits are more than 20 Broadway musicals and shows. In addition to serving as music director of ACT I, she is also choral director at Sparrows Point Senior High school and music director at Perry Hall Presbyterian Church. She has directed choirs and instrumental groups in Florida, the Virgin Islands, Pennsylvania, and Maryland.

Dundalk Community Theatre has been an important entertainment center in my district for many years, providing first-rate shows for my younger constituents and their families. I commend Mr. Small, Mr. Gladmond, and Ms. Ayala for their long and dedicated involvement with the Dundalk Community Theatre and join their friends, families, and appreciative audiences in wishing them many more years of successful performances. ●

#### IN THEIR WORDS

### HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. LEHMAN of Florida. Mr. Speaker, the month of April is the special time of remembrance and commemoration of those who perished in the Holocaust. As Yom Hashoa approaches, I would like to bring to my colleagues' attention the work that is now taking place to record oral history by those who survived the Holocaust.

The South Florida Holocaust Memorial Center has undertaken an extremely important oral history project. The center has recorded over 250 first-person testimonies, and has produced a film designed to educate the public and provide educational material to address the omission of this dark side of history from our history textbooks. The award winning film, "In Their Words," was produced by the center along with a 59-page teaching guide for students. A recent Miami Herald article entitled "Holocaust Center Takes Memories Into Classrooms" describes the center and its vital work. I would like to commend the center on its efforts, and I wish to share the article with my colleagues:

#### HOLOCAUST CENTER TAKES MEMORIES INTO CLASSROOMS

(By Ellen Livingston)

The most vivid recollection before the actual hanging is that the Germans had somehow rigged up some sort of a walkway that was stone and there were very sharp edges, and the men were made to crawl on their knees over this . . . By the time they actually hanged them, we were glad. . . .

I remember my mother trying to shield my eyes so I wouldn't watch. And there was a German standing next to her, and he jerked her hand away, and he said, 'Let her see.' It's hardly something I'm ever going to forget."

The words, said without tears by a Miami resident, recount the kind of story that died with most of the victims of the Nazi Holocaust. But these few sentences, at least, have been termed "A Living Memorial through Education": they have been permanently recorded on videotape by the South-eastern Florida Holocaust Memorial Center.

They have also been passed onto hundreds of Dade County high schoolers, who have seen 30-minute highlights of those videotapes in a film called *In Their Words*.

The four-year-old center, located at Florida International University's Bay Vista Campus, has recorded more than 250 first-person testimonies from survivors of the Nazi persecution, from their protectors—men and women who sheltered the victims from the Nazis—and from their liberators—the Allied soldiers who freed victims from concentration and death camps in 1945.

But center officials decided a year ago that a manageable compilation was needed if the stories were ever to be shared with the South Florida public. So they produced *In Their Words*, which splices the testimonies with archival footage.

The idea, says executive vice president Goldie R. Goldstein, is to educate the South Florida public through the words of South Florida survivors. "That's a tremendous thing," she says. "The teacher can say to them, 'These people are your neighbors. They're not just fictional characters.'" The film won the Mass Media Award of the National Conference of Christians and Jews last February.

Frustrated by what they saw as a lack of exposure in the classroom to the Holocaust, Goldstein and other center workers last year organized a countywide conference for high school teachers to help them use *In Their Words* in the classroom.

The conference included a 59-page teacher's guide prepared by the Central Agency for Jewish Education, supplying the teachers with everything from a history of anti-Semitism to a glossary of words from Auschwitz to Yellow Badge.

"The report has come back to use that it's a very positive and very intellectual reaction" from students, Goldstein says. "We're not looking just to show them atrocities in the concentration camps. We're looking to raise their consciousness."

Miriam Gersten, chairwoman of the social studies department at North Miami Beach High, says the school has frequently used *In Their Words* in American and European history classes. "It's a good teaching tool," she says. "I don't think that text books can do justice to the Holocaust."

The center is also hoping to boost Holocaust awareness in the classroom with a statewide gathering of survivors and educators it is cosponsoring with the Miami-based Zachor Institute Feb. 26 and 27. Titled "The Holocaust: Reality of the Past, Implications for the Future," it will include lectures and exhibits designed to educate teachers on the topic, says Marc Pollick, Zachor's executive director.

Though *In Their Words* has been successful, Goldstein says the center's ultimate mission still is recording every Holocaust story it can. That, she says, is as much a part of its purpose as an educational institution as getting *In Their Words* into the classroom.

Although it's a long and taxing process—it can take up to a year for each tape to be transcribed and bound—Goldstein insists it's a job that needs to be done. She quotes the director of the *Yad Vashem* Holocaust me-

morial in Jerusalem, who has counted more than 100 books in seven languages denying that the Holocaust ever took place.

As survivors die, Goldstein says, it becomes all the more important for the story to be passed on. "The most critical factor here is that if we ever forget, we could live to see it happen again," she says quietly. "The future generations must know that the Holocaust occurred. There's too much effort and too much money being spent denying it." ●

#### TRIBUTE TO JULIA AND GEORGE HERMANN

### HON. ROBERT G. TORRICELLI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. TORRICELLI. Mr. Speaker, I rise today to pay tribute to one of my hometown's proudest families and most dedicated servants, Julia and George Hermann of New Milford, N.J. represent the ideal of family unity and community service. On April 28, the Hermann's will be honored by the New Milford Jewish Center for their years of unending labor to the synagogue and world Jewry.

Together, the Hermann's have naturally risen to leadership in every endeavor they have joined. George is the president of Manufacturers Aid, Inc., of Jersey City, and Julia just recently retired from years of public service with the Social Security Administration. In the Jewish community of New Milford, there is no organization that has not been graced by their guidance, energy, and generosity.

The Hermann's philanthropy, in personal effort as well as finance, sets a standard matched by few. They stand as a model for not only their two daughters and three grandchildren, but for all those who are touched by caring and commitment.

I am proud to honor them on the floor of the U.S. Congress and offer them as a symbol of the dedication and duty which places our Nation ahead of all others. My congratulations go forth to the Hermann's for their lifetime of accomplishment. ●

#### CONGRESSIONAL CALL TO CONSCIENCE VIGIL FOR SOVIET JEWS

### HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. FLORIO. Mr. Speaker, the plight of Soviet Jewry has reached frightening dimensions. For the first time in a decade, emigration levels for Soviet Jews seeking to leave the Soviet Union for countries that respect the fundamental liberties of speech, reli-

gion, political beliefs and press have reached an alltime low.

Mr. Speaker, as a participant in this year's Congressional Call to Conscience Vigil for Soviet Jews, I would like to call the attention of my colleagues to this abhorrent fact and to urge them to join me in condemning the inhumane practices of the Soviet Union toward Soviet Jewry. I thank my colleague, Larry Coughlin of Pennsylvania, for his leadership in this area as this year's Chairman of the Congressional Call to Conscience Vigil and for the opportunity to address this important matter.

Last year, only 1,315 Soviet Jews were granted the freedom to leave Soviet borders behind them and seek a free life elsewhere. This drastic reduction compared to the emigration peak of 51,320 in 1979, should concern all those who value the importance of human rights.

However, mere statistics cannot convey the hurt and the pain experienced by the individual Soviet Jews that have been subjected to years of harassment. For this reason, I would like to bring to the attention of my colleagues the case of Lev Elbert and his family, a Soviet refusenik since August 1976.

Lev and his wife Inna have repeatedly sought permission from the Soviet authorities to leave the Soviet Union with their 12-year-old son, Carmi, and join Inna's brother in Israel. They have consistently been denied this right purportedly because of Lev's military service in 1973-74. Allegedly, Lev had access to classified information while in the army. In reality, Lev served as a private in a construction battalion and the major assignment his battalion was given was to complete the construction of a swimming pool.

After having submitted their 1976 emigration application and thus declared their desire to leave Soviet life, the Elberts and their relatives have been subjected to harassment and imprisonment by Soviet authorities. In 1978, a Kiev newspaper even published a slanderous article accusing the Elberts of anti-Soviet activity and branding them "traitors" and "dirty dogs."

The beginning of 1980 brought some measure of hope for the Elberts when the Soviet OVIR declared that Lev Elbert would no longer be denied an exit visa on the grounds of having had prior access to classified information. But any hope was soon crushed when the OVIR proceeded to deny the emigration application because there was "insufficient kinship" in Israel, the Elberts' destination. The Elberts had submitted an invitation signed by Inna's brother in Israel.

In subsequent years, relatives have been beaten, the Elberts' house has been searched and ransacked by KGB agents, Lev's 80 books on Jewish cul-

ture and history were confiscated, and KGB agents even crashed Inna Elbert's birthday party and wrote down the names of everyone present.

Just last May, Lev was sentenced to a year in a labor camp after being charged with draft evasion. Furthermore, he was also charged with "drug dissemination" after the police broke into his house, planted a drug on his bookshelf, and then "discovered" the drug in a search. These charges were later dropped.

Lev Elbert now remains in a Soviet labor camp where conditions are so unbearable that he has, at times, threatened to commit suicide. His wife Inna continues to protest her family's plight through formal protests and hunger strikes. Their son has been frightened and harassed by Soviet authorities. And yet, the Elberts continue to hope and have faith that, some day, they can live in freedom and pursue their beliefs like normal human beings.

Mr. Speaker, the case of Lev Elbert and his family symbolizes the plight of thousands of Soviet Jews who have been made to suffer because they are Jewish. We must continue to closely monitor the cases of refuseniks such as Lev Elbert and continue to speak out against such abuses. We cannot tolerate situations in which the lives of human beings are made miserable because they refuse to adhere to a set standard of conduct and because they choose to practice liberties accorded to every human being regardless of race, color, creed or political beliefs.●

#### A TRIBUTE TO FOUR EAGLE SCOUTS FROM NORTH WINDHAM, MAINE

**HON. JOHN R. McKERNAN, JR.**

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. McKERNAN. Mr. Speaker, I rise to join my colleagues in honoring four members of North Windham, Maine Troop 805 who received Eagle Scout Awards. The four, Christopher Davis, Jeffrey Lamb, Scott Aldrich, and Timothy Pride, should be commended for winning scouting's highest honor. While only 21 badges are required to gain the award, each earned well over that minimum.

Of the North Windham Scouts, Christopher Davis, 15, son of Mr. and Mrs. Allie Davis, has been assistant patrol leader, and senior patrol leader.

Jeffrey Lamb, 14, son of Mr. and Mrs. Walter Lamb, has held several leadership positions, including patrol leader and assistant patrol leader.

Scott Aldrich, 18, son of Mr. and Mrs. Galan Aldrich, has served as patrol leader, senior patrol leader, and junior assistant scoutmaster.

The 18-year-old son of Mr. and Mrs. John Pride, Tim Pride, is assistant scoutmaster.

I commend their parents, friends, and Scout leaders for encouraging these young men in their pursuit of excellence. I wish the new Eagle Scouts continued success in the future.●

#### INDUSTRIAL DEVELOPMENT BONDS

**HON. JOHN J. LaFALCE**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. LaFALCE. Mr. Speaker, at the end of 1983, the House of Representatives lost an opportunity to vote on a critical tax reform package when the legislation became embroiled in a controversy over provisions to slow the burgeoning growth of Industrial Development Bonds, or IDB's. Currently the House Ways and Means Committee and the Senate Finance Committee are working to prepare a tax bill—and provisions restricting the growth of IDB's—for floor action in 1984.

As a prelude to floor action, I believe it is worthwhile to review the somewhat stormy history of development bond growth and discuss some of the invisible effects of that growth on the National Treasury and on the tax-exempt market.

#### WHO INVENTED IDB'S?

Tax-exempt securities have traditionally been used by State and local governments to finance the construction of important public purpose facilities such as schools, roads, and hospitals. While use of tax-exempt bonds for private purposes such as construction of commercial and industrial facilities is not a new idea, it is only in recent years that IDB-style financing has taken off.

In 1936, Mississippi was the first State to raise funds for business facilities using the tax-exempt market. The State authorized cities and counties to raise funds to construct industrial buildings to lease to manufacturers, so long as the debt was secured by the full faith and credit of the issuing agency. Other States followed the Mississippi example, and the idea quickly spread to other parts of the country.

By the early sixties tax-exempt financing for business ventures had taken on a new twist—development bonds were secured not by the full faith and credit of the issuing government, but were backed by the property or receipts of the project being financed. Businesses of all sizes began participating in local development programs and by 1968 IDB's represented 10 percent of all long-term tax-exempt sales. As we entered the seventies, IDB's

were a fixture in the marketplace, and resourceful issuers and underwriters began finding a variety of users for this specialized kind of financing.

#### CONGRESSIONAL ACTION

As the use of IDB's grew, so did the drain of revenues from the Federal Treasury. In 1967, alarmed by the growth of private purpose revenue bonds, the Treasury Department declared IDB's taxable. The ensuing controversy led to passage of the Revenue and Expenditure Control Act of 1968. Under the act, IDB's were deemed taxable unless they were of the small issue variety or were used to finance certain types of facilities such as waste disposal facilities, electric energy or gas facilities, airports, docks, wharves, trade centers, sports facilities, industrial parks and residential mortgage programs. Small issue IDB's were defined in the legislation to be those which were used for the acquisition, construction, or improvement of land or depreciable property. Dollar limits for the small issue exemption were imposed, though the limit could be calculated in two ways. If the total of the proposed issue plus outstanding IDB's used to finance facilities for a user in the same jurisdiction equaled \$1 million or less, the issue could be tax exempt. Alternatively, tax exemption would apply when the face amount of the issue could be added to all capital expenditures by the user in the issuing jurisdiction over a 6-year period—3 years before and 3 years after the issuance of the bond under consideration—for a total less than \$10 million.

Despite these changes, private purpose bonds—IDB's and student loan bonds—continued to grow tremendously in the late 1970's—from \$6.2 billion in 1976 to \$44 billion in 1982. The growth in IDB's alone went from \$5.6 billion in 1975 to \$33.3 billion in 1982.

In 1982, Congress tried once again to limit IDB growth with passage of the Tax Equity and Fiscal Responsibility Act (TEFRA). The act established new procedural and reporting requirements for IDB issuance, prohibited facilities using tax-exempt financing from also making use of liberal depreciation rules, and provided a December 31, 1986, sunset date for small issue IDB use. Congress also supported specific use limitations on IDB financing, including prohibitions on use for golf and country clubs, racetracks, massage parlors, racquet sports facilities, and hot tubs.

#### NEW CONCERNS: INVISIBLE AGAINST VISIBLE EFFECTS

In spite of congressional efforts to limit IDB proliferation and slow the resulting revenue loss, many still view the use of private purpose bonds as growing out of control. The Ways and Means Committee reports that the TEFRA rules "appear unlikely to impose adequate limits on the overall growth in the volume of private activi-

ty bonds." At the current rate, bonds for private purpose activities are predicted to grow to \$106 billion by 1988. In the next 3 years, revenue loss from IDB's is expected to exceed \$28 billion.

There is little disagreement that IDB financing has had visible good effects in many communities. Industrial parks, hotels, and shopping plazas, new jobs are all visible results of the tax subsidy provided through IDB's.

The tool of bond financing also gives local jurisdictions an opportunity to plan and manage economic development. Much good can come from a well conceived plan to diversify the local economic base through providing incentives for select businesses. The lower financing costs for IDB backed businesses may allow some marginal firms to operate profitably, contributing to job creation and enhancing the local economy.

There is also benefit to be had from local control, particularly when Federal budget cuts have made it increasingly difficult for local governments to fund worthwhile activities. Localities in many areas have been very innovative in leveraging dwindling public funds to create a strong private economy, and IDB's work well in such efforts.

However, we must also look beyond the visible good of IDB's to the invisible effect they have. What are the invisible effects that should concern policymakers?

First, as I have mentioned, is the drain on the national coffers. IDB financing is an open-ended program which drains the Federal Treasury in a very real way. Tax expenditures are hidden costs of government which are not subject to the rigorous oversight of the appropriations process. Because there are few limitations on the absolute level of IDB financing, we can look forward to continuing exponential growth in the revenue cost of private purpose financing. Particularly in a time of mounting Federal deficits, we need to be very careful about our expenses. For this reason, IDB growth should be controlled.

Second, we have to be careful of the impact of large volumes of bond issues on the tax-exempt market as a whole. In a simple supply-and-demand relationship, it is easy to perceive that if there is a great supply of tax-exempt securities with a relatively fixed number of investors, those who can benefit from a tax-exempt return, the investor is going to seek those securities with the highest return. Competition implies that the higher tax-exempt yield required to attract the marginal investor will have the impact throughout the market of raising the price of tax-exempt financing. In recent years, we have seen a dwindling spread between taxable and nontaxable yields on long-term securities—in fact, some argue that the volume of

IDB's can be directly attributed as the cause of rising yields, and thus higher costs for municipalities, across the tax-exempt market.

Third, IDB's no longer provide a single locality with additional leverage to attract businesses. When virtually every locality utilizes the tool, no single jurisdiction can gain an advantage. As one economist has noted, "to the extent that local authorities everywhere use IDB financing to compete against each other, any regional benefits to private businesses are eliminated and such financing functions simply as a conduit to the tax-exempt market."

Finally, there is little in current law to promote discretion among local authorities as to the use of the tax-exempt proceeds from IDB's. Aside from the few limitations already mentioned, local governments can utilize the Federal tax subsidy without regard to the priority of projects financed. No voter approval is necessary, no limits to number of issues is imposed. The results of such a policy is that IDB authority is abused often, and we see the Federal Treasury sponsoring multi-State retail operations, private planes and gambling establishments.

As a matter of good public policy, we have to insure that Federal tax dollars are going to good uses and, further, we have to be certain that those dollars—that tax subsidy—is being spent to build buildings, produce goods and create jobs that would not have come about without a subsidy.

In my view, the Congress must act to restrict the growth of IDB's. Tax exempt financing at levels that continue to grow without restraint is a luxury our Nation simply cannot afford. ●

#### MY ROLE IN UPHOLDING OUR CONSTITUTION

#### HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. LONG of Maryland. Mr. Speaker, I would like to bring to the attention of my colleagues an outstanding essay by James Rada, a constituent of mine from the Reisterstown area. James was the winner for the entire State of Maryland of the annual voice of democracy contest, held by the Veterans of Foreign Wars and its ladies auxiliary. This year more than 300,000 secondary school students participated in the contest competing for the five national scholarships which are awarded as top prizes. The contest theme this year was "My Role in Upholding Our Constitution".

I congratulate James on winning this impressive award and wish him

continued success in all of his future endeavors. Here is James' essay:

#### MY ROLE IN UPHOLDING OUR CONSTITUTION

When I first began to consider my role in upholding the constitution, I came to a startling conclusion. The constitution had served me far better than I had served it. The constitution can serve us only if we obey it. The more precisely we obey it, the better it can serve us. However, if we choose to ignore its collected wisdom, the Constitution of the United States becomes only a piece of paper with words on it, and we become slaves under a totalitarian rule.

The government set forth within the articles of the constitution has a single purpose. That is, to help establish a democratic society in which the individual can grow and flourish. We can achieve the promise of this great document if we are willing to do our share. As a wise man once said: "All that is necessary for evil to prevail is that good men do nothing." We cannot sit back and expect others to assume our responsibilities.

Every citizen in the United States has a role in upholding our constitution.

My role is not always as simple as it may seem. I recall my reaction when Wayne Williams was first arrested for the string of Atlanta murders. I was furious. I felt that he deserved to be put to death on the spot. It was there that I realized I was ignoring one of the basic rights of the constitution—the right to a trial by jury.

The laws put forth in the articles and amendments of the constitution function best with the input of its citizens. Therefore, I have a responsibility to voice my opinions to my elected officials. Only through public opinion can the constitution adapt to suit our needs. Other duties along this line include, voting for the officials of my choice; supporting them during their terms of office; and voicing my dissent if I feel they are not carrying out the duties of their office properly.

The constitution also states that all Americans are equal. As an American, I must be willing to grant this equality to others regardless of their race, creed, or gender. Also, if the United States were to be attacked or go to war, I would be expected to come to the defense of a country that has defended me. In positions of authority, I must be careful not to abuse the power of the position. I should administer my power justly as prescribed within the constitution. When serving on a jury, I will allow the accused the right to present their case before I allow a judgment to be passed. I will not avoid taxes I legally owe, for these taxes are what allow the constitution to serve and function.

In general, my role in upholding the constitution is to follow all its laws to the best of my abilities. But, more importantly, it is every American's role to be vigilant and ever watchful that no one in our society is denied the protection of the constitution.

By doing this, I can maintain my own right to choose. It is a right to be cherished, for many people not of the United States don't share this same right.

The Constitution of the United States is our protector, our government, our lives. Allow it to thrive, and we will thrive. Destroy it, and we destroy ourselves.●

#### TRADE DEFICIT

### HON. DONALD J. PEASE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. PEASE. Mr. Speaker, in 1983, the United States had a merchandise trade deficit of \$69 billion with the rest of the world. We in the Congress know that a trade imbalance of that size spells trouble with a capital T. We also know that the imbalance is growing and may reach \$110 billion in 1984.

The reasons behind our huge trade imbalance and what the imbalance means in real terms is the topic of my most recent weekly newspaper column. It follows:

#### WASHINGTON REPORT

(By Don J. Pease, U.S. Congressman, 13th District)

In 1983, the U.S. had a merchandise trade deficit of \$69 billion with the rest of the world.

That means that other nations around the world sold the U.S. \$69 billion more in products than the U.S. sold to them.

A trade imbalance of that size spells Trouble with a capital T.

And the worst is yet to come. The merchandise trade deficit may hit \$110 billion in 1984.

Faced with such gloomy statistics, some Americans wonder if something isn't dreadfully wrong with our manufacturing productivity. Others cast a suspicious eye at subsidized or dumped imports from overseas.

As it turns out, the three main causes of the huge trade imbalance relate neither to American productivity—that's good news—nor to unfair foreign imports.

The most clearly identifiable cause is the high value of the American dollar compared with other currencies. Since 1978, the American dollar has increased in value by 14 percent against the Japanese yen, by 27 percent against the German mark and by 69 percent against the French franc.

There are a variety of reasons, not the least of which are high U.S. interest rates which make the American dollar very attractive to foreigners. Another factor—if a foreigner is worried about revolutions or nationalization or wars—is that the U.S. is about the safest place in the world to invest money.

The result of the strong dollar is, for example, that a French firm wanting to buy an American-made product must pay almost twice as many French francs as in 1978. Conversely, a U.S. firm wanting to buy a French-made machine needs just slightly more than half as many dollars.

It's no wonder that U.S. exports lag while Americans buy foreign products in record amounts.

A second clause of the trade imbalance is the down side of some good news—the fact that the U.S. is coming out of the severe world-wide recession faster than most other nations. That means that American firms and individuals have money to buy foreign (as well as U.S.) products, but that foreigners are still having to curtail their purchases.

There is a third primary cause cited by experts such as Malcolm Baldrige, Secretary of Commerce, U.S. Special Trade Representative Bill Brock, and Martin Feldstein,

chairman of the Council of Economic Advisors, who testified before the Trade Subcommittee of the House Ways and Means Committee last week.

That third cause is the debt crisis in Third World nations like Argentina, Brazil and Mexico. Strapped with enormous debt, they have drastically curtailed their purchases from abroad, and, in the past, the U.S. was a major supplier.

Commerce Secretary Baldrige does express some concern that U.S. companies allowed themselves to slip in productivity, but he thinks they now are regaining their competitive ability. And he says he is determined to stop unfair—subsidized or dumped—imports from coming into the U.S.

But all the experts who testified last week agreed on the three primary causes.

All also agreed that; given time, the U.S. trade deficit will correct itself.

Can we speed the process along? There's not much we can do about the slower pace of economic recovery of other nations nor about the debt crisis of Third World countries. But in the case of the American dollar which is a bit too strong for its own good, something can be done.

The "something" is reduction of federal deficits so that U.S. interest rates will fall and the dollar won't be quite as large a magnet for investors around the world.●

#### DENOUNCING THE ATTACK ON ISRAELI CITIZENS

### HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. ADDABBO. Mr. Speaker, acts of violence against Israel should not be tolerated. No one should recognize these groups that continue to seek attention by attacking innocent civilians and disrupting life in that democratic country.

The most recent terrorist attack in which 48 Israelis were injured on a busy Jerusalem street only serves to weaken the peace process for both Arabs and Israelis. While the reports naming the exact groups responsible for this outbreak are unclear, what is clear is that groups that have initiated this senseless violence in the past have not denounced this heinous act. Nor have they disassociated themselves from the violent attacks which have occurred in the past several months. It is in the interest of everyone of these groups, and all of Israel's neighbors to insure that this type of activity ceases. Let it be very clear to all, that the United States will not be blackmailed into funding arms programs to countries that are in anyway connected to these acts of terrorism.

Mr. Speaker, there is an urgent need for all sides to conduct an intensive search for peace and a lasting settlement in the Middle East. The first step in paving the way for peace is to put an end to these acts of terrorism. This must occur today.●

CONGRESSIONAL SALUTE TO THE REVEREND EDWARD M. ZANNONI, S.X. OF THE XAVERIAN MISSIONARY OF FATHERS OF WAYNE, N.J., UPON THE 25TH ANNIVERSARY OF HIS ORDINATION AS A MISSIONARY PRIEST

**HON. ROBERT A. ROE**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. ROE. Mr. Speaker, on Saturday, April 7, the people of my congressional district and State of New Jersey will join with the Xaverian Missionary of Fathers of Wayne, N.J., at St. Joseph's Community Center, Paterson, N.J. in commemoration and celebration of the 25th anniversary of the ordination of Rev. Edward M. Zannoni, S.X., as a missionary priest. I know that you and our colleagues here in the Congress will want to join with me in extending our heartiest congratulations to Father Zannoni in recognition of his quarter of a century of total dedication and devotion to the service of God and the cause of brotherhood, good will, and understanding among all mankind.

Mr. Speaker, the faith and devotion of our people in a full communion of understanding, ever caring and respecting the individual religious beliefs of his fellow man has been the lifeline of our democracy—ever inspiring our people with hope and urging the individual on to great achievements and purposes in pursuing the fulfillment of his dreams and ambitions. The exemplary leadership and outstanding efforts of people so important to our quality of life are in the vanguard of the American dream. Today, we express our appreciation to Rev. Edward M. Zannoni whose esteemed commitment and unselfish devotion in promulgating spiritual guidance, goodwill, fellowship, and brotherhood in service to God have provided a lasting contribution to the quality of life of the people of our community, State, and Nation.

Father Zannoni was ordained to the Holy Order of The Priesthood on February 2, 1959 and has served as spiritual adviser and reverend father dedicated to the well being and happiness of each and every member of the many missions that he has served nationally and internationally. The quality of his leadership, the richness of his wisdom and the abundance of his caring and dedication to our young people and adults alike will be warmly expressed at the testimonial dinner in his honor on April 7. With your permission, I would like to insert at this point in our historic journal of Congress a brief profile statement on Father Zannoni that was forwarded to me by the Honorable Frances Squitieri, president of

the Xaverian Mission League of Wayne, N.J., as follows:

Born at the foot of a mountain called Rock in the Appennines Chain between Pisa and Milan, Italy, Father Ed grew up on a farm. His parents, two brothers and four sisters knew hardship and hard work during the years of the second world war. The fall of Mussolini and the German invasion of Italy were experienced by the Zannoni family as a nightmare. Their house was ransacked and a guest was killed in it by a soldier.

When the war ended, young Edward and a friend—having read a magazine article about the missions—decided to inquire further about a possible new life. They, together, decided to leave home and enter the seminary of the Xaverian Missionary Fathers on August 22, 1946. As the day approached, the determination to go on weakened in Ed's friend, so Ed joined the seminary alone—going to school first in Ancona, then in Pilrenza, Venice, Milan. In 1954 the Superiors asked Edward to go to America to terminate his studies and help to establish the Xaverian Society. He arrived in New York aboard the ship *Saturnia* on October 28. He studied English for one year at Petersham, Massachusetts, taught by Mother Battego, founder of the Xaverian Sisters.

The four years of theology were spent partly in Massachusetts and partly in Wisconsin. On February 2, 1959 Edward Zannoni was ordained a priest in St. Sebastian Church, Milwaukee, Wisconsin with four other Xaverians. Following the ordination, Father Zannoni was assigned to the Novitiate house of Petersham as Vocation Director, a position he held for five years. From 1964 to 1970 Father Zannoni was Rector of the high school seminary in Holliston, Massachusetts.

In 1970-71 Father Zannoni was assigned to the Xaverian missions of Africa. In 1972 he was elected Provincial of the Xaverian Missionary Fathers in the U.S.A., an office held for six years. Since 1978 Father Zannoni has been in Wayne, New Jersey as Provincial Treasurer and Coordinator for Mission Assistance. He works tirelessly to raise the consciousness of all so that everyone may become more deeply involved in the cause of the missions and live the missionary spirit. Father Ed teaches by example. His direct participation in the Xaverian Leagues' activities, his ministry, assistance to the missions, service to the U.S. Province, directing youth at Camp Xavier, to name but a few of his many good works are expressions of his love for people and for Christ, who said: "You are my friends if you do what I command you."

During his 25 years as a priest, Father Ed has endeared himself to many people, reaching out to all, near and far. Enterprising, outgoing and hard working, he lives his priesthood, like Jesus, for others—not counting the score, but happy to be just part of the team. We all wish him well!

Mr. Speaker, our Nation was founded on the cornerstone of our people's faith in God which is truly the spirit, conscience and very being of our society. The dedication, devotion and untiring efforts of our revered clergy in pursuit of the noble cause of service to God and brotherhood, good will, and understanding among all mankind is applauded by all of us. We do indeed salute the Reverend Edward M. Zannoni, S.X. of the Xaverian Missionary

Fathers of Wayne, N.J., upon the 25th silver anniversary of his ordination as a missionary priest.●

TRIBUTE TO LAZARO LOPEZ,  
MAY 19, 1885-OCTOBER 20, 1954

**HON. ESTEBAN EDWARD TORRES**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. TORRES. Mr. Speaker, on May 13, 1871, Lazaro Lopez Gonzales and Manuela Hinojosa Gonzales, arrived in the Greater Falfurrias, Tex., area from Camargo-Tamaulipas, Mexico and purchased 12,000 acres of land. The Lopez family, rich in tradition and spirit, raised cattle and lived on this land for over 60 years. Andres Lopez Gonzales, one of Lazaro's and Manuela's 16 children, inherited over 3,000 acres of this land following the subdivision of his parents' estate. These 3,000 acres, located 11 miles southwest of Falfurrias, were known as the Soledad Ranch.

Andres Lopez was known for his success in raising cattle of the highest quality. He would take his steers to San Antonio, Tex., and received top dollar for his stock. In mid-1876, while selling his cattle in San Antonio, Andres Lopez met his future wife Guadalupe Gomez Coy. They later were married on August 17, 1876.

On May 19, 1885, in Rio Grande City, Tex., Lazaro Lopez was born to Andres and Guadalupe. His childhood was spent on the Soledad Ranch with his five brothers and four sisters. As a young man Lazaro Lopez attended Alamo Business College in San Antonio and following his return to Falfurrias, married his wife, the former Gertrudis Guerra on September 16, 1913. Lazaro and Gertrudis had three children, Maria Gertrudis, Andres Lopez, and Maria Guadalupe.

In the early 1920's, Lazaro Lopez and three of his five brothers, Andres Cruz, Jose Angel, and Trinidad, opened a general store in Falfurrias, selling groceries, clothing, and household goods. Enjoying success in the retail business, the Lopez brothers later invested in a service station, appropriately named, Lopez Brothers Service Station and a dairy goods business called Lopez Dairy. While his three brothers managed the daily operations of each business, Lazaro Lopez took care of the bookkeeping and legal work. Following his father's death, Lazaro also managed the family's ranching properties.

Lazaro Lopez was widowed in 1918 at the age of 32. With the assistance of his mother and other family members he raised his children. Because of his patience and understanding disposition, Lazaro Lopez was often looked to by his nieces and nephews for advice

and counseling. Considered by many as a pioneer resident of Falfurrias, Lazaro Lopez also was noted for his accomplishments as an astute businessman and exemplary civic leader. Lazaro Lopez served as the postmaster of Falfurrias, the first county treasurer of Brooks County, Tex., and as a member of the Falfurrias School Board.

Mr. Speaker, when Lazaro Lopez died on October 20, 1954, he left to his family a legacy of love, and dedication to achieve excellence. I ask my colleagues to join me in paying tribute to Lazaro Lopez, a man who dedicated his life to the betterment of his neighbor and community. ●

#### PORTUGUESE INTRODUCE UKULELE TO HAWAII

HON. TONY COELHO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. COELHO. Mr. Speaker, as a Portuguese-American, I would like to take this opportunity to share with you a recently published feature by Mr. Manuel Dias of Modesto, Calif. Mr. Dias, a proud American of Portuguese heritage, gives an accomplished account of the ukulele, a musical instrument that was introduced to the Hawaiians by Portuguese immigrants in 1879 and which had a significant effect on the type of Hawaiian music which resulted. This year 1984 marks the 105th anniversary of the introduction of the ukulele to Hawaii.

I hope you will find this article as interesting as I have.

The article follows:

#### THE UKULELE—A PORTUGUESE GIFT TO HAWAII

(By Manuel Dias)

OAHU, HAWAII.—John Henry Felix, Consul of Portugal, Leslie Nunes and Peter F. Denecal, Ph.D., authors of the book, "The Ukulele, a Portuguese gift to Hawaii, give credit in their novel to the Portuguese, who migrated from Madeira and Azores Islands, for introducing the musical instrument "Braguinha" to native Hawaiians.

This became the embryo development of the Ukulele and thus created the Hawaiian music as it is today.

It was the Hawaiian, King, David Kalakaua, whose appreciation for the Ukulele, helped to make the Ukulele Hawaii's most popular and distinctive musical instrument.

The year 1984 marks the 105th anniversary of the introduction of the Ukulele to Hawaii. The Ukulele, at first, in the form of the Portuguese "Braguinha", appeared with the arrival of the "Bark Ravenscrag" in Honolulu on August 23, 1879 from the island of Madeira.

The early Portuguese craftsmen who developed the Ukulele and its colorful history of acceptance by the native Hawaiians are credited for birthing of a new music for Hawaii's culture. They, too, will be remembered for giving to Hawaii, the ukulele—the Portuguese greatest gift. By 1900, the Uku-

lele had become the standard accompaniment for the hula.

Portuguese settlers brought the small, four-stringed instrument which we call the Ukulele to Hawaii just over one hundred years ago.

The Ukulele is a member of the guitar family of musical instruments, and underwent many years of evolutionary development as a product of Portuguese culture.

The modern Ukulele is a close relative of the "Cavaquinho" of mainland Portugal, and the "Braguinha" of the Portuguese islands of Madeira. Madeira was the homeland of the first group of Portuguese settlers in Hawaii.

The Madeiran Portuguese enjoyed their native songs and dances. There were many festive occasions during the year, and "Braguinha", "Mandolin" and "Guitar" music were an essential part of these celebrations.

The vineyards were the mainstay of the Madeiran economy during the Nineteenth Century, and the playing of the "Braguinha" was closely associated with the celebrations which followed the harvest of the grapes.

The first large contingent of Portuguese immigrants arrived in Hawaii aboard the ship "Priscilla", in September, 1878. It is not known whether any of the one hundred and twenty passengers aboard the "Priscilla" brought a braguinha to Hawaii.

Within a year the arrival of the "Priscilla", a second major contingent of Portuguese settlers arrived in Hawaii aboard the bark "Ravenscrag".

Historians are certain that at least one "braguinha" was present aboard the "Ravenscrag" when she sailed in Honolulu harbor on August 23, 1879.

The 419 Portuguese settlers aboard the "Ravenscrag" had been at sea for four months. Their voyage had taken them from the Madeiran islands in the Atlantic Ocean, through the Straits of Magellan in the southernmost part of South America, and northward to the Hawaiian Islands in the mid-Pacific Ocean, a journey of 15,000 miles. The voyage of the "Ravenscrag" was one of twenty-nine voyages which brought a total of more than 20,000 Portuguese settlers to Hawaii between 1878 and 1913. This migration of the Portuguese to Hawaii is one of the epic migrations of modern times.

Aboard the "Ravenscrag" were five men who are closely identified with the Ukulele in Hawaii; Augusto Dias, Jose do Espirito Santo and Manuel Nunes were craftsmen able to build fine musical instruments by hand. João Luiz Correa and João Fernandes were musicians who knew how to play a number of stringed instruments including the "Braguinha".

There is a strong possibility that João Fernandes was the first person to play the "Braguinha" in Hawaii. As the story goes, when the "Ravenscrag" docked in Honolulu harbor there was a spontaneous desire among the passengers to give thanks and celebrate their safe arrival in the new land. Fernandes borrowed a "Braguinha" from Gomes da Silva, a fellow passenger, and began playing Portuguese music. Others joined Fernandes with song and dance to the delight of Hawaiian bystanders, and the "Braguinha" (soon to be known as the "ukulele") had made its debut in Hawaii.

#### PRODUCTION AND SALE

Oral tradition within the Nunes families maintains that Manuel Nunes opened a shop for the manufacture and sale of Ukuleles almost immediately following the ar-

rival of the "Ravenscrag". The first written evidence of the presence of ukulele shops in Honolulu is the 1884 City Directory, which shows that Nunes and Dias had each opened their own shops by 1884. A later edition of the City Directory confirms that Jose do Espirito Santo had joined Nunes and Dias in the independent manufacture and sale of ukuleles by 1888.

#### CONCLUSION

Hawaii's ukulele has undergone some modifications with the passage of time. For example, Nunes, Dias and Santo used the native Hawaiian kou and koa woods in the manufacture of their instruments. The use of these Hawaiian materials, the tastes of the men who manufactured ukuleles, and preferences of the people who bought and played them during those early years, undoubtedly caused subtle changes in the design, and even the musical qualities of the instrument. Thus the ukulele, which began in Hawaii as a product of Portuguese folk culture, became the distinctly Hawaiian instrument that we are familiar with today.

#### RAJAO

The "braguinha" was not the only instrument the Portuguese brought to Hawaii, they brought the Rajao as well. The Rajao, somewhat larger than the ukulele, is a five-stringed instrument with a lower tone than the ukulele. It became known as the "taro patch fiddle" because the field workers enjoyed carrying the instrument to the fields and playing it during work breaks.

There are several versions of how the ukulele received its name. One most popular appeared in the 1926 Hawaiian Annual.

#### ORIGINS OF UKULELE'S NAME

A certain army officer (Edward Purvis) who early in the 80's came to make the islands his home, took a keen interest in Hawaiian's and Portuguese alike and having noted the little Rajao (actually, the braguinha) and being an apt musician, he adopted it with the same pleasure as the natives. He soon became a master of it and was seldom seen without it, and when he later became attached to the court of King Kalakaua, often amused the gatherings with his expert playing. The Hawaiians loved him and gave him the affectionate nick-name of "ukulele", the "jumping flea", but figuratively applicable to his nimble movements and small stature, which contrasted markedly with their huge frames and deliberate movements. The instrument became known as Uku-lele's instrument and later the name was transferred to it.

According to another version, the rapid motion of the musician's fingers across the ukulele's strings reminded Hawaiians of a jumping flea. This simple explanation of the naming of the ukulele is quite possibly the most accurate one.

#### ROYAL INSTRUMENT

The ukulele became popular with the people of Hawaii almost immediately after its arrival in the islands. Within a short time, the ukulele appeared at Iolani Palace, the royal residence of King David Kalakaua, Hawaii's "Merry Monarch". In those days, Iolani Palace was a center of Hawaiian dance, music and culture; the King was an accomplished guitarist who wrote music and enjoyed experimenting with the hula. Kalakaua was delighted with the ukulele, and while playing it he changed the tempo of the sedate Hawaiian "hula" to the spirited rhythm characteristic of the hula in contemporary times.

## THE PORTUGUESE MUSICIANS

Augusto Dias, José do Espírito Santo and João Fernandes helped to popularize the ukulele by performing for the royal court and for people of all walks of life throughout Oahu.

Santo, Nunes and Dias produced beautiful handcrafted instruments which remain unsurpassed for their clarity of tone. Young men and boys gathered around the three master craftsmen in their shops to watch them work and to play their instruments. The three craftsmen sold their ukuleles to the Kings and queens of Hawaii to young men who wanted to serenade their girl friends, to hula girls, to fun-loving people who entertain at luaus, and to visitors from the mainland who wished to take home with them Hawaii's distinctive musical instrument, the ukulele.

## UKULELE IN CALIFORNIA

Then in the early 1900s, Flora and Ethel Cannon, granddaughters of Manuel Nunes, taught and popularized the ukulele in California. Portuguese-Hawaiian string bands provided lively entertainment at social gatherings during the early decades of the 20th century.

## BANDS, FAMOUS MUSICIANS

Following the acceptance of the ukulele as a Hawaii national instrument, popular string bands were formed. One well known group was the Royal Hawaiian Troubadours. And then came the birth of outstanding composers, performers and teachers like Auntie K. Namakelua, Arthur Godfrey, who have been recognized leaders of ukulele music.

Ohta, who appeared on the Ed Sullivan Show in 1955, and since has produced over twenty albums, is acknowledged as a ukulele virtuoso throughout the world.

Jesse Kalima, Hawaii's first great ukulele virtuoso, at age 15 won the Territorial Amateur Hour contest with a superb rendition of "The Stars and Stripes Forever" on his ukulele. During subsequent years, Kalima pioneered in the development of the ukulele as a solo instrument.

## BACK IN PORTUGAL

October 1979, 101 years later, the ukulele was returned to Portugal. It was on this day that I photographed the President of Portugal, António dos Santos Ramalho Eanes, as he received the new virgin of the "Braguinha", the ukulele, from the Hawaiian official delegation, led by John Henry Felix, Consul of Portugal-Hawaii.

During the year 1979 the Hawaiians honored the Portuguese for their contributions to the ukulele, with a centennial celebration commemorating the arrival of the ukulele in Hawaii from the island of Madeira, Portugal. ●

EAGLE FLIGHT AVIATION  
EXPLORERS DINNER

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. RODINO. Mr. Speaker, I take this opportunity to call the attention of my colleagues to a very special program in my district that allows young people to learn a very special skill, one that we all dream about—flying.

Rev. Russell R. White is the man responsible for bringing about this program. He is pastor of the Bethel Baptist Church in Orange, N.J., and also has the distinction of being commander of the Eagle Flight Aviation Post No. 290. For 9 years he has been an inspiration and a teacher for many of our young people, conducting an outstanding flight training school. On Saturday, April 7, the Eagle Flight Aviation Explorer's Dinner will be held at East Orange High School, honoring the students who will be graduating. The dinner will also include an awards program.

It was a great privilege for me to nominate three of the school's graduates to the U.S. Air Force Academy in Colorado Springs—Doug Williams, James Allen, and David Dansby, all of East Orange, N.J.

I salute the following individuals who will be given merit awards on Saturday night for their contributions to the school, including: Albert Parisi, a staff writer for the New York Times; State Assemblywoman Mildred Garvin; State Senator Richard Codey; Essex County Executive Peter Shapiro; and Raymond Williams, president of the greater New York chapter of the Tuskegee Airmen.

The following people will receive service awards for their contributions to the school: Jerome Lee, chief of operations of Tri-State Airline and also a flight instructor at the school; Irving Carter, a captain for Tri-State Airline and a former Eagle Flight Explorer; James Harrison, a captain for Great Lakes Airlines and an Eagle Flight instructor; Adonis Dickerson, Eagle Flight Ground School instructor and engineer for Singer Keerfott; and Mrs. Ida Woody of Woody's Funeral Home in Orange, N.J.

The mistress of ceremonies for Saturday's event will be Connie Woodruff, and the guest speaker will be Mrs. Arlene Feldman, director of aeronautics for the New Jersey Department of Transportation.

There are many people involved with the Eagle Flight Aviation Post who deserve recognition, including: Mrs. Marilyn Lewis, president of the Parents Committee; Mrs. Justin Congleton, associate adviser; Robert Blackman, also associate adviser; Paul Bey, police officer in East Orange and an associate adviser; Mrs. E. Barbour of the Parents Committee; and James Young, meteorologist and ground school instructor.

But most important, I salute Reverend White. Were it not for his efforts, the Eagle Flight Aviation Post No. 290 would not exist. His impact on countless young people has been tremendous. Reverend White has received widespread recognition for his outstanding leadership in this area. He enjoys the esteem and respect of the entire community, and I am proud to

count myself among his admirers. We all owe him a great deal, particularly the young people whom he has inspired with dreams of conquering the sky—and helped to develop the skills needed to achieve that goal. ●

VOICE OF DEMOCRACY  
CONTEST

HON. MICHAEL D. BARNES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. BARNES. Mr. Speaker, I would like to take this opportunity to pay tribute to Miss Jean Mackin, an outstanding citizen from Potomac, Md.

Miss Mackin has the honor of writing the winning speech in the Voice of Democracy contest sponsored by the U.S. Veterans of Foreign Wars and its Ladies Auxiliary. Over 300,000 secondary students participated in the contest and I am proud that a constituent of mine is the prestigious winner.

With students like Miss Mackin we should be proud of the generation of students who will some day become the new leaders of the United States.

Mr. Speaker, I would like to share with my colleagues this prize winning speech and hope they enjoy it as much as I did.

The speech follows:

## MY ROLE IN UPHOLDING OUR CONSTITUTION

America . . . just the sound of the word makes you feel good. Maybe because America means freedom, and opportunity, and dreams, but possibly the greatest thing about America is her people. So many different people. People from all over the world come to live in America. Some risk their lives to reach the freedom we have here. And once men are here they are willing to die to keep our country free . . . and it's not surprising.

Freedom is so priceless a gift. To have the freedom to speak your will, to reach for your dreams, and to be who you want to be is so distant to many countries around the world, yet in America it is a way of life.

Each and every person has the chance at doing what he or she really wants to do. With the right determination one person can affect all humanity. Just one man or one woman can change the world for the rest of us. Whether that change is a beneficial one or not.

A single person, a single mind, a single belief can make history. Take Mother Teresa or take Adolf Hitler. It does not matter whether you are a man or a woman, whether you are black, or white, or oriental, one person adds so much to the world. And, in turn, the loss of one person can take away so much from the world.

This past year a young girl at my school was killed in an automobile accident. Now she is just another statistic, one of the thousands of people that die every year. Her death is truly a loss to her family and friends, but if a gain can be found in a loss then life is given so much more meaning.

Maybe her death gives us a stronger reason to really live. Not just to wake up in the morning because you have to, but to

wake up in the morning because you want to. And when you are able to rise you should think how lucky you are. And when you see your reflection in the mirror you should be proud of who you are because you are one of a kind and you make a difference.

So few people realize how gifted they are just to have the chance at enjoying one more day. Life is not just Xing off the days on the calendar, it is taking each day and squeezing as much out of it as you possibly can.

Life is using your freedom and gifts to help others. It's respecting your neighbors' rights and your neighbors' dreams. It's setting a goal and having the chance to reach for it. And this is what the United States Constitution is all about.

To uphold the Constitution is to do your very best in living day to day. It's standing up for your beliefs and standing back to hear the beliefs of others. It's voting for the person who represents the best in you and running for an office that will bring out the best in you. It's being thankful for the freedom and justice offered to each and every one of us in our great land.

To uphold the Constitution is to stand up for the rights of life. And what could possibly be better to believe in than life itself? ●

**THE ECONOMIC RECOVERY TAX ACT OF 1981**

**HON. JAMES M. SHANNON**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. SHANNON. Mr. Speaker, in the Economic Recovery Tax Act of 1981, Congress passed several amendments to the Internal Revenue Code which were designed: First, to facilitate the provision of financial assistance to troubled FSLIC-insured institutions, and second, to promote the merger of financially troubled savings institutions into healthy institutions. With regard to financial assistance rendered to domestic building and loan associations by the FSLIC, code section 597 was enacted to exclude such assistance from the gross income of the recipient association, and to provide that such assistance would not serve to reduce the basis of the recipient's assets.

Similarly, ETA amended section 593 on the recapture of bad debt reserves. The new provision exempts from the recapture rules distributions paid to the FSLIC by a thrift institution with respect to instruments originally issued by the recipient to the FSLIC in exchange for the financial assistance. Without this change, such redemption distributions would have triggered recapture to the thrift institution, as ordinary income, of bad debt reserves similar to that which occurs when a savings and loan association makes a dividend payment on its stock or undertakes to redeem part of its stock.

The bill which I introduced on Friday will enhance the effectiveness of financial assistance rendered by deposit insurance agencies, and thus

thwart the demise of financially troubled thrift institutions. This bill amends sections 593(e) and 597 of the code to insure that troubled thrift institutions receiving assistance from State deposit insurance agencies will enjoy the same tax status as domestic building and loan associations receiving FSLIC assistance. Additionally, the bill amends section 265 of the code to allow recipient thrift institutions to deduct from gross income those expenses allocable to any amount received under the financial assistance provisions to which I have referred. This approach maximizes the impact of the assistance.

With regard to section 597, the bill expands the description of thrift institutions to include all categories of institutions insured—those insured by the FSLIC as well as by State deposit insurance agencies. It also expands the definition of assistance to include not only that which is rendered by the FSLIC under section 406(f) of the National Housing Act, but also assistance by State deposit insurance agencies rendered pursuant to similar provisions in the State.

With regard to section 593, the bill amends that section at (e)(1) to track the changes in section 597. Finally, as noted, the bill amends code section 265 to permit recipient thrift institutions to deduct as business or interest expenses those expenses allocable to assistance made exempt by code section 597.

I believe that this bill will significantly improve the protection of savings depositors by conserving the funds of our State deposit insurance agencies. This bill merely expands the ERTA effort to assist financially troubled thrift institutions to cover those insured by these State deposit insurance agencies as well as those insured by the FSLIC. I attach a copy of the bill for insertion into the RECORD.

H.R.—

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 597 of the Internal Revenue Code of 1954 (relating to FSLIC financial assistance) is amended to read as follows:*

"SEC. 597. FINANCIAL ASSISTANCE.

"(a) EXCLUSION FROM GROSS INCOME.—Cross income does not include any amount of money or other property received—

"(1) from the Federal Savings and Loan Insurance Corporation pursuant to section 406(f) of the National Housing Act (12 U.S.C. 1729(f)), or

"(2) from any State deposit insurance agency pursuant to similar provisions of State law, regardless of whether any note or instrument is issued in exchange therefor.

"(b) NO REDUCTION IN BASIS OF ASSETS.—No reduction in the basis of assets of a bank shall be made on account of money or other property received under the circumstances referred to in subsection (a).

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

"(1) STATE DEPOSIT INSURANCE AGENCY.—The term 'State deposit insurance agency'

means any organization which is organized under State law for the sole purpose of insuring or guaranteeing deposits or accounts or providing liquidity to banks.

"(2) BANK.—The term 'bank' has the meaning given to such term by section 581."

(b) The table of sections for part II of subchapter H of chapter 1 of such Code is amended by striking out the item relating to section 597 and inserting in lieu thereof the following:

"SEC. 597. FINANCIAL ASSISTANCE."

(c) The amendments made by this section shall apply to amounts received after the date of the enactment of this Act in taxable years ending after such date.

SEC. 2. (a) The last sentence of section 593(e)(1) of the Internal Revenue Code of 1954 (relating to distributions to shareholders) is amended by inserting before the period at the end thereof the following: "or to any distribution to any State deposit insurance agency (as defined in section 597(c)(1)) in redemption of an interest in the association or institution if such interest was originally received by such agency in exchange for money or other property excluded from gross income under section 597(a)".

(b) The amendment made by subsection (a) shall apply to distributions made after the date of the enactment of this Act in taxable years ending after such date. ●

**THE 50TH ANNIVERSARY OF BOY SCOUT TROOP 782**

**HON. MARTY RUSSO**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. RUSSO. Mr. Speaker, on April 7 of this year, Boy Scout Troop 782 of Blue Island, Ill., will be celebrating their 50th anniversary. I know we all share in our appreciation of this fine program and today I would like to pay tribute to Troop 782 for their commitment and achievements in the best of scouting tradition.

The Boy Scouts of America reflects the beliefs of our great Nation—in striving for goals, in working in cooperation with others and developing the best of one's individual potential. These young men are part of a unique group. From the moment they take their oath, they are taught the meaning of responsibility, care, commitment, and pride.

William Boyce, a Chicago newspaper publisher, introduced Scouting to America in 1910. He discovered this program on a trip to England when a scout there did a good deed for him. We all owe a great deal to that English Scout. Mr. Boyce could not foresee the profound impact of his program but he did see a need for Scouting in this country.

I think the Scouts from Blue Island, Ill., can take pride in their anniversary, for it is not an everyday occurrence that a program can display 50 years of success. A perfect illustration of this is the marigold madness

project, an effort to beautify their community by having each resident plant a marigold in their yard. Scoutmaster Mark Johnson and the troop were able to get 89 percent of the town to participate.

Troop 782 and the Boy Scouts are a reflection of the American tradition: To be prepared for the challenges and opportunities that life has to offer. I congratulate them for their work in making Scouting a successful program, for their contributions to our country, and for a job well done.●

#### PERSONAL EXPLANATION

### HON. RICHARD A. GEPHARDT

OF MISSOURI  
IN THE HOUSE OF REPRESENTATIVES  
*Tuesday, April 3, 1984*

● Mr. GEPHARDT. Mr. Speaker, on March 27 it was necessary for me to be absent from the House, and I missed rollcall No. 55, on final passage of H.R. 3755, to amend title II of the Social Security Act to provide for reform in the disability determination process. Had I been present and voting, I would have voted "yea."●

IN SUPPORT OF A BILL NAMING  
THE U.S. COURTHOUSE IN  
HATO REY, PUERTO RICO: CLE-  
MENTE RUIZ NAZARIO

### HON. BALTASAR CORRADA

OF PUERTO RICO  
IN THE HOUSE OF REPRESENTATIVES  
*Tuesday, April 3, 1984*

● Mr. CORRADA. Mr. Speaker, it is with a deep sense of pride and satisfaction that today I introduce a bill naming the new U.S. District Courthouse in Hato Rey, Puerto Rico in honor of the late Judge Clemente Ruiz Nazario. The Honorable Clemente Ruiz Nazario was the first Puerto Rican to serve on the Federal bench in Puerto Rico and, for that matter, in the entire U.S. court system. His outstanding service at the bench left us a legacy of sound legal judgment and unbiased decisions based on justice and fairness. His accomplishments led the way to a new era in the U.S. District Court in Puerto Rico where now seven Puerto Ricans serve with distinction as Federal district court judges.

Judge Ruiz Nazario received his law degree from the University of Puerto Rico School of Law with honors in 1921 and became a very prominent lawyer on the island. During his over 30 years in the practice of law, Judge Ruiz Nazario built a reputation for being an able lawyer and a fine servant of the court. He served as judge in the U.S. District Court for the district of Puerto Rico for 14 years from March 28, 1952 until December 30,

1966 when he retired at the age of 70. President Truman appointed him to the bench in 1952 to an 8-year term during which his noteworthy performance secured his reappointment by President Eisenhower in 1960. Judge Ruiz Nazario served as the sole Federal judge on the island until 1961 when Congress approved a second position for a judge in Puerto Rico and he became the chief judge.

Judge Ruiz Nazario's service to our community went far beyond the court. He was a member of the board of trustees of the University of Puerto Rico; chairman of the Anti-Tuberculosis Campaign Fund; president of the Anti-Tuberculosis Association, San Juan Chapter and president of the Boy Scouts of America for the New York, New Jersey, and Puerto Rico region.

Throughout his professional career, Judge Ruiz Nazario earned the esteem, respect, and admiration of those who practiced with him, against him, and before him. He was a good natured, down to Earth judge endowed with great wisdom and sensitivity and fully devoted to the ends of justice. The significance in a historical perspective of Judge Ruiz Nazario's appointment to the Federal bench coupled with his untiring dedication to judicial excellence and contributions to the better administration of justice in Puerto Rico, make him an obvious choice for this recognition. The chief judge and judges of the U.S. District Court for the district of Puerto Rico as well as the legal community in Puerto Rico join me in supporting this bill to name the new U.S. District Courthouse in Hato Rey, Puerto Rico, in honor of this learned jurist, wise solon, and excellent human being, the Honorable Clemente Ruiz Nazario.●

#### IT IS STILL A PENTAGON BUDGET

### HON. MARCY KAPTUR

OF OHIO  
IN THE HOUSE OF REPRESENTATIVES  
*Tuesday, April 3, 1984*

● Ms. KAPTUR. Mr. Speaker, the House will soon begin debate on a deficit reduction package of which the size of the military budget will be a key component. The administration is touting its deficit reduction plan as a balanced plan of reductions in defense spending, reductions in domestic spending and revenue increases. In reality the plan contains further increases in defense spending when measured against both current defense spending levels and last year's bipartisan congressional budget resolution. Furthermore, proposals to stretch out spending on weapons systems rather than eliminating weapons programs or reducing the number of weapons to be

purchased do not really attack the deficit problem in the long term. A recent Congressional Budget Office study reports that in some cases stretching out could increase the total cost of a weapons system because the unit cost of each weapon would rise.

I call my colleagues attention to a recent op-ed piece in the New York Times by Steven Wolfe and Robert Greenstein which describes the large increases in the Pentagon budget in the administration's deficit reduction plan. The article, "It's Still a Pentagon Budget" follows:

#### IT'S STILL A PENTAGON BUDGET

WASHINGTON.—The new Reagan budget plan, which is supposed to help reduce the Federal deficit, has been portrayed by the Administration as a balanced mix of defense and domestic spending reductions. The balance, however, is hard to find.

On the domestic side, the new budget plan would cut nearly twice as much as the original Reagan budget, unveiled in January, and would further shrink most social programs. At the same time, the new plan continues to provide hefty increases for the Pentagon, enlarging defense spending at twice the growth rate approved by Congress last year.

Moreover, because the new White House proposal avoids cutting major weapons, it leaves unchecked the heart of the defense budget problem: runaway weapons spending. Any serious effort to roll back the mounting Federal deficit must include restraint on new weapons as a central element.

Last year, Congress appropriated \$264 billion for defense. Under the Administration's new plan, defense appropriations for fiscal 1985 would jump to \$299 billion, a \$35 billion increase. Even after accounting for inflation, this is an increase of \$19 billion, or 7 percent. One year ago, when the deficit problem looked less traumatic than it does today, Congress approved an after-inflation defense increase of about 3.5 percent.

The new plan represents an increase for defense spending over the 1985 levels approved by Congress in last year's budget resolution. In fact, the nonpartisan Congressional Budget Office has found that when measure against last year's budget resolution, defense spending levels in the new White House proposal would actually enlarge the deficit, not shrink it.

This leaves us where we started several months ago: the President resists having defense contribute to reducing the deficit. He also resists the only strategy that would bring defense spending under control: tackling the burgeoning list of expensive new weapons purchases.

Weapons spending has driven the defense budget since 1981 and the looms even larger in the future. The share of defense spending going to "investment" (research and production of new weapons plus military construction) has risen from 37 percent in 1980 to a projected 50 percent in 1985.

The costs of weapons systems are spread over several years, with the bulk of the spending coming after the first year. Thus, the costs we are now seeing for new weapons systems are just the tip of the iceberg.

In addition, the cost of new weapons tends to rise well beyond initial predictions. The Congressional Budget Office estimates that the Pentagon has understated the cost of its

planned weapons systems and other procurements by \$72 billion over the next five years. The General Accounting Office recently reported that the entire defense program may be underestimated by as much as \$300 billion over the same period. In future years, we can expect sharp, upward revisions in Pentagon budget requests and arguments for spending additional billions to complete projects whose costs were initially understated.

Close scrutiny of new weapons is crucial because contracts are spread into Congressional districts all across the country, making cancellation unlikely. For example, there are contracts or subcontracts for the B-1 bomber in 48 states in all but a handful of Congressional districts.

Numerous new weapons purchases could be eliminated before they become deeply rooted, and with no cost to the nation's security. Some are strategic nuclear systems that add to nuclear instability because of their link to "first-strike thinking" (the MX missile and the planned "Star Wars" defensive network, for example) or the difficulties they create for verification (sea-launched cruise missiles). Others have performed poorly in tests and could be halted without military loss: the Aegis cruiser, the Bradley M-2 fighting vehicle, the Sergeant York air defense gun and the infrared Maverick missile.

The Bradley and the Maverick also join a list of programs that are duplicative or simply excessive. These include the B-1 bomber, the DDG-51 destroyer, two new nuclear aircraft carriers, revived World War II battleships, the F-18 fighter and the proposed C-17 cargo plane.

Cutting these systems could reduce the deficit by as much as an additional \$64 billion over the next three years while eliminating much of the pressure for future increases. But action to halt these weapons must be taken now, before production gets too far down the road.

Only if such steps are taken will defense spending contribute to deficit reduction and be part of a truly balanced approach to the serious deficit problem we now face.●

#### TRIBUTE TO CHARLES O. PYRON

##### HON. CARL D. PURSELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. PURSELL. Mr. Speaker, at this time, I would like to take the opportunity to recognize Mr. Charles O. Pyron of Jackson, Mich., for his achievement in being named Michigan Small Business Person of the Year. I am particularly proud to announce that this is the second straight year that an individual from Jackson has been so honored.

Mr. Pyron, 57, is president of ADCO Products, Inc., makers of automobile, marine, and architectural sealants, and is chairman elect of the Greater Jackson Chamber of Commerce.

Mr. Pyron started ADCO Products in 1971 with Mr. Donald B. Strack, the company executive vice president. Prior to beginning ADCO, both men had been executives at Protective Treatments, Inc. of Dayton, Ohio. Mr.

Pyron worked for Monsanto Chemical Co. until 1953, the year he joined Protective Treatments. He served as president of that firm from 1967 to 1972.

In addition to running ADCO Products, which employs some 100 people, Mr. Pyron is a member of the Michigan State Chamber of Commerce and the Chamber of Commerce of the United States.●

#### GAUDENZIA HOUSE

##### HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. BORSKI. Mr. Speaker, Gaudenzia House is a nonprofit drug and alcohol treatment agency which has helped thousands of Pennsylvanians. The Gaudenzia program, which began with one residential facility in Philadelphia in 1968, is now the largest and oldest such program in the Commonwealth. It has 14 different, diversified programs in 13 locations in 4 counties throughout the State.

Gaudenzia recently prepared a cost-benefit analysis which discusses the many costs associated with addiction, and the subsequent gains that flow not only to the recovering addict but to the entire community with a successful rehabilitation. I want to share this information with my colleagues in the House of Representatives.

#### THE THERAPEUTIC COMMUNITY: AN EXPLORATORY COST-BENEFIT ANALYSIS

(By Karen Scott Griffin)

The assessment of treatment methods for drug addiction usually focus on qualitative measures. However, Gaudenzia has provided a quantitative and monetary analysis of the benefits that result from the operation of the agency's long-term residential treatment program (a therapeutic community).

The following information summarizes a review of the monetary factors associated with at-large drug addiction and a financial comparison of untreated addiction and inpatient treatment of the same population. The purpose of this research was to outline the differential in costs to the community/society in which addicts reside, in this case Pennsylvania, when the individual is in treatment as opposed to "on the streets."

In order to demonstrate the direct and indirect financial gain to the state, federal, and local governments and the public in general, the following discussion will examine several factors which are unquestionably affected by the services provided in Gaudenzia's program. This analysis is based on the recovery of drug addicts at a rate consistent with that of the Gaudenzia long-term program. The studies used to compile information for this analysis are mainly concerned with the drug-dependent person—one whose use of drugs results in frequent habitual use, seriously interferes with normal functioning, and brings about official identification as a "drug-dependent" individual by law enforcement or treatment agencies.

After a review of Gaudenzia's statistics it was assumed that a minimum yearly esti-

mate of 10 drug-dependent persons are recovered and returned to the mainstream of society. This number is reduced from actual average number of graduates to account for the small amount of relapse and those not classified as severely drug dependent. (Graduation requires continuing contact with the agency and several other criteria. It should be noted that among those clients who successfully complete inpatient treatment, a certain number do not become graduates, but remain drug-free and stable in the community.) Based on this estimate, figures considered in this analysis are computed to project the cost benefit of Gaudenzia's long-term treatment program over 5 years (1982-1986), the results of the recovery of 50 addicts.

Two major areas of impact are examined: costs relating to the change in personal income status and costs relating to the criminal lifestyle of the drug addict, both direct and indirect. The primary focus is a general comparison between the costs of continuing addiction and the accompanying lifestyle and the gain realized by successful rehabilitation.

One of the primary treatment goals for the Gaudenzia resident is the acquisition and maintenance of gainful employment. When an addict reverses the dependent lifestyle of addiction and maintains employment, he/she not only ceases to drain public funds, but simultaneously adds to them in the form of income taxes. The financial gain which will be realized by federal, state and local governments through Gaudenzia's graduating population estimate over a 5-year period has been calculated at \$954,000.

Drug addiction is expensive to maintain, and the unfortunate fact is that the costs of supporting a steady habit have to be borne not by the addict but by virtually everyone else. The progression by which these costs are passed on to the general public is a familiar one; a "ripple effect", spreading the absorption of this staggering expense over a broad range of public and private entities. Among the secondary cost factors of addict crime is law enforcement intervention. Although these factors are complex and impractical to calculate, it is evident that they would include, at a minimum: police protection and intervention expenses; costs of prosecution, processing, record keeping, and public legal counsel; and investigation costs on a federal, state and local level.

Not enumerated in the above factors are the actual costs of imprisonment resulting from drug-related criminality, another of the indirect expenses of addiction. Computed from nationally established statistics the costs of the estimated period of addict imprisonment for Gaudenzia graduates over a 5-year period totals \$267,750.

The most appreciable monetary impact of addiction is the direct cost of drug related theft and other crimes. Although these costs are shared by many, it is useful to point out the magnitude of expense incurred through addict crime. Factors contributing to this cost are computed on the average frequency of addict crime, established by previous research, and a \$200 estimate (computed conservatively on the basis of addict interviews and published literature) of the loss and/or damage incurred during days of criminal activity. Based on this formula, the computation of crime costs for the 50 addicts Gaudenzia expects to rehabilitate over 5 years totals \$5,340,000.

As indicated in the beginning text, one of the intentions of this report is to compare the cost of drug dependency with that of

therapeutic community treatment and the monetary benefit of subsequent recovery. In order to make this comparison, it is necessary to outline the costs of the rehabilitation process based on a realistic treatment duration. The cost of the treatment for the predicted 10 graduates per year over the 5-year period is \$727,150.

Bearing in mind that the figures used to arrive at this cost/benefit comparison represent conservative estimates, the resulting differential, outlined below, tends to speak for itself.

<i>Differential</i>	
To date cost reduction through rehabilitation:	
Gain by income status.....	954,000
Reduction in penal costs.	+267,750
Reduction in crime costs.	+5,340,000
Total .....	6,561,750
To date treatment costs .....	-727,150
Differential .....	5,834,600

It should be noted that even if one eliminates the very high figure associated with criminality, the costs to the system are still reduced by \$494,585 through Gaudenzia's program over the 5-year period.

And finally, another important factor which actually increases this cost benefit to a still higher figure is the time in treatment of those clients who do not complete the program. Assuming that 25 of these clients manifest the previously discussed addiction patterns while they are at large, cost savings can be postulated for the cessation of their addictive behavior while in treatment during the 5-year period considered in this discussion. This results in an additional cost benefit of \$3,281,500. This cost benefit can quite logically be added to the \$5,834,600 savings realized through Gaudenzia's successfully-recovered clients, bringing the cost benefit to the society and governmental system in the Commonwealth of Pennsylvania to a total of over 9 million dollars.

These figures demonstrate that the utilization of the therapeutic community modality by the criminal justice system as an alternative for appropriate offenders is imperative. The waste of human lives and taxpayers dollars, particularly in the current economic crisis, cannot be dismissed.●

COMMEMORATING BYELORUSSIA'S 66TH INDEPENDENCE DAY

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. ADDABBO. Mr. Speaker, the Soviet Union has failed to silence the voice of the Byelorussian people. Again and again, the Soviets try to suppress entire cultures. In the case of the Byelorussian people, the Soviets have been unable to penetrate the hearts and minds of a culture marked with a proud past and a growing future.

Last week Byelorussians celebrated the 66th anniversary of the declaration of the Byelorussian Democratic Republic. It was an important occasion because it brought to our attention the determined sense of awareness the

Byelorussian people have for their own culture.

In the last few years, the Byelorussian language has gained broader appeal. The Byelorussian language television channel has gained wider popularity. This is a sure signal of a people intent on maintaining cultural affiliations.

Another positive sign, is the increased popularity of modern Byelorussian literature. The publishing companies, magazines, and other arms of the media that cater to this culture prosper within the Iron Curtain despite official attempts to disband these entities.

I have appealed to Konsantin Chernenko in the last few weeks to change course and offer a new direction toward peace. I believe that the release of these occupied nations and the acknowledgment of these cultures would be a step in the right direction.

The Byelorussian culture will continue to grow, and we must make appeals to the Soviet leadership to let it grow. There are responsibilities that Americans have as a free people. Foremost, is the responsibility to insure that others enjoy this same basic right of all mankind; freedom.

It has been suggested that through the Voice of America the United States can help perpetuate the Byelorussian culture. If that is the case, I firmly support the use of radio broadcasts that would accomplish these goals.

In our efforts to assist with the Byelorussian fight for freedom, we must not overlook any avenue that would bring about independence more expeditiously. I join with the Byelorussian community today in requesting the administrator to examine these steps that will assist the cause of freedom.●

H.R. 5222, ROBBERY OF CONTROLLED SUBSTANCES

HON. DOUG WALGREN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. WALGREN. Mr. Speaker, I am pleased that yesterday the House, with my support, passed H.R. 5222, a bill to make the robbery of controlled substances from pharmacies a Federal crime. I have cosponsored this legislation and I participated in hearings on similar legislation. I am privileged to serve as a member of the Subcommittee on Health and in that subcommittee helped develop a similar bill.

I have been a cosponsor of this legislation since the need for it was brought to my attention by pharmacists in my district. Sadly, our drug laws have had a perverse effect on those who legally dispense drugs. The

Controlled Substances Act deals with the illegal entry of dangerous drugs into the United States. But by restricting the flow of illegal substances into the country, it has had the effect of making "street drugs" more expensive and making robbery of drugstores more "inviting." Ironically, it is a Federal crime for a pharmacist to illegally handle a controlled substance or to fail to report a theft of a controlled substance. But it is not a Federal crime to rob the pharmacy of the controlled substance in the first place.

The bill we passed fills an important loophole in our criminal drug laws.

The increase in pharmacy robberies has social implications. First, the frequency of these crimes has restricted the availability of medically necessary controlled substances. According to a survey conducted by Myers, Brushwood & Grieshaber in March 1983, over 40 percent of pharmacies sampled, reduced or discontinued their inventory of controlled substances because of the danger to their security. How will patients requiring these drugs obtain them if community pharmacists will no longer carry them?

A second problem is increasing drug abuse. Thefts of controlled substances are the source of increasing drug abuse. General Accounting Office statistics show more abuse of controlled substances like morphine, diladid, other major pain killers and tranquilizers than the so-called street drugs like heroin and cocaine.

Our subcommittee also heard testimony indicating that people are discouraged from continuing in or entering the pharmacy profession because of fears of violence. The pharmacist is a vital link in the health care chain: It is the pharmacist who is sometimes more accessible to the family than other medical personnel; it is the pharmacist who people expect to provide help and relief at all hours. We must be doing as much as we can to enable pharmacists to serve the health care needs of our citizens. I hope this bill will see prompt enactment.●

TWIN CHAMPIONSHIPS

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. SKELTON. Mr. Speaker, Saturday, March 24, 1984, was a big day, one not to be forgotten for everyone connected with Central Missouri State University. Players, coaches, students, alumni, and supporters are sure to savor the double triumphs of its men's and women's basketball teams winning both NCAA Division II championships.

The Mules captured the NCAA Division II title by defeating St. Augustine

College of Raleigh, N.C. with final score of 81 to 78, concluding their season with a school record 29-3. The Jennies decision 80 to 73 was played against Virginia Union, of Richmond, Va. racking up a season record of 27-5.

Clinching the twin championships will be one hard to match in years to come. Both teams have tremendous records this year and should be commended not only for their impressive victories but for their fantastic seasons.

The Jennies and Mules have made history as never before, having both the national men's and women's title been won by the same school in the same year.

Let me join in offering congratulations to all those who participated in capturing these coveted trophies, brought distinction to themselves, their school, and their State. ●

#### U.N. VOTING RECORD UNDERScores ISRAEL LOYALTY

##### HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. GREEN. Mr. Speaker, I would like to take this opportunity to bring the most recent "Report to Congress on Voting Practices in the United Nations" to the attention of my colleagues.

While I am supportive of our participation in the United Nations and believe that the function for which it was originally created—world peace and dialog—is more valid than ever, this report, which measures a country's support for the United States based on that country's voting record, provides some important lessons.

While it is no surprise to followers of this world organization that the United States continues to be commonly outvoted in the United Nations, the votes of Middle East countries are especially informative when placed under close scrutiny. first, Israel voted with the United States in 93.3 percent of the votes, the highest percentage of any country in the United Nations. This figure speaks most eloquently to the fact that Israel is our most reliable ally in the United Nations and certainly in the Middle East.

Looking at some of the other Middle East countries which have been deemed moderates and friends of the United States is equally enlightening: Egypt voted with the United States 23.4 percent of the time, Jordan 17.2 percent, and Saudi Arabia 19.3 percent. These figures should give one pause when considering foreign aid packages, especially arms sales to so-called moderates. Let me point out that these figures are not mere aberrations. Last year I brought this docu-

ment to the attention of my colleagues and at that time pointed out that Israel supported the United States 86.2 percent of the time, more than any other country, and that the Jordanians agreed 20.8 percent of the time, the Egyptians 26.2 percent, and the Saudis 24 percent.

While the report itself points out that "relations in the United Nations are only one dimension of our relations with other countries" it also points out that "the decisions of the United Nations are widely interpreted as reflecting world opinion," focusing world attention and even affecting U.S. foreign policy. If we reward our friends by ignoring their chosen capital and encourage those who consistently vote against us by bestowing upon them our most advanced weaponry, is it any surprise that our Middle East policy is a tangled mess? ●

#### THE 50TH ANNIVERSARY OF THE VOLUNTEER CENTER IN SYRACUSE, N.Y.

##### HON. GEORGE C. WORTLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. WORTLEY. Mr. Speaker, the adage that "a task is light when many share the toil" bespeaks a great deal about the American tradition of people working together to perform good works.

And, in America, good works are performed, in large part, by volunteers.

Volunteerism throughout our Nation has always been strong. Volunteer militiamen fought in our Revolution. In 1984, American volunteerism has never been stronger.

With signal pride, Mr. Speaker, I call the attention of our colleagues to the 50th anniversary celebration of the Volunteer Center of Syracuse, N.Y. It is the third oldest volunteer agency in the United States.

A half century ago, the Junior League of Syracuse proposed creation of a volunteer bureau. In 1934, the bureau was launched, on a 4-month trial basis. What began as an experimental, one-person office has blossomed into what today is a multisite, multiservice agency with a staff of more than 40 people. They recruit, train and place volunteers who assist their fellow citizens of our Syracuse area communities—the children, the troubled youth, the elderly, the ill, the handicapped, and the disadvantaged of all ages.

On Wednesday, April 11, the grateful citizens of the 27th Congressional District will commemorate the half century of service of the people who have volunteered their time and talents to this outstanding agency, at an anniversary dinner at the Hotel Syra-

cuse. Our honored guest and speaker for this event will be Mrs. George Bush, wife of the Vice President.

In behalf of present and past volunteers and the staff of the volunteer center, it is with pride that I bring this occasion to the attention of the Congress. ●

#### VOICE OF DEMOCRACY

##### HON. BARBER B. CONABLE, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. CONABLE. Mr. Speaker, the Veterans of Foreign Wars conducts a Voice of Democracy contest each year for secondary school students across the country. This year, there were more than a quarter of a million participants from over 8,000 schools; more than 4,000 VFW posts and 3,500 auxiliaries sponsored the program to enhance understanding and appreciation of our system of government.

This year the New York State winner was from the area which I am pleased to represent in Congress. He is Clarence Anthony Ingram, of Henrietta, N.Y., a senior at Roth High School there. I would like to share our State's winning speech with my colleagues, and ask unanimous consent to have it printed in the RECORD.

The speech follows:

#### MY ROLE IN UPHOLDING OUR CONSTITUTION

My role in upholding our constitution is a role that was already designed for me before I was even born and that same goes for my parents and their parents.

The books tell me that it all began in Philadelphia in the summer of 1787 when 55 delegates wrote the Constitution of the United States. They had adopted their ideals from English law and practice, from colonial experiences, from the state constitutions, and from the Articles of Confederation; however, they did not borrow from sources they had not experienced. In a real sense, the constitution was a victory for man in the struggle for liberty and justice for all. It was not imposed by a foreign power or dictated to us, nor the product of military defeat. It was an act of free will, a triumph for democracy, a symbol of a good government in an age of European turmoil.

The constitution, a brief but well written document of about 7,000 words that does no more than organize our political institutions, describes our government system concisely, and allows for change and adaptations through usage and interpretation. And in 1791, a change did occur which I believe is the reason our constitution is a workable method and one of the oldest written constitutions in operation in the world, despite all the changes economically, socially, culturally, and politically, which has occurred since 1791. This change I am referring to was the ratification of the first ten amendments, the Bill of Rights—which limits the government by guaranteeing individual liberties.

These few amendments, which were derived from the Magna Carta, and the English Bill of Rights, are a part of the constitution that affect me the most. Thus, my

role is to support the Bill of Rights, and to believe and defend them—and in doing this—I will be upholding our constitution and upholding the constitution is very important to me and to my country. But as important as my role is, it's also very easy. For you see, I am very proud to be an American and a citizen of the United States, and my role—well, my role is just to respect other citizens—and the law, and to vote and to urge friends and family to vote, and to understand the word "democracy," and how it affects me, and just by saluting the Flag—these are simple things—but they show loyalty and respect and pride for our country which is a role all citizens should incorporate in their lives, including myself.

But sometimes we lack in these qualities. I feel sometimes we lack in just common knowledge of the constitution. I mean—I see intelligent, bright, individuals who are ignorant of the Bill of Rights. They couldn't name them all if their lives depended on it. I mean—here we have basic rights guaranteed to us by law, natural rights such as freedom of religion, speech, press, and petition; protection against unreasonable searches and seizures, against self-incrimination. We are guaranteed the right to a speedy and public trial by a local and impartial jury before an impartial judge, and guaranteed representation by counsel, and rights of private property—as in the provision that private property should not be taken for public use without just compensation. Yes, here we have guaranteed rights that affect every citizen and some people do not even care or they just let their apathy take over. So my role in this situation is just to be an involved citizen who understands the constitution and who is willing to point out the Bill of Rights and its advantages to another citizen and, in doing this, I will have made my role even more important for that person who might acquire some knowledge from me and pass it on and they might pass it on, and on, and soon we will have started a chain reaction.

As I said before, my role in upholding our constitution is a very important role but it also is very easy for me because I believe in democracy, and I believe in the constitution, and in the Bill of Rights, and when you believe in something, it makes it that much easier to live by.

I remember Dr. Martin Luther King, Jr., once said, "I have a dream." I think those 55 delegates had a dream when they wrote the constitution and, if you think about it, America is nothing but a dream \* \* \* that just came true.●

#### FLEET SUBSIDIES BY AUTOMOBILE MANUFACTURERS MUST BE TERMINATED

### HON. GENE TAYLOR

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. TAYLOR. Mr. Speaker, early in the 1st session of the 98th Congress I introduced H.R. 1415 in an effort to bring basic fairness to the pricing of motor vehicles and eliminate the preferred class of customers created by American automobile manufacturers as a result of fleet subsidies. This legislation was designed to allow purchas-

ers to enter the automotive marketplace on an equal footing.

Domestic manufacturers are providing subsidies or discounts to a preferred group of corporate fleets in amounts often exceeding \$1,000 per vehicle, while refusing these same subsidies or discounts to franchised new-car dealers who could pass these savings along to the general car-buying public.

I am convinced that the fleet subsidy practice clearly constitutes unfair price discrimination to individual consumers as well as to small business automobile dealers who sell approximately 80 percent of the automotive units in this country.

In the ensuing 13 months since I introduced H.R. 1415, 220 of my colleagues in the House have reached the same conclusion as I; fleet subsidies are unfair to the vast majority of automotive purchases. During these past months, while discussing this legislation with my colleagues, reviewing various departmental comments concerning it, and analyzing points raised during congressional hearings on it, it became apparent that certain portions of the language contained in H.R. 1415 needed clarification so that its central intent could not be misconstrued. To accomplish that purpose I have redrafted the bill.

Last Thursday, March 29, I introduced, along with my esteemed colleague, Representative WAYNE DOWDY, H.R. 5305 that clearly and simply prohibits new automotive sales by the manufacturer to certain classes of customers at a price cheaper than they sell to their franchised dealers for resale to the general public.

I urge my colleagues to review H.R. 5305.●

#### WYNONA LIPMAN NAMED "WOMAN OF THE YEAR"

### HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. RODINO. Mr. Speaker, this Friday, April 6, the Ironbound Manufacturers' Association will sponsor a luncheon at which my good friend Wynona Lipman will be given the association's prestigious "Woman of the Year" award. It is a very great honor for me to recognize her today.

Wynona Lipman has been in the New Jersey State Senate since 1970 and has served with distinction. A tremendously effective legislator, she is one of New Jersey's most articulate advocates for the rights of the poor and minorities. Senator Lipman has worked hard to improve the lives of her constituents, and has a dedication and passion for her work that has won her widespread admiration and re-

spect. The people of the 29th district in New Jersey are most fortunate to have such an effective voice in the State senate. I consider myself fortunate to count Wynona Lipman as a good friend, and I am delighted that the Ironbound Manufacturers' Association has selected someone so worthy of the title "Woman of the Year."

The Ironbound Manufacturers' Association was founded in 1917 to promote improved working and living conditions in the ironbound community of Newark. For the past 6 years the association has singled out from the public and private sectors outstanding women in our community for this award. I offer my very best wishes to Wynona Lipman on this occasion.●

#### RUFUS BELL BURRUS: TRUMAN'S PERSONAL HISTORIAN

### HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. SKELTON. Mr. Speaker, as we approach the centennial of the birth of Harry S. Truman, it is appropriate to take a close look at the history of the Truman era. There is no better insight to history than primary sources, and we are lucky that there are still a number of firsthand acquaintances of President Truman around to provide us with some of the colorful details of history. One such acquaintance of Harry Truman is Rufus Bell Burrus of Independence, Mo. Mr. Burrus was a personal friend of our great President and has a clear memory of the life and times of Mr. Truman. An interview with Mr. Burrus recently appeared in the Kansas City Star which gives us a good insight into the relationship between Mr. Truman and Mr. Burrus. I insert this article in the RECORD at this point and highly recommend it to my colleagues.

The article follows:

[From the Kansas City Star, Feb. 5, 1984]

INDEPENDENCE LAWYER RECALLS A FAMOUS FRIEND

(By Rich Hood)

Rufus Bell Burrus, a cherub-faced 83-year-old with a halo of white hair, is on a crusade to preserve memories of his friend, Harry S. Truman.

"I want people to know about Mr. Truman firsthand," he said.

He's had good success.

The Smithsonian Institution's Division of American Politics recorded more than an hour of Mr. Burrus' recollections on videotape in front of the Jackson County Courthouse in Independence.

A transcript is to be released this year as part of the centennial celebration of Mr. Truman's birth.

Mr. Burrus, a retired Army lieutenant colonel who still practices law in an office just off the Independence Square, has tape-

recorded memories for research projects of many others, including at least one university that has given a transcript to the Truman Library. His memories are featured prominently in *Last of His Kind*, an anecdotal history of Mr. Truman by Charles Robbins.

Last year, when he suffered a severe heart attack, it appeared that his crusade was endangered. But he has recovered. His step is slower, but his smile is warm and his memories sharp.

One of his favorite memories of the 33rd president concerns his own appointment as assistant county counselor, a position he held from 1927 until 1941.

"After he got elected presiding judge he called me and told me to meet him for lunch at the Teacup Inn, a very fancy place with white tablecloths on Grand between 10th and 11th.

"I knew something was up because when I was Downtown Mr. Truman and I usually ate at the Dutchman's, a place where they had rye bread, black tea, sardines and Limburger cheese.

"When I got to the Teacup Inn I found he had invited Fred Boxley for lunch, too. He looked at Fred and said: 'You're going to be my county counselor. You're my kind of Rabbit.'

"He looked me and said: 'You're going to be my assistant county counselor. You're my kind of Goat.'"

The two prominent factions among Jackson County Democrats at the time were the Rabbits of Joe Shannon and Tom Pendergast's Goats.

Mr. Burrus said he never asked for the job nor did he know before the lunch that it would be offered.

He recalled Mr. Truman going to talk with Mr. Pendergast about Mr. Truman's plans for a \$6.5 million bond issue for road construction.

"Mr. Truman told Pendergast that he would have to select engineers of his own choosing. Pendergast told him that he (Mr. Truman) ran the road program and he would never interfere with the way he ran it. And Pendergast never went back on his word on that."

Mr. Burrus said he helped Mr. Truman draft and lobby successfully for a law that designated the presiding judge as budget officer so he could control the pursestrings of other county officials.

Mr. Burrus' speech is sprinkled with colorful country expressions.

He recalled helping Mr. Truman in one of his Senate campaigns on a day that was "hot as mischief."

During that primary campaign, he said, Mr. Truman was strapped for funds, he was "down to the nubbins."

"He wouldn't let us talk about him," Mr. Burrus said, "and we didn't while we were around him. We made our pitch for him when he wasn't there."

Mr. Truman, he said, never lost his independent spirit.

When he was in his 70s he bought a new car and insisted on driving Downtown. On the trip back to Independence Mr. Burrus was close behind in another car.

"There was a 25 mile speed zone, but he let it out," Mr. Burrus said.

"I cautioned him after we got back. I said, 'Chief, you were doing a pretty good clip.'"

Mr. Burrus said the former president pretended he did not know how fast he had been driving, but he urged Mr. Burrus not to tell Bess Truman, the ex-president's wife, about his heavy foot.

There were other times when Mr. Burrus said he attempted to protect Mr. Truman. "I was his watchdog," he said with a sense of deep content.

Now he's also his personal historian. ●

**DO WE WANT TO PROVIDE HEALTH CARE FOR RURAL AMERICANS?**

**HON. RONALD D. COLEMAN**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. COLEMAN of Texas. Mr. Speaker, today I am introducing H.R. 5273 and H.R. 5274, bills that address the problems stemming from the 24-hour registered nurse requirement for small rural hospitals that was originally required under title 18 of the Social Security Act.

A permanent waiver of this requirement was permitted prior to 1980, for rural hospitals that could not meet the 24-hour requirement due to a lack of qualified personnel in the area. The Omnibus Budget Reconciliation Act made the waiver temporary, and subsequent regulations provided for a 1-year waiver based on the State agency's certification of a hospital's good faith efforts to meet the requirement.

Approximately 17 of the 26 rural hospitals affected by the waiver are located in Texas. The alternative to losing the provider of services classification provided by the permanent waiver is the termination of medicare benefits which are the fiscal backbone of many of these hospitals. When the temporary waiver expires, most of these facilities will be forced to close. This drastic action does not serve the best interests of a rural, and most often, isolated population. The intent of my legislation does not advocate providing health care at the expense of the safety of the patient. Rather, it recognizes the fact that it is more prudent to keep a rural hospital open than to cut off its major source of funds.

The pertinent question to be asked is whether we want to provide health care for rural Americans? Obviously the answer is "Yes." ●

**LOS ANGELES HONORS WILLIAM R. ROBERTSON**

**HON. MERVYN M. DYMALLY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. DYMALLY. Mr. Speaker, rarely does one find a person who unselfishly takes time out from his own work to devote himself to helping his fellow man, who dedicates his life to the causes and concerns of his community. William R. Robertson is just such a

man, and I invite my colleagues to join me and the city of Los Angeles in honoring him on his birthday Sunday for his long years of service.

Los Angeles Mayor Tom Bradley spoke on behalf of the citizenry when he described William Robertson as a "long time friend of Los Angeles who has given so much to each of us." It is a well-deserved accolade for Bill who is not a native Californian but hails from St. Paul, Minn., where he received his education in the public schools.

Bill is now executive secretary-treasurer of the Los Angeles County Federation of Labor of the AFL-CIO a position earned after many years of experience in the rank and file. He first began his rise through the labor ranks when he joined the hotel-restaurant and bartenders union in St. Paul and subsequently held positions with that union in two other States, Illinois and Idaho.

Bill then arrived in California and made it his home. His activism in labor continued without pause as he was elected president in 1957 of the San Fernando Valley Hotel-Restaurant and Bartender Local No. 694. He served in that capacity for 10 years until 1967. He then joined the Los Angeles County Federation of Labor where he served as assistant executive secretary-treasurer before assuming his present position in 1975. To top off his career, Bill was elected vice president of the California Labor Federation in 1976.

In addition Bill decided to augment his work experience by studying for and receiving a certificate of labor studies from UCLA. He also has found time to participate in a spectrum of community organizations, taking on duties which range from being a member of the School of Education Advisory Committee and the American Trade Union Council for Histadrut to serving on the boards of the Community Television of Southern California, the Los Angeles Urban League, and the Los Angeles Olympic Organizing Committee. Other organizations in which Bill serves as a member or a commissioner deal with energy concerns. These include the Congressional Advisory Committee on Liquefied Natural Gas, the advisory committee to the State Legislature's Committee on Energy Policy and Implementation, Los Angeles County Energy Commission, and the Los Angeles Ad Hoc Committee on Energy Conservation.

He has acted on his interest in economic and consumer issues through membership in the Los Angeles County economic development program and the Consumer Federation of California. Bill also pursues humanitarian causes as an officer in the United Way and as a board member of the St. Jude Children's Research Hos-

pital Foundation and the Foundation for People, Inc.

In recognition of his distinguished years of work and community service, the Southwestern University School of Law bestowed an honorary doctorate upon William Robertson. It is an appropriate honor for a person who has shown his care for his city through years of devoted service to its citizens. On Sunday I will join my fellow Los Angelenos in spirit when they wish a happy birthday to William R. Robertson as well as thank him for his tireless service. Here is hoping we in California benefit from many more years of his dedicated work.●

**ABOLITION OF DIVERSITY JURISDICTION: AN IDEA WHOSE TIME HAS COME?**

**HON. HENRY J. HYDE**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 3, 1984*

● Mr. HYDE. Mr. Speaker, the National Legal Center for the Public Interest recently published a monograph that I wish to bring to the attention of my colleagues. It is entitled, "Abolition of Diversity Jurisdiction: An Idea Whose Time Has Come?"

I especially recommend this publication because of its unique debate format, in which it presents the arguments both for and against abolition of diversity jurisdiction in a most enlightening manner. Arguing for abolition of diversity is Caldwell Butler, our esteemed former colleague who recently retired from Congress to practice law in Virginia, and who while a Member of Congress sponsored legislation to abolish diversity which was passed by the House. Writing for retention is Arizona practitioner John P. Frank, who has testified several times on this issue before Congress, and who is head of the Committee to Retain Diversity Jurisdiction, a national organization.

The publication also contains a preface by Senator JOHN EAST of North Carolina, an introduction by our colleague Representative ROBERT KASTENMEIER of Wisconsin, and an informative appendix by Chief Justice Vincent L. McKusick of the Maine Supreme Judicial Court.

Mr. Speaker, as efforts to eliminate diversity jurisdiction continue, Members of Congress would do well to consider the National Legal Center monograph for its excellent presentation of the opposing arguments.

Copies may be obtained by calling the center at 296-1683 or by writing the center: National Legal Center for the Public Interest, 1101 17th Street NW., Suite 810, Washington, D.C. 20036.●

JUDGE EDWARD J. GARCIA

**HON. ROBERT T. MATSUI**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 3, 1984*

● Mr. MATSUI. Mr. Speaker, I would like to applaud the Senate for its recent confirmation of Judge Edward J. Garcia to the U.S. District Court from the Eastern District of California.

Throughout Judge Garcia's distinguished legal career, he has demonstrated his complete commitment to the public by serving their interest in some capacity for the past 25 years. After graduating with honors from a rigorous course of night classes at McGeorge School of Law in 1958, Judge Garcia immediately was appointed to the post of deputy district attorney for Sacramento County. He served in the prosecutor's office for 13 years and as chief deputy district attorney during his last 3.

Judge Garcia's judicial experience has provided him with the appropriate temperament and insight to serve on the Federal bench. According to the Sacramento County Bar's judicial evaluation poll for November 1983, Judge Garcia received the highest rating of all the judges on his court. He has gained the respect and confidence of his colleagues during his 12-year tenure as a municipal court judge. This fact is underscored as Judge Garcia's colleagues elected him to serve as presiding judge of the district four times. He is the only Sacramento County municipal court judge in recent memory to have received such an honor.

In addition, Judge Garcia has been involved actively in statewide judicial affairs. He is a past vice president of the California Judges Association. Judge Garcia serves as the vice chairman of California's Center for Judicial Education and Research. This organization seeks to provide continuing education opportunities to judges at all levels in California. Judge Garcia also has donated generously of his time by teaching at the judicial college.

In conclusion, I believe that the confirmation of Judge Garcia was based on extraordinary merit, tremendous professional accomplishments, and a deep-seated belief in public service.●

THORNE AUCHTER

**HON. STEVE GUNDERSON**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 3, 1984*

● Mr. GUNDERSON. Mr. Speaker, as ranking minority member of the Health and Safety Committee, I would like to bring to the attention of my

colleagues the impending resignation of Thorne Auchter and to commend Mr. Auchter for the job he has done as Assistant Secretary for Occupational Safety and Health. The Occupational Safety and Health Administration (OSHA) used to be and may still remain one of the more controversial of Federal regulatory agencies. Today, however, thanks to changes initiated by Mr. Auchter, the level of controversy has declined and OSHA effectiveness is on the upswing.

The most looked at indicator of workplace illness and injury is the Bureau of Labor Statistics (BLS) data about the workplace. From 1980 to 1982, the number of workers injured annually fell by 14 percent. The injury/illness rate dropped in 1982 to the lowest level ever recorded. Fewer men and women were injured on the job in 1982 than in any other year of the past decade. And that trend manifested itself in 1981 in a time of rising employment. According to BLS, only one-sixth of the 1982 decline can be attributed to fewer hours worked in the statistically more dangerous occupations.

Much of the credit for these improvements must be given to Thorne Auchter's policies. His emphasis has been on identifying and seeking out major workplace hazards and correcting them in a cooperative rather than in a confrontational manner. His more effective utilization of personnel and of "carrot and stick" approaches to employers has led to prompt abatement of hazards than was the case in the past when lengthy and costly litigation frequently delayed necessary corrections for years.

With 3 million workplaces under its jurisdiction and 1,200 enforcement personnel, OSHA obviously cannot be everywhere at once. It makes sense, therefore, to focus on high risk places first. Nowadays OSHA inspections concentrate on those manufacturing industries, such as fabricated metals and machinery, as well as the construction industry where common-sense and statistical data alike suggest more serious workplace hazards are likely to exist, rather than on service and retail businesses that by nature are less dangerous. In fiscal year 1983, OSHA conducted more workplace inspections than it had since 1976. The key is that almost 80 percent of these were in high hazard workplaces. Inspections combined with the federally funded consultation visits and the outreach programs by OSHA's area offices have resulted in OSHA's having a higher profile in American workplaces in fiscal year 1983 than in any year in the history of the agency.

By giving his agency strong management and effective management support systems, by bringing the States which administer their own occupa-

tional safety and health programs into a partnership with OSHA, by expanding significantly the numbers of persons trained in safety and health, Mr. Auchter has made OSHA more effective in removing on-the-job hazards from America's workplaces.

I congratulate Thorne Auchter for a job well done, and wish him well in his future endeavors. ●

TRIBUTE TO BASIL A.  
DESIDERIO

HON. FRANK HARRISON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. HARRISON. Mr. Speaker, I rise today to pay tribute to Basil A. Desiderio of Plymouth who will be honored as State deputy of the 62,000 member Pennsylvania State Council Knights of Columbus on Saturday evening, April 7, 1984, at Gus Genetti's Best Western Hotel and Convention Center, Wilkes-Barre.

A native of Wilkes-Barre, Basil Desiderio was elected to this prestigious post in 1982 and reelected in 1983, following a highly successful first term as State deputy of and a distinguished career in the Knights of Columbus. His many posts have included two terms as grand knight of Plymouth Council No. 984, four terms as district deputy of district No. 29, one term as chairman of the board of district deputies of northeastern Pennsylvania, State program director, State community activities director, associate membership director, New Council development director, and two terms as State treasurer.

In addition to his many other distinguished assignments, Mr. Desiderio continues to be an active member of the Bishop William J. Hafey Assembly Fourth Degree Knights of Columbus, Wilkes-Barre, holding virtually every office in the assembly including two terms as faithful navigator. He is also a former district marshal of the Fourth Pennsylvania District Calvert Province and a former administrative coordinator of the five-State jurisdictional area of the entire Calvert Province. In 1980, Basil Desiderio was appointed by supreme knight, Virgil C. Dechant, New Haven, Conn., to assume the duties of Master of Fourth Pennsylvania District Calvert Province encompassing 17 fourth degree assemblies in the 15 county area of northeastern and central Pennsylvania, a post he held until being elected to his first term as State deputy.

As a general contractor, Mr. Desiderio is also president of the Masonry Contractors Association of northeastern Pennsylvania and a member of the zoning and planning commission of Larksville Borough. This distinguished

gentleman also holds membership in numerous religious, professional, civic, and fraternal organizations. He is a faithful member of St. Casimir's Church, Lyndwood, its Holy Name Society and Usher's Club.

Basil Desiderio answered the call of duty during World War II and served with honor and distinction, seeing action in the European theater of operation.

Mr. Desiderio and his wife, the former Isabelle Uravich, are the parents of three children, Donna, a registered nurse, of Chicago, Ill.; Charles, of Larksville and Basil, Jr., at home. He and his wife are also the proud grandparents of three grandsons, Jonathan, Andrew, and Charles Desiderio of Larksville.

Mr. Speaker, I am proud to bring to the attention of my colleagues in the House this fine man and outstanding citizen who has dedicated his life to community service through his activities in the fraternal brotherhood of the Knights of Columbus. ●

A MAN FOR ALL SEASONS

HON. RON de LUGO

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. DE LUGO. Mr. Speaker, last weekend in the U.S. Virgin Islands, the St. Thomas-St. John Chamber of Commerce honored Isidor Paiewonsky for his 40 years of service to that organization and for his many, many contributions to our community. Isidor is a very special man: successful in business, meticulous in his historical research, most generous in his many philanthropic activities and genuinely devoted to the betterment of the U.S. Virgin Islands. The breadth of his intelligence is matched only by the depth of his compassion. I am proud and privileged to be his friend and I would like to share with my colleagues an editorial written about Isidor in one of our local newspapers, the Daily News, which helps to describe this remarkable man.

The article follows:

[From the Daily News of the Virgin Islands, Mar. 27, 1984]

MAN FOR ALL SEASONS

Isidor Paiewonsky; businessman, historian, environmentalist, community activist, philanthropist, story-teller par excellence, preserver of the past, watchdog for the future.

In these roles and others, Isidor Paiewonsky has contributed immensely to the betterment of the Virgin Islands community.

And so it was fitting that the St. Thomas-St. John Chamber of Commerce chose to honor him last weekend for his 40 years of service to that organization and his countless contributions to the people of these islands.

We feel a special sense of pride in the honors bestowed upon man, for he is part of the Daily News News family. For 11 years he has been writing his History Corner. Few people realize the lengths to which he goes to unearth still-hidden bits of our past, present them to Virgin Islanders of today and preserve them for Virgin Islanders of tomorrow. In doing so he makes an incalculable contribution to all of us.

But regardless of his ties to this newspaper, we would feel a special sense of satisfaction in the chamber's decision to honor Isidor Paiewonsky. He demonstrates qualities that we wish were evident in more people in these islands; the courage to speak out even if his views are unpopular, a desire to right what he sees as wrongs, a passionate commitment to the free-enterprise system, a willingness to listen as well as espouse his own views, a realization that good esthetics make good economics.

In his speech before 400 friends and well-wishers at Saturday night's dinner-dance, Paiewonsky called upon the business community to organize politically to make its weight felt in the upcoming senatorial election. We think he's got a good idea.

The business community could deliver thousands of crucial votes to people who have a similar commitment to strengthening the job-producing private sector, particularly people who know what it is to meet a payroll and could be counted upon to deal responsibly with the fiscal crisis facing these islands.

We don't believe that what's good for any given business is necessarily good for the Virgin Islands, to paraphrase an infamous line. But given the enormous problems confronting us, especially on the financial front, we believe we would benefit from the business community exercising more political interest and more political clout. ●

NATION OBSERVES NATIONAL  
BAKE WEEK

HON. MARTY RUSSO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. RUSSO. Mr. Speaker, April 2-9 marks the observance of "National Bake Week" in towns and cities around our country. This year's theme is, "Kids in the Kitchen, a Family Baking Affair." Sponsored by Chicago Metallic, manufacturers of Village Bakalon, National Bake Week stresses family togetherness, kitchen safety, and the use of math and science skills that kids learn in school. Also available is a bake book entitled, "Kids in the Kitchen," which includes 13 winning recipes and illustrations by children around the country.

This year's spokesperson is 10-year-old Emily Giuliani of Michigan, who today is visiting Washington, D.C. Emily, who has been baking professionally since she was 5 years old, is touring the country, appearing on television and holding interviews.

Proclamations have been issued on National Bake Week, such as this one

by Mayor Tom Bradley of Los Angeles:

Whereas baking is a wholesome, educational activity that encourages individuality as well as teamwork, creativity as well as discipline;

Whereas more than 2 million people across the Nation participated in last year's celebration of National Bake Week;

Whereas the celebration of baking as a family activity will encourage young people to learn new skills and promote stronger family ties; and

Whereas the promotion of such ties and the encouragement of such skills as reading, measuring, developing new ideas, following directions in young people is in the interest of this community; a community of families; therefore, I proclaim . . . National Bake Week. . . .

I know my colleagues join me in applauding the goals and observance of National Bake Week and in welcoming Emily to the Capitol.●

#### SEVENTY-FIVE YEARS OF SERVICE

### HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. MAZZOLI. Mr. Speaker, this year the National Association for the Advancement of Colored People (NAACP) celebrates 75 years of commitment and service to the United States. I would like to commend the NAACP, one of America's premier civil rights organizations, for the many contributions it has made to our society in behalf of all Americans, of all races, colors, and creeds.

I applaud the efforts of the NAACP over the years. They have reminded this country of its founding principles: equality and justice for all.●

#### TRIBUTE TO CLEM J. MALINOWSKI

### HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. GEKAS. Mr. Speaker, it gives me great pleasure to bring to your attention the exemplary community service of Mr. Clem J. Malinowski. Mr. Malinowski was a driver for Greyhound Bus lines for 34 years, beginning in 1949 and ending with his retirement in 1983. During those years, he traveled nearly 3 million miles on Pennsylvania's highways with an outstanding safety record.

His service to the people of Pennsylvania has been invaluable as he provided them with safe and dependable transportation for many years. His example of loyal community service is one which should inspire workers in all occupations to strive for a similar

level of excellence in the performance of their own duties.●

#### MAYOR SEWELL STEPS DOWN

### HON. JOHN BRYANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 1984

● Mr. BRYANT. Mr. Speaker, Mayor Earl Sewell of Lancaster, Tex., after 10 years on the Lancaster City Council—6 of them as mayor—has decided to step down after the April 7, 1984, municipal election. The article which follows from a recent edition of the Lancaster News details many of Mayor Sewell's accomplishments and contributions to his community during his tenure. I commend this review of his achievements to my colleagues and the people he has served:

#### END OF AN ERA: AFTER 10 YEARS, MAYOR EARL SEWELL STEPPING DOWN

When Lancaster City Council convenes for their first council session following the April 7 election, Lancaster Mayor Earl Sewell will step aside from a position he has held for six years. And when he leaves that center chair on council row many feel the city will be left a tremendous void in terms of the leadership, professionalism and foresight he has provided Lancaster during his public service stay.

For 10 years, four as a councilman, Sewell has served for the City of Lancaster. Every other Monday night, plus hundreds of other special or workshop sessions he has contributed his time, leadership, and expertise. And they don't get paid down there.

Born and raised in Wills Point on a farm he still maintains with his brother, Sewell first moved to Lancaster "by accident" in 1964, the same year he joined Dwight Sleeper's insurance firm. His is now the president and general manager of Sleeper-Sewell Insurance in Dallas.

His first civic involvement came with the Lion's Club. He started meeting people "and as time came by, I became interested politically."

Earl Sewell first became involved with the Lancaster City Council in 1973, when he and several other citizens became disgruntled over some housing decisions, government housing, approved by city fathers. "We felt like Lancaster had a lot of potential for growth," explained the mayor, "and in some cases it was headed in the wrong direction."

At that point, said Sewell, he in no way had any long-term plans. During his first year he was elected mayor pro-tem and he served for three more years. It was at that time he called it quits. After four years, he felt he had fulfilled his urge and duty and decided not to run again. "After I got into it, I enjoyed it. But at times it was very frustrating," admitted Sewell looking back on his first four years. After sitting out a year, he was encouraged by friends to run for mayor in 1978. He has been there ever since.

Although few will argue his accomplishments, the mayor is not without his critics, some who say he is often stubborn, abrupt with individuals at council meetings and highly opinionated. Proponents say that might appear to be true in the short run for those who rarely attend council sessions. Those who have seen council sessions, Lan-

caster's and others, on a consistent basis, say they "have never seen a better run council meeting." One thing is for sure, under Mayor Sewell, council sessions have been as professional and tightly-reined as is possible. Without apology, the mayor has always said that has been his intent.

He is adamant about running a city and council meetings in a professional manner.

"It is my belief we should project an image to the young folks of our community that we are running the biggest business in our city," says Sewell. "You may lose your best friend in that (mayor) position. I have always voted my conscience, not what's best for my neighbors, or a certain neighborhood, but what's best for the overall community. Sometimes that is not very popular."

"If Earl Sewell has a fault," says John Marshall, former Lancaster City Manager (1975-1980) "it's that he is strong-willed. That can be a fault or it can be an asset. With Earl, I think of it as an asset."

Dick Hill, a fellow councilman for the past four years and one who admits to a confrontation or two between the pair, says, "He is very direct and some people have trouble dealing with directness. He feels it is his responsibility to conduct the council meetings as professionally as possible."

"In a couple of words, I would characterize Earl Sewell as a strong leader," says Marshall. "He is the kind of leader by which I attribute part of my management style. He could tell you what you are doing wrong, but then support you later. He was always there for you to bounce ideas off of."

"I think as much as anything, he has had the time and desire to run the city. He takes a lot of time to represent Lancaster in various functions. I always thought he projected a good image. If anything, he kept representing Lancaster in a good light when not much was going on. And now a lot is happening which can be directly attributed to him," Marshall said.

Putting Lancaster out front in Dallas and the area has always been a belief of Earl Sewell.

"We need to identify ourselves as a community. We need to take the positive approach. We are a good, quality community and it has always been my philosophy to let people know we're proud of Lancaster."

Earl Sewell's contributions to Lancaster are many. He personally takes credit for very little, but those who have stayed close to Lancaster are quick to point out the many accomplishments during the mayor's time in office.

Among the more significant projects begun or completed during the mayor's civic career: Midway Park General Hospital; the widening of the bridge over I-35; the widening and paving of new Beltline Rd., a project that was significantly moved up in expected time of completion; merit pay system for the city; expansion of library; the new police and fire facilities, water system improvement; creation of airport and park boards and the planned expansion of each area; completion of Town Square remodeling.

In addition, he was the major force in creating a cooperative effort between cities in southwest Dallas County, by establishing monthly meetings between the various municipalities' mayors and city managers. He has also served as president of the Lancaster Business Development Corporation; on the board of trustees for Midway Park Hospital; for two terms on the original county

tax appraisal board; and for four years on the county open space committee.

He also is a past president of the Lion's Club, Lancaster Chamber of Commerce, Lancaster Housing Finance Corporation and the Lancaster Industrial Development Authority. Suffice to say he has done more for Lancaster in ten years than most of the citizens of this town will do in a lifetime.

Earl Sewell has been running the Lancaster City Council meetings for six years now and there is no doubt in his mind the time to step down is now. Three terms is more than enough, he has said, ever before he was elected for a third term in 1982.

"I have always felt any elected official should not serve in one capacity more than three terms. Now, he says, "It's time for someone new with new ideas and concepts, to see what they can do to see our community prosper and grow."

The mayor is leaving with a good taste in his mouth. "I feel very good about how the community has come the past six years. That's a tribute to the citizens." Of the growth now apparent in Lancaster, the mayor says it was inevitable. The job was in shaping it. "There is no choice but to grow. So let's develop in a manner that is good for the community.

"I have enjoyed what I've done. I appreciate the fact the citizens of Lancaster allowed me to serve," he says.

Asked how he would like his ten years of public service to be remembered, Sewell said, he has no yearning to be singled out for work many citizens have done over the years. "I did not do it for a monument," he said smiling. "If I made some contributions to the betterment of Lancaster in some way, then that's all I care about. I hope I didn't stay too long."

Some may feel he stayed too long. Most however, realize Lancaster probably would not have made the strides it has over the past several years without Earl Sewell effectively leading the way.

"I think he'll be missed greatly," says E. H. Sheffield, executive vice president of the Lancaster Chamber of Commerce. His imprint however will remain a long time. "Not only his accomplishments readily available, but he's been able to do some positive things that are going to affect this community for many years."

Marshall agrees. "It's going to take a while for anyone to pick up where Earl leaves off. It is going to take a pretty special individual."

Earl Sewell probably won't get a monument with his name stamped on it for his contributions, but his mark, in more intangible ways, is certainly felt by Lancaster and will be for a long time.●

#### MCADORY FIFTH GRADERS SALUTE AMERICA

#### HON. RICHARD C. SHELBY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 3, 1984*

● Mr. SHELBY. Mr. Speaker, on March 6, 1984, the fifth graders of McAdory School in Jefferson County, Ala., gave a patriotic program entitled "This is America" before the parent-teacher association.

I would like to salute these talented young people and their teachers for such a fine, outstanding presentation

and display of patriotism. Costumed in red, white, and blue, and wearing "Uncle Sam" hats, the students presented a choral and verse arrangement relating their pride in America. Their moving performance drew a standing ovation from a packed house of parents, faculty, and friends.

It is important that this country's youth be instructed in America's rich musical and narrative works. I commend the fifth grade teachers Rutha Bolden, Sally Clements, Murlene Heilman, Joyce McCulley, and Ellen Northcutt, for a job well done in coordinating and producing the patriotic program.

McAdory School is fortunate to have such outstanding teachers as these fine ladies among their faculty.

Principal Nell Salamone and Assistant Principal Ben Burger deserve a standing ovation for their efforts in offering these young Americans the opportunity to present this fine show of American spirit.

Mr. Speaker, America's greatness stems from events such as this program. Interpretations of patriotism give new meaning to our great heritage, and help insure that our young generation will be able to pass on this wonderful heritage to others.

I applaud the efforts of everyone involved in "This is America" at McAdory School for a job well done, and extend to the school faculty and students my best wishes for all future endeavors.●