

EXTENSIONS OF REMARKS

ARMS CONTROL

HON. ALBERT GORE, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 11, 1984

● Mr. GORE. Mr. Speaker, today, a set of amendments bearing on nuclear weapons procurement is being presented for our consideration by my colleague LES ASPIN, representing the result of work that he, NORM DICKS and I have had underway since the beginning of the current session.

These amendments, though crafted to stand each on its own, and to pass the necessary tests of germaneness relative to various bills, represent—when taken as a whole—our effort to speak consistently about two major issues before the Congress in this session: First, about the scope and pace of our nuclear weapons programs at a time when the Soviets have decided to sulk in their tents about arms control; and second, about the role which Congress is best suited to take in dealing with such matters, vis-a-vis the President of the United States.

These are perplexing issues, but we are not beginning from scratch. During the first session, almost lost from sight because of the controversies that swirled around the MX, this body did manage to find elements of a powerful concept, around which to build a working consensus. That concept is the idea of stability in the nuclear relationship between our country and the Soviet Union: An arrangement of forces on both sides which should be designed to avoid capabilities required for a theoretical nuclear first strike.

This idea—the notion that the deterrent forces of both sides should be secure against a first strike, and that it is in the interests of each to take account of the other's perceptions—is a marked departure from the doctrines of the past; especially from this administration's early hopes to recapture some kind of clear American nuclear superiority over the Soviet Union in this area. It is the essence of the Scowcroft Commission report, accounting for the respect in which that document is held even by many who oppose its views on the role of the MX. And it is the essence of the bargain which some members of this House and the other body drove home with the President, in return for limited numbers of MX missiles. Now, if we make use of it, the idea of stability can serve the Nation well.

Congress faces two diametrically opposed propositions about nuclear weapons in this session. The President calls upon us to fund a wide-ranging set of requests for nuclear programs, some of them with very far-reaching consequences. The nuclear freeze movement calls upon us to block funding on whole categories of these programs, if the Soviets will reciprocate.

Many of us are sympathetic to the freeze concept and have supported the idea that the United States ought to make wide-ranging proposals to the Soviet Union that would indeed bring major parts of the nuclear competition to a halt. But when we think about the United States, it is also true that we are often actually thinking about the President, who, as this country's constitutional agent for such matters, ought to be formulating and making the necessary initiatives.

In a few months, the democratic process will allow the people of this country to pass judgment on whether there is in fact an acceptable policy. Meanwhile, however, we as legislators cannot escape our own responsibilities to the Nation, which include passing bills for the funding of our Military Establishment.

It seems inconceivable to me that we should abdicate this responsibility by passing legislation for the next fiscal year that allows the President to move ahead at the pace he wants. To do so would mean that preparations for fighting a war will gain ground on the effort to secure peace through negotiations, and that the latter process will never be able to catch up, assuming it will eventually resume.

But it also seems unlikely to me that the Congress will ever directly interpose itself between the President and other governments, in a way that amounts to a direct negotiation; that is, where the Congress names terms to another country and then imposes those terms over the President's objections, if the other country accepts.

What we can do, and what we are good at doing, is limiting the President's freedom of action through the power of the purse, when that seems a necessary thing to do. The problem is that once we embark on this course, it becomes extremely difficult to achieve some basic and consistent pattern in what we do, since action takes place in so many different parts of this institution, and since there are so many cross-currents—both substantive and political—at work on our thinking. However, insofar as we begin this process with some basic orientation in

common, there is a fighting chance that as we screen various programs, we can emerge with a pattern of decisions that is indeed consistent and constructive.

The amendments that my colleagues and I are presenting address elements and subelements of this country's nuclear weapons posture, and consequently get into matters that are specialized and even esoteric. But in each case, what we are proposing begins with, and always returns to, the concept of stability as a unifying factor.

Votes ahead of us on the issue of the uses of outer space represent an area where Congress must intervene to head off administration programs that are grossly misconceived. There is no solution to our earthly conflicts that can be found by a military competition in space, even if the word "defensive" is misappropriated to describe the effort.

If we allow the administration to proceed with final tests on the anti-satellite system now under development, and if we thereby give the Soviet Union the excuse it needs to terminate its own self-declared moratorium on such testing, we are on our way toward weapons that will eventually threaten devices in space upon which both sides depend for early warning.

The ability that each side now has to recognize the moment the other has launched an attack, is a priceless safeguard against a calamity during some future period of great tension. That ability must be safeguarded, rather than put at risk. Congress should act to block final testing of our system, and then see what events bring during the next fiscal year. Perhaps the President will see the light; perhaps the Soviets will violate their own moratorium. Either way, we can adjust—but, we will have no options if we allow our system to be tested to completion; the competition will have been joined.

The strategic defense initiative, or "Star Wars," offers a false hope that the expenditure of enormous sums of money on the development of advanced technology weapons can give us complete security against Soviet nuclear attack. Only in the event of some truly drastic reduction in the size of the Soviet missile force might that become feasible—but this kind of reduction must be mutual, and must surely precede any effort to exploit lasers and other directed energy sources for defense.

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

What we must have, meanwhile, is a research effort which keeps us current with the leading edge of these technologies—but which does not cross the threshold defined by the President, and become a massive American search for the grail of complete and total defense. Congress should cap spending on all technologies relating to strategic defense at some sensible levels, and, since we cannot make the President suspend his interest in Star Wars, we must make sure that Congress is able to track every penny that might be spent to pursue that objective, and thereby become better able to keep it in check.

It is true that from the beginning, the administration has called upon the Soviets to join us in undertaking very deep reductions in strategic nuclear missiles; a step which all of us know must sooner or later be taken, if the threat of nuclear war is to recede. But until very late in the game, the administration's approach to this objective was so completely one-sided as to drain its initiative of any credibility. Only under intense pressure from the Congress, in connection with the fate of the MX, did the administration bestir itself and accept sensible advice from the outside; that we should be prepared to make important concessions in one area of American advantage—heavy bombers and their ability to carry cruise missiles—if we want the Soviets to make concessions in their area of advantage—big ICBM's.

That area of compromise, however, stands to be undermined if Congress allows the Navy to proceed with the deployment of the nuclear armed, sea-launched cruise missile (the so-called TLAM-N (for Tactical Land Attack Missile-Nuclear), which it wants for use against targets in the interior of the Soviet Union. To do so means that any ship in the U.S. Navy becomes accountable as a strategic weapons platform, in the eyes of Soviet planners and negotiators.

It so happens that the Navy plans for something very much like this to occur, through the construction of between 7,000 and 8,000 launchers, all capable of holding SLCM's, to be spread around virtually every surface combatant and submarine. Such a development would have a disastrous impact on our ability to conduct arms control aimed at improving stability. Congress should put this program on hold until we have sorted out what it means. To proceed now, is to regret later.

The debate over the MX has in large part been a debate over the requirement of strategic stability. But it has been a debate marked by emotion in which the MX has become the symbol of something it is not going to be: a U.S. first-strike capability. The MX assuredly does put at risk any Soviet silo at which it is aimed. That is counter-

force capability, and in buying MX's, we acquire it. But counterforce capability does not become first-strike capability unless it is accumulated to the point where the entire Soviet ICBM force and probably some other critical targets are at risk.

The Scowcroft Commission report argued that we do need to put Soviet silos at some risk, if we hope to get them to abandon their preferred way of doing business: building large, highly MIRV'ed ICBM's, and turn their attention to ways of assuring mutual stability to both sides through a shift toward single warhead weapons at reduced numbers. The report also advised, and the President specifically agreed, that with or without arms control, the United States ought not to build a first-strike capability.

The words are fine; but now as we begin to approach the eventual production of the Trident II D-5 missile, Congress must put numbers to it. We must establish with some clarity, how much hard target capability is too much, and we should begin by requiring the President to analyze in precise terms the implications of his own policy commitment, in the form of a detailed report to the Congress. Meanwhile, we would be wise to keep MX deployment pointed at no more than 50, and should legislate spending constraints for this coming year that will be consistent with that objective. It also behooves us to pay close attention to the development of the small single warhead ICBM to make sure that this project is in fact moved along as the top national priority the President says it is.

Meanwhile, we also have before us the fate of the SALT II agreement. Though he criticized the SALT II agreement bitterly as candidate, President Reagan has been wise enough to preserve its measures until now. Recent testimony by administration officials, however, and official statements made by them to the press, tell us that the administration does not know what it wants to do, when, in 1985 or 1986 the rules of the treaty—together with ongoing deployment of the Trident submarine—require us to start reducing some of our MIRV'd ICBM's.

Given the deadlock that now exists in arms control, the collapse of what is left of earlier agreements would be perhaps the final blow, and cannot be allowed to happen or an afterthought. If the administration does not know what it wants to do, perhaps the Congress should give it a nudge—by making clear that money cannot be spent to maintain U.S. weapons capabilities in excess of SALT II levels. Obviously, we shall have to keep an eye on what the Soviets are doing. If the administration is uncertain what to do when it comes time for us to reduce the answer is clear; we should see if we

can get a joint reductions process underway by mutual consent, using the treaty terms as guides. Congress, however, should act now to smoke out the administration.

Finally, with acknowledgement to LES ASPIN, whose concern this has long been, Congress ought to begin looking hard at the question of tactical nuclear weapons in NATO. Tactical nuclear weapons are a basic part of the political and military structure of our European alliance against the Soviet Union, and they have always represented an area of great delicacy in allied relationships. But we have, over time, allowed too many of them to be deployed in Europe, and allowed these weapons to compete with, rather than to back up, the conventional military capabilities of the alliance. It is time to begin pushing for a shift toward a much leaner nuclear force, based on systems that take advantage of distance and mobility—and move us away from our present situation, in which large numbers of short-range weapons complicate our defense planning, and threaten to force commanders to commence nuclear warfare at once, lest the weapons be overrun and lost.

These comments have been lengthy, and I hope that those who follow them will excuse me for that. But the issues dealt with here, and the measures proposed, do not tolerate lack of attention to detail. No concept for dealing with nuclear weapons, however right in its broad outlines, will work for us unless we pay the price of admission—which is to confront the issues one by one in their complexity. But no amount of devotion to detail will suffice, if we don't keep clear in our sight, some larger goal. That goal, in my opinion, is stability, and I urge my colleagues in both parties to pursue it as a moral commitment as well as an intellectual conviction.●

NATIONAL ADOPTION WEEK

HON. DAN COATS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 11, 1984

● Mr. COATS. Mr. Speaker, today I am introducing legislation to honor, and in the process I trust promote, a tradition as old as humankind—adoption.

I am introducing this legislation to designate Thanksgiving week as "National Adoption Week" for three most important reasons.

First, I am sad to report, there is a need to match adoptive families with children, particularly special-needs children. Even with the promising results of the Adoption Assistance and Child Welfare Act of 1980, thousands of children are still waiting for homes.

We can help them find these homes by publicizing the importance of adoption.

Second, I believe it is important to promote workable, practical alternatives to abortion, which adoption certainly is.

Finally, I believe the role of the family and the role that adoption can play in family formation has not received enough attention. We need to strengthen the families, perhaps the most important unit of a stable society.

I ask my colleagues today to join me in supporting National Adoption Week. ●

NATIONAL ADOPTION WEEK

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 11, 1984

● Mr. SCHUMER. Mr. Speaker, I have the pleasure of joining with my colleague, Representative DAN COATS, in sponsoring a House joint resolution designating the week of November 19, 1984 as National Adoption Week. I originally intended to introduce this resolution on Friday, April 13, but I have joined Representative COATS in a bipartisan effort to see this resolution passed.

Over 100,000 children with special needs—school age, in sibling groups, members of minority groups of children with physical, mental, and emotional handicaps—are now in foster care or institutions across the Nation.

Although such children are legally free for adoption, they are often considered "hard to place" because their special need requires a special commitment from their adoptive parents: To adopt not one but two children, because a brother and sister do not want to be separated; to adopt an older child who will need more time to adjust to a new family; to adopt a child who will need special care because of illness or handicap.

For many years, adoptive parents and advocacy groups across the country have dedicated the third week in November—Thanksgiving week—to these special adoptive children, to make known their need for a good home, and to remove whatever barriers inhibit their adoption.

Fourteen other Members of Congress have already agreed to cosponsor the resolution to designate Thanksgiving week as National Adoption Week. I hope that many more of our colleagues will become cosponsors of this measure. Maybe this Thanksgiving, more newly adopted children and their parents will have a special reason to give thanks. ●

EXTENSIONS OF REMARKS

IDA NUDEL, SOVIET PRISONER OF CONSCIENCE, IS REMEMBERED

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 11, 1984

● Mr. RITTER. Mr. Speaker, I want to take this opportunity to share with my colleagues the continuing horrors faced daily by Jewish Prisoners of Conscience caught in the Soviet Union. It is important that Congress take a strong role in urging the Soviets to lessen the restrictions placed upon these refuseniks who wish to emigrate. Many of us have become personally active with the families of these people, many of whom are in Soviet prisons.

One case in which I have been involved is that of Ida Nudel who applied to emigrate to Israel in 1971. Since then she has faced ongoing harassment at the hands of the Soviet bureaucracy and spent 4 years in internal exile in Siberia. I have recently received a letter from Ida's sister in Israel, which I am placing in the CONGRESSIONAL RECORD, updating me on Ida's situation. I urge all of you to become aware of Ida's fate and the fate of thousands of other Soviet Jews. We must continue to work for their freedom.

P.O.B. 1119

76 110 REHOVOT, ISRAEL,

March 2, 1984.

HON. DON RITTER,

Congress of the United States, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN RITTER: I continue to be grateful for the concern you have expressed over the fate of my sister, Ida Nudel, and your efforts toward reunifying our small family.

I write to you at this time in anticipation of the upcoming international conference of the Congressional Wives for Soviet Jewry scheduled to take place in Washington, D.C. at the beginning of April, knowing that many of Ida's and my friends will participate and hoping you will share this report with those participants with whom you have contact.

Having legally completed her sentence of four years of internal exile in Siberia in March 1982, followed by a frightening six-month period of homelessness during which she was denied municipal residence permits in numerous places, including her own apartment in Moscow, she was finally allowed residence in the small Moldavian town of Bendery. Yet this has proved to be another form of exile.

It was the thousands of letters she had received in Siberia which had helped sustain her spirit. Since arriving in Bendery, she has received almost no mail. Many people have written to me saying that their letters have been returned with a note from the Soviet postal authorities indicating "Inconnu: No Such Address." I have seen some of the envelopes and know they have been correctly addressed.

For the past year she has worked as an attendant at the local Bendery amusement park. Her heart condition has flared up on

April 12, 1984

occasion, but she has not left the town for medical treatment, as she had previously been told that her entry into Moscow was forbidden.

During the past two months, I have become increasingly alarmed by certain new developments. The Soviet authorities seem to be intent on precipitating yet another confrontation with Ida by outrageous provocations.

This began on January 5 of this year when she was summoned by the local deputy police chief who warned her that she was being watched "by the people whose job it is to do so" and that she was not to have any more visits to her home by the "people who call themselves 'refuseniks.'" She was also warned not to leave Bendery. Non-compliance would mean arrest, the official said. The timing of this warning was clearly a result of Ida's celebration of the Jewish holiday of Chanuka with some friends who joined her three weeks earlier.

On January 24, 1984, she was summoned by Mr. Arlen Mikhailovitch Shebanov, Deputy Chairman of the Bendery Supervisory Commission on Laws on Religion, who stated that he knew that on the Jewish religious holiday of Chanuka people got together in her home. He suggested to her that she register herself according to the by-laws pertaining to religious groups in Moldavia. According to law (he proceeded to quote the following):

"Passed as an Order by Presidium Supreme Soviet of Moldavia SSR, Number 1616-IX-19/V 1977

"Paragraph 8: An organization or group of people who believe may begin their activities only after a decision has been taken based on registration by the Committee dealing With Religious Matters of the Supreme SSSR Committee of Ministers."

Ida replied that matters of religious belief are not a proper subject for discussion between a government official and a private citizen. The official indicated that not applying for this registration would be a clear violation of this law if she plans to again have people in her home to celebrate such holidays.

Congressman Ritter, I have come to know you as a friend of Ida's, as someone concerned with her fate. I am alarmed by this latest development. The Soviet authorities are obviously bent on making the advent of every holiday in the Jewish calendar a period of fear for Ida, for me and for all those dedicated people the world over who treasure the principles which guide her.

After twelve years of refusals, as Ida approaches her 53rd birthday on April 27, the time has certainly come for the Soviet authorities to relent and allow her to join me in Israel. I know that with your continued help, we can accomplish this seemingly modest but inexplicably difficult goal.

Sincerely yours,

ELENA FRIDMAN. ●

WHY POLICE NEED GUN CONTROL

HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 11, 1984

● Mr. WEISS. Mr. Speaker, the anti-gun control lobby has successfully

thwarted efforts to toughen our handgun laws in part by posing as an ally of law enforcement. "We need to control criminals, not guns," the slogans chant, and "Without handguns, citizens will be defenseless."

With such gunslinging friends, however, the law enforcement community certainly does not need criminals. Patrick V. Murphy, president of the Police Foundation here in Washington and former chief police administrator in New York City, Detroit, Washington, and Syracuse, contends that those who oppose stricter gun control measures are actually foes of law and order.

I would like to share with my colleagues a speech presented by Mr. Murphy to the Humanist Society of Metropolitan New York last November entitled "Why Police Need Gun Control." Contained within is a compelling case that reveals the deceit and shallowness of the lobby's progun arguments.

The speech follows:

WHY THE POLICE NEED GUN CONTROL

(By Patrick V. Murphy, President, Police Foundation)

I deeply appreciate the invitation to be with you tonight. I always welcome the opportunity to return to New York.

Here I had the privilege to serve for more than 20 years as a member of the New York City Police Department, and those years have given me many wonderful memories . . .

Memories of the valor, decency, and dedication of the vast majority of New York police officers . . .

Memories of thousands of instances over the years when citizens like yourselves gave their police department cooperation and support . . .

Memories of the tremendous opportunities for growth and advancement which the New York City Police Department provides . . .

Ben Ward and I, a couple of cops born in Brooklyn, can tell you about those opportunities. So can the police chiefs of Seattle, Minneapolis, Baltimore County, San Jose, Birmingham, Alabama, and several other jurisdictions.

It's unprecedented in the annals of American policing—and few New Yorkers realize it—but former New York City police officials now are police chiefs in those jurisdictions.

It's a tribute to the quality of the New York City Police Department that other cities recruit from among New York's Finest to lead their department. I know Ben Ward will sustain and enhance that quality.

But all my memories of service in policing here are not happy ones.

The worst memory concerns 11 brave and dedicated men, sworn officers of our department.

In one year, as police commissioner, I helped to bury them. They were felled by handguns.

Those police officers believed in the dignity and worth of their fellow citizens.

I sometimes wonder if a good number of their fellow citizens reciprocate in that belief.

I am not speaking solely of the assailants of those officers and the hundreds of other police officers who have been attacked with handguns throughout the years.

I refer also to those millions of citizens who claim that they have the so-called right to enjoy the indiscriminate possession of unregistered handguns.

The minority of Americans who lobby against gun control demean the memory of police officers slain with handguns.

No one can claim to support the police and oppose gun control. Because the continuing, uncontrolled proliferation of handguns in America makes the police officer's job increasingly dangerous and stressful.

The danger lies not just in the possibility of a police officer being a victim of gunfire.

The danger resides also in the ever-increasing possession of handguns by citizens who use them in lawbreaking or in conflicts with others or under the influence of drugs or alcohol.

When a police officer or innocent civilians are threatened with weapons, the officer may have to use deadly force—the service revolver—to protect innocent life.

No officer wants to use the revolver. Police officers are sworn to protect life, not take it.

But the tidal wave of handguns engulfing American society contributes to situations where officers may have to use deadly force.

Society's gun culture—its romance with firearms—is a major factor contributing to the stress of police work.

When I was a young patrol officer in Brooklyn, there were many incidents of potentially lethal violence.

But, as often as not, the weapons involved were knives. There were plenty of woundings.

But there was not the sense of obliteration of human life which accompanies gunfire.

Those days on patrol certainly were less tense and fearful than they are now—when the next radio call an officer receives may involve handguns.

The perverse disregard for the police of handgun advocates has reached an incredible extreme.

Gun advocates are fighting legislation at the State and Federal level which would ban the sale and possession of armor-piercing handgun bullets.

These armor-piercing bullets are made with hard steel or brass and usually have a teflon or plastic coating. They have penetration power five times as great as that of lead bullets.

This penetration power means they easily can pierce bullet-proof vests which, I am sad to say, many police officers are forced to wear.

Bullet-proof vests can be uncomfortable, cumbersome to wear, and hot.

Wearing them is a continuous reminder to police officers of their vulnerability on the streets.

Most officers I know would prefer to leave bullet-proof vests in their lockers.

But the threat from handguns makes them a necessity.

It is not an exaggeration to say that the success of the gun lobby in defeating gun control legislation has added the bullet-proof vest to the police officer's wardrobe.

Now gun advocates are fighting the legislation which would ban armor-piercing bullets.

This is insane: The gun lobby's string of victories over the years has led to the wild proliferation of handguns on the nation's streets and in its homes—to the extent that police officers, like medieval warriors, must wear special armor, the bullet-proof vest.

But having forced the police to wear the vests, gun advocates are not satisfied.

Now they want unhampered sale and distribution of hardened, specially coated bullets that pierce bullet-proof vests which help to protect the police from the results of the gun lobby's earlier irresponsibility.

To agree with the gun lobby's reasoning, you would have to conclude that the Founding Fathers adopted the Second Amendment to the Constitution to protect the right of citizens to wound police officers through the protective folds of the bullet-proof vest.

On Capitol Hill, proposals to ban the manufacture, sale, and distribution of armor-piercing bullets have been introduced with the support of conservative and liberal Congressmen alike.

I would like to be able to report that the legislation soon will be passed and signed by the President.

But the Administration has yet to be heard from, pro or con, and the National Rifle Association is fighting the legislation on technical grounds.

When I last saw a count, the proposed Federal legislation had the support of 15 senators and 171 members of the House of Representatives.

These figures would be heartening to those of us interested in the protection of the lives of police officers if not for some other figures from Congress.

It appears that at least 52 senators and 120 members of the House have cosponsored the McClure-Volkmer Gun Decontrol Act.

Last May, President Reagan pledged support for the legislation, although the administration this fall offered several amendments which make the legislation somewhat less destructive of efforts to stem gun violence.

The effect of the McClure-Volkmer Act would be to make the already tough work of law enforcement all the more difficult.

The legislation would effectively repeal existing Federal gun control laws.

First, the prohibition on mail-order gun sales would be lifted. Next, anyone, not just federally licensed dealers as is now the case, could make interstate gun sales.

Third, the term "gun dealer" would be redefined in such a way that anyone could sell handguns without keeping a record of gun sales.

Finally, some local and state laws concerning gun commerce would be nullified in a way that would preempt state and local laws prohibiting the carrying of guns.

What does this mean for police?

For one thing, the successful work of the Bureau of Alcohol, Tobacco, and Firearms in tracing guns used in crimes would be gravely undermined.

Thus, it would become even more difficult for local police and prosecutors to detect and convict offenders in crimes involving guns.

It would be even easier for the criminals and the unstable to obtain guns, thus increasing the number of gun crimes with which the police must deal.

Local jurisdictions and states likely would have greater difficulty in keeping citizens from carrying concealed weapons.

In short, the proposed legislation would enhance opportunities for Americans to blow each other away and kill and wound the police if they try to intercede.

So inimical to the interests of law enforcement is the legislation that even the International Association of Chiefs of Police opposes it.

The police chiefs' association is a bedrock, politically conservative organization that

represents the views of small-town America in law enforcement.

I have emphasized for a reason the effects on the police of the lack of effective gun control laws and of the attempt to repeal the laws we have.

After all, Americans in thousands of other occupations would benefit also from effective gun control.

But I have emphasized the police because the gun lobby seeks to pose as a valiant friend of law enforcement and as its concerned ally in the fight to control crime.

You know the slogans:

"When guns are outlawed, only outlaws will have guns."

"Control criminals, not guns."

"Without handguns, citizens will be defenseless."

And so on, in a litany of hypocritical cant. Actually, police officers will tell you that all too frequently guns are what otherwise law-abiding citizens use in fits of passion or drunkenness or derangement to kill others or themselves, thereby literally becoming outlaws.

As for "controlling criminals, not guns," guns are the principal weapons that give street criminals the sense of warped empowerment which encourages muggings, rape, and other violent crimes.

As to the notion that "without handguns, citizens will be defenseless," the police know that the handgun in the innocent citizen's nightstand is many more times likely to be used accidentally or in suicide or in family or other disputes than in defense against intruders.

The same gun in the nightstand is also one of the most frequently sought-after prizes of the burglar.

Handguns stolen in residential burglaries contribute considerably to the arsenal of criminals.

To summarize: There is no valid law enforcement reason to justify the position of the gun lobby.

Guns possessed by citizens for reasons of self-protection are far more dangerous to themselves, their loved ones, and neighbors than to criminals.

Further, the easy availability of handguns poses a continuing threat to the police and to the goal of safe streets and neighborhoods.

Thus, it is clear that those citizens interested in the welfare and success of their police are the ones who support gun control efforts.

They are the citizens with a true dedication to law and order—a very useful descriptive phrase which deserves rehabilitation.

You will recall that during the 1968 presidential campaign the phrase "law and order" was debased—used as a code term for racial bigotry.

But just because it was twisted once to signify an appeal to hate does not mean that it should not be restored to its proper use.

For the police, law and order is a phrase describing their mandate which is to control crime and maintain order, two goals of every civilized society.

In my opinion, Americans who champion gun control champion law and order.

To repeat, they are the real allies of the police.

At a minimum, Americans interested in law and order should support the Kennedy-Rodino bill which, I am sorry to say, languishes in Congress.

The Kennedy-Rodino bill:

bans the sale and manufacture of Saturday Night Specials;

requires a 21-day waiting period and corresponding background check for handgun purchases;

requires mandatory jail sentences of at least two years for using a handgun in the commission of a felony;

tightens restrictions on handgun dealers and manufacturers;

and limits the number of handguns a person may purchase to two guns a year.

My preference would be for legislation that concentrates on more than Saturday Night Specials.

Police Foundation research has shown that the famous Saturday Night Specials, the cheapest of handguns, play no dominant role in the commission of violent crime.

On the contrary, a Foundation study demonstrates that higher priced brand-name handguns are used as crime weapons every bit as frequently as the cheaper guns.

So I would like to see federal legislation strictly controlling all handguns, regardless of their price tag.

This means passage of legislation requiring federal registration of all handguns.

In the best of circumstances, possession of handguns would be limited to those who have a good reason to hold them: the police, the military, registered and trained private security personnel, and, perhaps, some retail merchants, sportsmen, and others who can show a valid need.

However, because 50 to 60 million handguns already are in circulation and because the gun lobby's strength in Congress is still so pervasive, we must accept the Kennedy-Rodino bill as a first step toward eventual federal gun control.

Support of that legislation is the least Americans can do to help their local police assure law and order.

It also might help prevent police chiefs from having to attend the funerals of slain officers.

Thank you.●

IDAHO FOREST MANAGEMENT ACT

HON. LARRY E. CRAIG

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 11, 1984

● Mr. CRAIG. Mr. Speaker, today Congressman HANSEN and myself are introducing the Idaho Forest Management Act of 1984. This bill is basically the companion to S. 2457 that has been introduced by Senator McCLURE in the Senate. These two bills represent an effort put forth by the Idaho congressional delegation to resolve the issue of wilderness in Idaho.

Idaho has been idling in neutral, as it relates to the management of its public lands, for approximately 10 years. Roadless areas that were reviewed under the first roadless area review and evaluation (RARE I) study process are still being managed as de facto wilderness. Many of these lands were recommended for multiple use, but have been managed as multiple use because of Congress inaction. Upon completion of RARE II, the process was supposed to have been brought to an end. Once again, Congress has failed to resolve the issue in

many of the 13 Western States and much of the land recommended for multiple use management has been left sitting idle.

Idaho is second only to the State of Alaska, in the amount of acreage that is designated wilderness. The Idaho delegation's plan is to add another 526,064 acres to the already existing 3.8 million acres of wilderness. This will bring the total for wilderness in Idaho up to 4.33 million acres. By comparison, California a State much larger in size has only 2.15 million acres of wilderness.

Idaho has approximately 53 million acres of land within its borders. This may sound like a large area, until you realize the Federal Government controls 65.4 percent of this land base. More than 20.5 million acres are directly controlled by the Forest Service. If this legislation is enacted, this will mean approximately 37 percent of Idaho's roadless national forest land will be designated wilderness. This is large, especially if you consider the Bureau of Land Management (BLM) controls 11.9 million acres in Idaho, and they have not formally made their wilderness proposals as yet.

Idaho is a State rich in natural resources. There are opportunities for everyone to recreate. Of course, it is just as important to remember that the public lands provide a resource for Idaho's traditional industries. Many of the people who use public lands to recreate, also earn their livelihoods in these traditional industries. This is why it is very important to have a balance between land solely managed for wilderness and land managed under multiple use policies.

If the balance is not reached the people of Idaho will suffer. Two good examples of unbalanced management policies are glaringly available. The town of Kamiah is faced with the loss of its major industry. The mill has employed 190 people, but these people now are facing unemployment. The second example is, Salmon, Idaho. The mill in this town has employed 120 people on a steady basis and they are now faced with the same dilemma as Kamiah. The repercussions will be felt by the small businesses in each of these communities.

The bill the Idaho delegation has formulated will bring certainty to the management of national forest lands in Idaho. The Idaho delegation has worked for more than a year to prepare a fair proposal to resolve the roadless area issue. It is not easy to obtain acceptance from everyone, but in this case, the delegation believes this bill is the right approach.

A statewide survey conducted by Senator McCLURE in July of 1983 found the people wanting a conclusion to the wilderness question. Three out of every four respondents favored far

less than 1 million acres of wilderness. About 52 percent believed that Idaho had enough wilderness and the rest felt any increase should be limited to less than 600,000 acres.

There is a common misunderstanding about wilderness. Many people have the perception that a wilderness area is accessible by motorized vehicles. This is not the case. A wilderness area prohibits any motorized traffic and this means the elderly, the handicapped, and the very young are virtually precluded from using these areas. In retrospect, this type of land designation discriminates against the members of society that may have the desire to view such an area, but do not have the resources to make it a reality.

The decision to include or exclude an area for wilderness designation is very tough. As I stated earlier, for the past 7 months, the Idaho congressional delegation and their staffs have worked together to develop a wilderness plan, painstakingly correlating proposals and testimony with highly detailed maps. The end result of this hard work is the Idaho Forest Management Act. The three major objectives of this bill are first, to designate new areas for inclusion into the wilderness land base; second, to bring a resolution of areas not included in the wilderness proposal; and to end the question of sufficiency regarding the RARE II studies. The Idaho Forest Management Act simply states that these studies were sufficient.

In one way or another, all Idahoans are dependent upon our national forests and the goods and services they provide. This is why the Idaho delegation supports multiple-use management of these lands. All of Idaho has a vested interest in the usage of these public lands, and steps must be taken to insure that the Forest Service ought to get on with managing our lands rather than perpetually studying them.●

**MARY BROADWATER, A FRIEND
OF EDUCATION**

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 11, 1984

● Mr. HOYER. Mr. Speaker, late last month the State of Maryland lost one of its leading proponents in the field of education with the passing of Mary D. Broadwater.

For 9 years Mary Broadwater had served as a member of the Board of Regents at the University of Maryland, and, as such, she had played an integral role in the development of that institution into one with national academic stature.

As a board member, she chaired, for 6 years, the educational policy com-

mittee, reviewing new academic programs and developing a "Plan for Action" for the university. Through her efforts, the school established a strong intercollegiate athletic program for women, one of the first of the major public universities to do so.

More recently, Mary Broadwater chaired the professional affairs advisory subcommittee of the hospital and health services committee. As chairman, she was responsible for directing the subcommittee's monitoring of the quality of care at the hospital, and she reviewed all medical staff appointments at the hospital.

Mary Broadwater came to the Board of Regents after a long career of professional and civic activism. She was a dedicated and compassionate social worker, having received her degree from the University of Maryland in 1941. For 18 years she served as a child welfare caseworker with the Washington County Department of Social Services, until her retirement in 1982.

She was long an advocate for women's rights and served on the Maryland Commission on the Status of Women from 1968 to 1976. She was a past president of the American Association of University Women, and a founding member of the Washington Chapter of the League of Women Voters and the National Organization for Women. She also was a member of the board of directors of the Hagerstown Girls Club and the Hagerstown Citizens Assisting and Sheltering the Abused (CASA). In 1979 she received the national award for advocacy for girls from the Girls Club of America.

Mary Henderson Broadwater was a descendant of several land grant holders of Montgomery County, Md. She was born on Londonderry Farm near Germantown. She and her husband, Norman, raised two fine sons, John and Thomas.

Throughout her life, Mary brought a contagious energy and enthusiasm to all she attempted. She had the unique gift of bringing people of diverse opinions together. It was this ability, along with her constructive and inspiring attitude that made her so successful.

Mr. Speaker, we shall all miss the kindness and devotion of this fine woman. Her contributions to the University of Maryland and to her community will long be remembered, as will her caring and inspiring spirit. I know my colleagues join me in sending our sincere condolences to her family.●

**A GRENADIAN SHARES HER
ISLAND'S PAIN**

HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 11, 1984

● Mr. WEISS. Mr. Speaker, it is rare that we have the opportunity to hear the views of individuals from lands where we intervene militarily.

In the case of the U.S. invasion of Grenada last October, the opportunity was even more limited due to the Reagan administration's prohibition on media coverage of the event. Subsequently, Grenadians have hesitated to criticize the continued American presence in their homeland.

Therefore, this headline, "A Grenadian Shares Her Island's Pain," in the March 22 edition of *Newsday* caught my eye. The article is a poignant account by Dawne Noel, a Grenadian now living in the United States, of the invasion and the events preceding and following it, as reported to her by friends and family who were there. She describes the growing pride that Grenadians had felt at the progress of the Maurice Bishop government and the shock and pain that they suffered at his overthrow and the subsequent invasion.

She also calls attention to appalling activities that Americans allegedly carried out in the early days of the invasion, including searches without warrants, detention of "troublemakers," and imprisonment in wooden crates.

I urge that this article be read as a means of balancing the information that has appeared so far regarding Grenadian reaction to the U.S. invasion:

A GRENADIAN SHARES HER ISLAND'S PAIN

(By Dawne Noel)

The new international airport in Grenada was to have been opened on March 13, to commemorate the fifth anniversary of Maurice Bishop's seizing power as prime minister. Grenadians were looking forward eagerly to this historic event. Unfortunately, the ceremony never came to pass, because the overthrow and killing of Bishop, and the subsequent invasion of Grenada by the United States last October, brought everything to a bloody halt.

This is one of the times when I feel lonely and depressed. There are other times when I feel betrayed by my Creator. There are also times when I feel like curling up in the fetal position. The events in my beloved country, Grenada, imposed all of these feelings on me at once.

Grenada, land of spice and promise. Land where lizards walk lazily home at dusk unafraid of sun-drunken crabs walking sideways in their stupor. The island where the loudest noise on any day could easily be waves splashing on some mossy rock at dawn, or somebody's aunt belting out a hymn in her backyard, or some frightened robin protesting at the top of his little voice because a tiresome blue jay confiscated his worm. That was my Grenada until October, 1983.

The government of Maurice Bishop and his New Jewel Movement in Grenada was not altogether Communist or Socialist, nor did it embrace any other foreign ideology. It was there specifically to bring about a better way of life for Grenadians in a way it saw fit and right, and it was accepted by the vast majority of its people. In the process, Grenada served as a beacon for oppressed people around the world.

The Grenadian people had found a new sense of pride; they had a voice in their present and in their future at last. Education had become a right and not a privilege, and the old as well as the young were enjoying this new opportunity. Grenada was developing to such an extent that Time magazine was prompted to report on the positive changes that were taking place.

The Bishop government's ideology brought to mind that of Patrice Lumumba and Marcus Garvey—that black people should begin to think and decide their own fate. Many years ago, Garvey said, "If the Negro is not careful, he will drink in all the poison of modern civilization and die from the effects of it." This, sorrowfully, is what is going on in my country at the present time.

I was seated in front of my television set in Far Rockaway when news of the invasion (allegedly a "rescue") came on. Parachutes were falling out of the sky, descending towards their prey—my land.

It reminded me of the very first time I saw snow falling. I had stretched out my arms and looked upward to let the snowflakes fall on my face. Millions of tiny marshmallows covered my face and fell softly at my feet. I stood in Brooklyn and thought to myself, I will never go back to Grenada—this is too beautiful. That was a very long time ago.

I had come in 1968 to the United States of America, like most other Grenadians who came here, for the simple reason that the government of Eric Gairy in my country at that time prohibited the progress of its people, in terms of education, jobs and freedom. I had lived in England in the early '60s, at the same time that both Maurice Bishop and his New Jewel Movement colleague Bernard Coard—who later helped overthrow Bishop—lived there. I had listened to numerous of their political debates.

I had gone through elementary school with Jacqueline Creft, Bishop's minister of education who was killed with him in the bloody massacre of October, and thus I was fiercely saddened by all the events that took place.

I repeatedly ask myself what could have been the motivation of those who led the coup against Bishop. Was it greed? Was it stupidity? Was it confusion? Perhaps it was just ignorance or badness. The answers elude me still. The Americans came before Gen. Austin Hudson and Coard had a chance to let us know what they were about.

These events shocked and hurt me. The invasion had a similar effect. Maybe worse. The paratroopers fell on my chest. They fell on my soul. They did not come softly like the snow. They came too soon, before we had a chance to right our own wrongs, mop up what blood was spilled and thereby prevent the spillage of more.

The sight of the parachutes was paralleled only by the tremendous din of a fighter plane shooting fire out of the skies—the once blue skies of minutes ago. It seemed like a giant firefly was moving drunkenly about the heavens in the throes of death,

and was throwing up its lighted stomach in the process.

The paratroopers took to running around the place with pointed guns (My sole surviving matriarchal aunt is now suffering from angina because of this display of heroism.) They ran up and down the beaches and made giant holes in the smooth white sand.

I feared for my family on the island. I later learned that a friend's little boy had picked up a grenade, in an area where as children we picked up marbles to play, and hurt himself seriously. My sister's voice (when I was finally able to reach her) sounded as though the world had come to an end.

Now that things are supposedly restored to normal, I only pray that the Americans who remain in Grenada do not continue the careless disregard for fundamental rights which they displayed in the early days of the invasion. Coard and fellow coup-leader Austin were manacled and blindfolded, contrary to accepted practices in treating war prisoners. Posters depicting their humiliation were put up all over the island by psychological operation units of the U.S. Army in a sad imitation of the Iranians who blindfolded and marched American diplomats around Teheran.

American military police have questioned Grenadians about their political beliefs, conducted searches without warrants, detained suspected troublemakers and held people inhumanely in wooden crates. Attention needs to be paid to these un-American practices.

The United States has accomplished what it set out to do. Having led the invasion, it cannot shirk its responsibility: It should rebuild the hospital it blew up, it should finish the airport whose construction it disrupted. Then the Americans should leave and let the Grenadians settle their own future.●

A TRIBUTE TO MAYOR JOHN T. HALLAHAN

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 11, 1984

● Mr. LENT. Mr. Speaker, I rise today to bring to the attention of my colleagues the retirement of Mayor John T. Hallahan of the village of Farmingdale, in the Fourth Congressional District of New York which I have the honor to represent.

Mayor Hallahan's record as mayor, village trustee, and planning board member is one of 27 years of dedicated service and commitment to the people of Farmingdale. Mayor Hallahan endeared himself to the residents of Farmingdale with his warm and winning personality. He gained their respect and admiration with his honest and efficient administration of village affairs.

Born in upstate New York, Mayor Hallahan attended Union College and Syracuse University—where he earned a graduate degree in public administration. After a 4-year stint in the Armed Forces during the Second World War, Mayor Hallahan em-

barked on a career in government that led him to the staffs of U.S. Senator H. Alexander Smith and Congressmen James Grover and Stuyvesant Wainright. However, Mayor Hallahan's career successes have not been limited to the public sector. He has distinguished himself as an instructor at the State University of New York in Farmingdale and he has served as vice president of the Independent College Fund of New York.

After such a varied and distinguished career, Mayor Hallahan has certainly earned his retirement. I know that the people of Farmingdale will miss him. I know that my colleagues in government in Nassau County will miss him. And I know that I particularly will miss his counsel and advice.

I hope that you would join me in wishing John and his lovely wife, Isabelle, nothing but happiness in the years ahead.●

TOTALITARIAN RULE BREEDS HOLOCAUSTS

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 11, 1984

● Mr. RITTER. Mr. Speaker, recently I was privileged to hear Prof. Franklin Littell, one of the world's leading scholars on the Nazi Holocaust, speak in Allentown, in my district. As a member of the audience, I found that his words carried great meaning and wisdom. It is imperative to remember that, while the past horrors of the Nazi Holocaust are well known, we must strive to use those lessons as a guide in the present. Thus it is important that we testify to the less well recognized danger we face today from another, ever more powerful totalitarian state. Professor Littell's speech prompted me to write a column for the Globe-Times newspaper of Bethlehem, Pa., which I would like to share with my colleagues.

The article follows:

TOTALITARIAN RULE BREEDS HOLOCAUSTS

One of the world's foremost scholars on the Nazi Holocaust, Professor Franklin Littell, gave a speech recently to an audience of Lehigh Valley community leaders. His superb scholarship and his eloquence brought home those unthinkable, those impossible yet irreversibly real events of that era. He focused on the human dimensions of responsibility then, now and in the future.

Professor Littell urged that we be interested in the Holocaust not only for historical and commemorative reasons but to ensure that such situations do not recur. That came out time and again at the luncheon. That totalitarian rule is the fertile ground for holocausts cannot be denied. Only in a state with supreme power over all aspects of life, power tightly held in the hands of a few, can such racial, ethnic or political hos-

tivity became so savagely and pervasively institutionalized, so bureaucratized.

Today's Western democracies with their decentralized economic, political and social life are not the breeding grounds for holocausts. The great holocausts of recent times took place in countries under totalitarian rule; Nazi Germany against the Jews, in the Soviets Union against Ukrainians, in Communist Cambodia against the Cambodian people and today by the USSR in Afghanistan against the Afghan nation. The book is still to be written on China under Mao.

The subject of my own questions for Dr. Littell, "international terrorism, the Soviet Union's key role in that terrorism, and the shared thread of anti-semitism that runs through it all over the world," is well known to Dr. Littell and, indeed, to all scholars of the Holocaust. This common thread of anti-semitism that runs through the international terror network traces its deep roots to the KGB and the blatant anti-semitism of the Soviet domestic and foreign policy. Rampant anti-semitism is the stuff that precedes holocausts against Jews.

The Soviet State has had its own holocausts, via Gulag and the cumulative murder of tens of millions of its own citizens. Lehigh Valley Ukrainian Americans commemorated this past year the 50th Anniversary of the enforced starvation of 7 million Ukrainian men, women and children in the years 1932-33. In only two years, by confiscating a nation's food and sealing its borders, Soviet Communism perpetrated a holocaust comparable in size to that of the Nazis in WWII.

Author Susan Sonntag admitted the error of the American Political Left of which she was part and parcel, when she characterized Soviet Communism as the equal of Nazism, as fascism with a different face. George Will from the opposite end of the philosophical spectrum calls the Soviet Union, the "moral twin" of Nazi Germany.

Thus, from the Left and the Right of the political spectrum, the Soviet Union, like Nazi Germany is considered a totalitarian police state and like Nazi Germany had and has the essential ingredients for holocausts. The biggest differences between them are that Nazi Germany was defeated and the USSR is more powerful than ever; and the Soviet Union is still virtually closed while Nazi Germany was opened up at the seams after defeat. Also, while Nazi rhetoric spelled out their desires for conquest and was harsh—Soviet rhetoric talks of peace and aims to please.

I am not saying that the various peoples of the Soviet Union are bad. Far from it; Russians, Ukrainians, Baltics, Armenians, Central Asians and so many other nationalities have marvelous attributes to offer each other and the rest of the world if they had some greater opportunity to do so. The Soviet Union's performance in the sports world in the recent Olympics is a classic example.

I am saying that totally concentrated power in the totalitarian state—where everyone works for one boss, the state; where the religion is a state function (Marxism-Leninism has forcibly replaced traditional religions); where a small fraction of the population, mostly the communist party, has the lion's share of the fruits of society's labors; where secret police and terror, not the courts, define law—leads to the kind of society whose ultimate repression is holocaust, is genocide. "Absolute power corrupts absolutely." The phrase packs punch.

Having lived in the USSR, speaking their language, having engaged in a twenty-year

avocation with their history, culture and political life, serving on the Congressional Helsinki Commission and as co-chairman of the Ad Hoc Committee on the Baltic States and Ukraine, I cannot ignore the lessons of history. I cannot ignore the totalitarian, moral kinship between the Soviet Union and Nazi Germany. To do so would be to ignore the past and invite future holocausts.●

UNEQUAL TREATMENT OF THE EQUAL ACCESS ACT

HON. DON BONKER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 11, 1984

● Mr. BONKER. Mr. Speaker, in a recent editorial "The Unequal Access Bill," the Washington Post did not properly represent legislation intended to insure government neutrality toward religion in secondary public schools. The bill I have sponsored protects the free speech rights of students by granting religious student groups the same right to meet during noninstructional periods as other student-initiated groups at public secondary schools. The Equal Access Act (H.R. 5345) was reported last week from the Education and Labor Committee by a vote of 30 to 3.

Prof. Laurence Tribe of Harvard Law School, one of the Nation's most respected constitutional scholars, testified in favor of the legislation and gives the following point-by-point refutation of the Post's editorial.

HARVARD UNIVERSITY LAW SCHOOL,
Cambridge, Mass., April 8, 1984.

To the EDITOR: The Washington Post did a real disservice to the cause of informed debate about religion in the public schools with its April 6 editorial miscasting the Bonker-Hatfield Equal Access Act (H.R. 5345) as "An Unequal Access Bill," even though the act is directed solely at public schools that "discriminate on the basis of the religious content of the speech" at otherwise allowed student meetings.

The Post initially suggests that this act is unnecessary in light of a 1981 Supreme Court ruling that public colleges may not discriminate against student meetings based on their religious content. Unfortunately, some lower courts have denied the relevance of that equal-access principle to students in public high schools: hence the need for a Federal law to withhold public support from those school authorities that persist in discriminating against students simply because of the religious messages they wish to share.

This act certainly would not do what the Post claims it would—"force schools to accommodate religious meetings even when the school board chooses to deny access to other groups." On the contrary, the act applies, by its own terms, only to the degree that a school "generally allows" other student-initiated "groups . . . to meet during noninstructional periods."

The Post erroneously says that the act would force public schools to allow "outside religious leaders" to conduct school-sponsored "worship service[s]" on their premises—something the Supreme Court in fact held illegal in 1948, and something section

3(4) of the act would therefore expressly preclude.

As groundlessly, the Post complains that the act would leave schools "free to deny access to religious groups that did not have sufficient members in the student body." Quite the contrary, the act would assure that, if a school is willing to keep the gym open after hours, for example, for any half-dozen students interested in discussing poetry, it must do as much for the half-dozen who want to pray—whether or not they are members of the smallest religious group at the school. Obviously, schools must be free to limit after-hours uses to situations in which more than a minimum number of students seek to meet—regardless of what the meeting is about. What would the Post do—force schools to waive such neutral rules for religion only? Would that not do what the Post mistakenly accuses this act of doing—namely, granting "superior rights to religious . . . over . . . political or civic" causes and groups?

Certainly the Post's final assertion—that the act would lead to "release time religious instruction in the schools, during the school day—for major religions only"—is sheer fantasy. No one who has read the act fairly could attribute any such effect to it.

According to the Washington Post, "any congressman with a passing acquaintance with the first amendment has an obligation to vote [this bill] down." I know at least one congressman—Barney Frank (D. Mass.)—who has more than a passing acquaintance with the first amendment: Barney was an outstanding student in the Constitutional Law Course I taught at Harvard 8 years ago and received one of the few A's I gave that year; being a busy State legislator at the time, Barney turned down an invitation to serve as an editor of the Harvard Law Review. Like me, Congressman Frank opposes official, organized prayer in the public schools. But like me, he believes the Equal Access Act is perfectly constitutional—and favors its passage.

Perhaps the Washington Post, which seems to be reading a version of the act all its own, also has a copy of the Constitution different from the one Barney Frank and I have been studying all these years.

Yours truly,

LAURENCE H. TRIBE,
Tyler Professor of Constitutional Law.●

THE PRINCE GEORGES COUNTY CHAMBER OF COMMERCE

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 11, 1984

● Mr. HOYER. Mr. Speaker, 60 years ago, in 1924, William A. Brooks, a prominent merchant and former mayor of the town of Hyattsville, had an idea: Extend a major artery, Rhode Island Avenue, and provide a continuous thoroughfare through the town and into Hyattsville. In order to implement this idea, Brooks and other business leaders created an organization which today is called the Prince Georges Chamber of Commerce, then known as the Chamber of Commerce of Hyattsville.

Within 6 years, the goal was attained: The thoroughfare was built, and an overhead crossing at the B&O Railroad was constructed to eliminate a dangerous intersection. This first accomplishment only whetted the appetite of the membership for positive change in the community. Another cause was taken up—that of reducing the rates that 3,000 residents and business paid for natural gas. This resulted from a chamber initiative with the Washington Suburban Gas Co., to renegotiate the valuation of the Hyattsville natural gas plant.

It was from these early achievements that the chamber realized the potential of collaborative action through the orchestration of business, industry, government, and civil groups toward the common good. The roots of this idea began to grow, and soon the chamber became a vehicle for charitable donations to serve the community's needs. For instance, chamber member William A. Magruder donated 12 acres to the city of Hyattsville for a park and playground, making this donation through the chamber.

Coordinating the efforts for a unified street lighting system with neighboring jurisdictions led to more extensive cooperation, and the chamber, in 1933, became truly a full-county organization, adopting the name by which it is known today.

Sixty years after its inception, one of the most important activities of the chamber is to assist in creating a conducive climate for business in an effort to attract new businesses and employment. This mission was inaugurated by A. H. Seidenspinner in 1930 when he became the first chairman of the chamber's Industry Advertising Committee.

By mid-World War II, the chamber's activities had expanded to a level rivaling those of today. Committees were charged with responsibilities in the areas of transportation, education, zoning, business promotion, health care, public utilities, legislation, and civil defense.

Also by the time, the chamber had obtained the services of a full-time staff person. James W. Campbell became executive secretary in January 1941, with offices located in the Professional Building in Hyattsville.

In the legislative arena, the Prince Georges Chamber of Commerce steadily increased its role and effectiveness in affecting positive, commonsense laws. A major victory was realized by the chamber in 1970 when, after more than a decade of effort, Gov. J. Millard Tawes signed into law the elimination of a county inventory tax on businesses. The abolishment of this tax resulted in the immediate savings of as much as \$150,000 for individual county businesses, and became a determining factor in the decision of indus-

tries to locate in Prince Georges County.

Building on the solid foundation of those early years, today's Prince Georges Chamber of Commerce can offer a proud list of highlights of its accomplishments worthy of its founders. In addition to the chamber foundation, which exists to aid, benefit, educate, and support the underprivileged, another fund for the pooling of resources is the Business Political Action Committee known as BIZPAC. BIZPAC represents the united voice of the Prince Georges business community by helping to elect business-oriented candidates.

Exercising its commitment to improve the quality of life in the county, the chamber provides countless opportunities in areas such as public education, arts, public safety, parks and recreation, social services, and tourism for the 1,200 business representatives who comprise its membership. Numerous community organizations including CRIMESOLVERS, The Prince Georges Champions Association, and the Family Crisis Center of Prince Georges County, Inc., originated under the auspices of the Prince Georges Chamber and remained so until their strength and viability developed to the stage of autonomy.

Annually, the Prince Georges Chamber of Commerce proudly hosts the county's official police and fire awards banquet, educators luncheon, work-study scholarship program, state of the economy breakfast, and the Prince Georges Business and Trade Show. Since 1924, the chamber's program of work has evolved to include the distribution of a national award winning monthly newsletter, legislative alerts, general membership programs, timely and informative seminars, no-cost professional small business counseling, forums with local legislators, and continuing services to support businesses of all sizes.

Mr. Speaker, this Friday, men and women from throughout the Fifth Congressional District and from the rest of Prince Georges County will join in a celebration of the 60th anniversary of the founding of this important group. I know that you and my other colleagues join with me in expressing our sincere congratulations on this occasion—for the fine things this group has accomplished in the past and in the present and for the new ideas and plans it will achieve in the future. The contributions of the Prince Georges Chamber of Commerce have made for a better and more prosperous community for us all.●

TALES OF TWO ELECTIONS

HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 11, 1984

● Mr. WEISS. Mr. Speaker, on Sunday, March 25, thousands of Salvadorans went to the polls to elect their country's president. I believe, as does the President, that the massive turnout demonstrates the hopes of the Salvadoran people for peace. Yet I disagree with Mr. Reagan's contention that the elections prove the strength of democracy in El Salvador and the success of the administration's Central American policy.

The public demonstrations and turnout so vividly portrayed on our Nation's televisions the following Monday glossed over the deep-seated social and political problems in El Salvador. The fact that the Salvadorans had to vote or face possible legal action against them was omitted. Nor was there a clear description of the confusion and disarray surrounding the election process.

But more profound questions remain unanswered. Will the elections dramatically reverse El Salvador's 4 years of bloodshed and civil war? Will they produce a government that will bring to justice the murderers of the four American churchwomen and the other U.S. citizens killed in El Salvador, not to mention more than 30,000 Salvadorans killed in the past 4 years? Will either Mr. Duarte or Mr. D'Aubuisson, the two candidates in the upcoming presidential runoff, control the Salvadoran security forces and death squads responsible for most of those murders?

The following article from the March 31 Nation by Edward S. Herman raises another important question: Has the Reagan administration been as demanding of the electoral process in El Salvador as it is of the upcoming November 4 elections in Nicaragua?

It is true that important questions surround the conduct of the Nicaraguan elections. Will exiled groups such as Eden Pastora's ARDE be allowed to participate? Will La Prensa be censored? What kinds of controls will be placed on opposition groups while campaigning? Toward the Nicaraguans we should be circumspect, yet encouraging.

But we should not respond to what I view as positive steps toward opening up the political process in Nicaragua with stepped up Contra activity, or with further aid for the anti-Sandinist rebels, or with direct or indirect support for the mining of Nicaraguan ports.

The democratic process is founded on the principles of fairness and evenhandedness, flavored with a healthy

dose of skepticism. These principles have not been adhered to by the Reagan administration in its treatment of the elections in Central America.

I encourage my colleagues to read the following article which demonstrates this point:

[From Nation, Mar. 31, 1984]

TALES OF TWO ELECTIONS
(By Edward S. Herman)

The March 25 Salvadoran election was sponsored by the United States and was designed to legitimize the rule of the armed forces and a tiny associated elite. In Nicaragua, by contrast, the present leadership is opposed by the United States, and Administration pressure for elections—now set for November 4—has been part of an overall destabilization program. For cases so antithetically viewed in Washington, different symbols are employed and different criteria are utilized. The U.S. government has set the stage and defined the players and their roles, and the mass media has dutifully followed the cues.

Salvadoran elections have been consistently associated with positive symbols of democracy. In March 1982 official spokespersons repeatedly stressed that the Salvadoran government and armed forces support and protect elections; that the rebels oppose them, refuse to put their claims to a test and even attempt to disrupt this step toward democracy. That formulation allowed a substantial voter turnout to be interpreted as a popular vindication of the military regime and the United States, and their plans for the future of El Salvador. The quintessence of that framework was captured in Warren Hoge's summary of "the issues" involved, in the March 27, 1982, New York Times. Here is how he described the role of the security forces:

"Is the military playing any role in the elections?"

"Members of the military are not allowed to vote, and the armed forces has pledged to protect voters from violence and to respect the outcome of the contest."

No other pertinent "issue" involving the armed forces was mentioned.

That kind of favorable portrayal of the election required a certain amount of complementary suppression and lying: for example, downplaying the fact that the main reason for holding the election was to influence public opinion in the United States, that the rebels could not and were not meant to participate, that voting was required by law and enforced by explicit threats and that years of repression and state terror had created a climate of fear incompatible with free elections. The staging of the Salvadoran election for U.S. domestic consumption also required that official observers be dispatched to the scene on election day and shunted from one polling station to the next to witness the long lines of happy voters. The observers could then testify to the fairness of the election and to the emotions aroused by the sight of streams of peasants determined to record their votes for peace and democracy in defiance of sinister rebel threats. The mass media reported those observations as meaningful for evaluating the election in accordance with the dramatic and symbolic framework.

The Nicaraguan elections are framed differently. There the U.S. government and the media focus on the hidden motives of

the Sandinistas. They are said to be using elections to placate their critics at home and abroad, not to move toward democracy. In El Salvador, the rebels' refusal to participate in the election demonstrates an unwillingness to test their popularity in a fair vote. For Nicaragua the question is, Will the dissidents be allowed and encouraged to run or will the Sandinistas put obstacles in their way? A March 17 article in the New York Times, "Foes of Sandinistas Call Voting Law Unfair," provided generous space for attacks on the reduction of the voting age, the limits on opposition radio time and other features of what is repeatedly described by critics as "an electoral farce." One week before the Salvadoran election there had been no article of comparable scope or tone in The Times on electoral conditions in El Salvador. As of March 17, also, the leading U.S. newspapers and network TV had never mentioned that Salvadoran electoral law calls explicitly for "transparent voting urns" and allows security forces access to the polling stations.

In Brazil on February 5, Secretary of State George Shultz commented on the prospective elections in Nicaragua: "The important thing is that if there is to be an electoral process, it be observed not only at the moment when people vote, but in all the preliminary aspects that make an election really mean something." In considering the Nicaraguan elections Shultz not only emphasized those "preliminary aspects," he also derided the notion that an intelligent assessment of the fairness of an election can be made from observations at polling stations. Yet the U.S. government and the media based their evaluation of the 1982 Salvadoran election almost entirely on such observations.

Testifying before the Senate Foreign Relations Committee on February 22, Shultz suggested that for elections to be democratic, "rival political groups" must be allowed "to form themselves and have access to people, to have the right of assembly, to have access to the media." He was referring to Nicaragua. Neither Congress nor the press has yet asked Shultz whether the "preliminary aspects" so relevant to Nicaragua were met in El Salvador. This is a well-nigh perfect case of Orwellian doublethink: to forget a criterion "that has become inconvenient, and then, when it becomes necessary again, to draw it back from oblivion for just so long as it is needed."

Not one of Shultz's basic conditions for a free election was met in El Salvador in 1982 or this year. By law and systematic repression there is no freedom of speech or assembly; there is no freedom of the press (the two independent newspapers were closed by state violence, and more than two dozen journalists have been killed since 1979); labor unions, peasant associations and other popular groups have been forced out of existence on a scale vastly exceeding anything in "totalitarian" Nicaragua; 138 top leaders of the center and the left were put on an armed forces death list in March 1981, and scores of politicians have been killed. The forces of state terror are large and active.

The Salvadoran election of 1982 took place in "mid-holocaust"; an average of at least 700 civilians had been murdered by the security forces each month in the thirty months preceding the election. The table below spells out some of the gruesome data; the column on the right translates the numbers into their U.S. equivalents. Imagine an election in the United States following the

murder of almost 1,000 Democratic Party politicians, 5,000 labor leaders, 1,200 journalists and a million-odd other citizens. The table does not account for refugees, whose U.S. equivalents would number over 30 million.

Secretary Shultz has, in his way, performed a service by raising questions about the superficiality of focusing on election-day events and disregarding the "preliminary aspects" that make elections meaningful—or meaningless. He provided an implicit—and devastating—critique of media coverage of El Salvador in 1982. Again this year the press and the government have concentrated on election-day hype in El Salvador and raised basic questions only about the elections in Nicaragua. This is doublethink in the service of a double standard.

(Edward S. Herman is co-author, with Frank Brodhead, of Demonstration Elections: U.S.-Staged Elections in the Dominican Republic, Vietnam, and El Salvador, published last month by South End Press.)

CLEARING THE GROUND FOR A FREE ELECTION—POLITICAL MURDERS BY THE SECURITY FORCES IN EL SALVADOR

[October 1979–March 1982]

Class of victim	Number of murders	U.S. equivalent
Political leaders:		
a. Christian Democratic Party officials.....	20+	900+
b. Democratic Revolutionary Front Officials.....	6+	270+
Labor leaders:		
a. Salvadoran Communal Union Officials.....	83-92	3,735-4,140
b. Agrarian Reform Institute (ISTA) employees.....	40	1,800
c. Trade union leaders.....	NA	NA
Human rights workers:		
a. Oxfam staff.....	17	765
b. El Salvador Commission on Human Rights staff.....	3	135
Clergy and Religious workers.....	25	1,125
Students.....	1,090	49,050
Teachers.....	224	10,080
Journalists.....	26	1,170
Peasants, workers and others.....	* 21,453-30,000	= 965,385-1,350,000

* Minus the total of above.
Minus the total of above.

Source: Edward S. Herman and Frank Brodhead, Demonstration Elections: U.S.-Staged Elections in the Dominican Republic, Vietnam, and El Salvador, South End Press, p. 123 (detailed sources provided in text) U.S. equivalents are based on a 1982 population forty-five times the size of El Salvador's.●

AUTO POLICY BANKRUPT

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. FLORIO. Mr. Speaker, on April 11, the Federal Trade Commission voted (3 to 2) to approve a joint venture for production of small automobiles by General Motors and Toyota—two of the giants of the worldwide automobile industry.

In hearings before my subcommittee on this joint venture, critics charged that the venture is not only a plain violation of the antitrust laws, but is part of a trend that will leave the United States with a shrunken, third-rate domestic auto industry. The prospect is for increasing reliance on foreign sources for sophisticated aspects of auto production, with domestic pro-

duction based on a reduced number of low skill, low pay jobs.

This prospect is well described in an article by Robert B. Reich from the *New Republic* which I am here inserting in the RECORD.

The policy of the administration toward the auto industry is another indication of its willingness to write off the industrial future of this country. It is a bankrupt policy, and I believe that fact becomes clearer by the day.

The article follows:

GENERAL MOTOR'S PACT WITH TOYOTA IS A COVER FOR SURRENDER.—COLLUSION COURSE
(By Robert B. Reich)

Just about one year ago—on February 17, 1983, to be precise—General Motors and Toyota announced plans for the joint manufacture of a subcompact car in the United States. General Motors would contribute its assembly plant in Fremont, California, and \$20 million in cash. Toyota would kick in \$150 million in cash. The car, a front-wheel-drive version of the Toyota Corolla, which Toyota already produces and sells in Japan, would be called, in its American version, the Chevrolet Sprinter. About two hundred fifty thousand cars would be produced annually.

The only thing unusual about this arrangement was its two participants. These are not mom and pop operations. General Motors is the largest manufacturer of cars in the world. It sells 44 percent of the cars people buy in the United States. Toyota is Japan's largest car maker and the third largest in the world. In the U.S. market Toyota ranks number four, just after Chrysler. In sales of subcompacts within the United States Toyota ranks number three, ahead of Chrysler. Both GM and Toyota have long set the pace for the other automobile companies in their home markets in prices, styling, and innovation. Not surprisingly, the two companies are, and have been for a dozen years, the most profitable auto manufacturers on the globe.

For the past ninety-four years the United States government has enforced, with varying degrees of ardor, laws that prohibit companies from monopolizing or restraining trade. Antitrust concepts have a certain charming obscurity about them, and no two lawyers who specialize in this fascinating corner of the law share precisely the same notions about what is or is not permissible. But of this much we can be sure: when the largest and near-largest firms in a market comprised of just a few large firms collude with one another, agreeing on a price at which to sell their goods and exchanging information about products and marketing strategies, something questionable is happening in the eyes of the law. At the very least, an arrangement has been made which might easily cause prices to rise.

And so the Federal Trade Commission spent last year investigating the planned joint venture between General Motors and Toyota. Its three Reagan-appointed commissioners, a majority, have now concluded that the plan (ever so slightly modified) is fine. The decision—which becomes final in late February—will dramatically accelerate a change already underway in the American automobile industry. The F.T.C. majority's logic, spelled out in a public statement, bears careful notice as well, because it represents one of the first in what surely is to become a long line of government decisions

expressly modifying traditional law in light of international competition. It marks the beginning of a more explicit national industrial policy. And, sadly, it is wrong.

The commissioners were persuaded of the wisdom of the venture primarily on the grounds that it offers General Motors a "valuable opportunity" to learn firsthand about Japanese manufacturing and management. GM can thereby become a more efficient company. "If GM can learn how to build significantly lower-cost cars, as Japanese producers can now do, it will attempt to implement those lower-cost methods at its other plants," noted the commissioners. In recent years the interpretation and enforcement of antitrust laws have demonstrated increasing respect for whatever efficiencies might possibly be imputed to an agreement among firms, but this particular sort of efficiency—learning by colluding—has never before been thought of sufficient merit to pass even the mildest muster. Applied generally, this new principle of antitrust analysis would seem to permit any two companies to combine so long as one was better at doing something than the other.

But the commissioners had something rather more special in mind. The benefits of learning how to produce cars efficiently presumably would extend beyond General Motors. GM would show other U.S. automakers that "the Japanese system can work in America." This would lead inexorably to "a more efficient, more competitive U.S. automobile industry." At least we get to the logical core of the argument, the new rule being enunciated. The real justification for allowing America's largest car company to team up with Japan's largest car company is to improve the international competitiveness of the U.S. automobile industry. According to the commission's majority, this long-term national benefit outweighs whatever risk that the arrangement might cause car prices to rise in the near term.

The commissioners' goal is unobjectionable. To be in favor of enhancing U.S. competitiveness these days is not exactly controversial. But to their real credit, these Reagan appointees managed to transcend the White House's ideological revulsion toward industrial policy and accurately perceive that a decision either way would affect the structure of American industry for years to come. The question to be addressed in this case, as in countless government decisions about tax rules, tariffs and quotas, federal procurement contracts, loan guarantees, and research grants, is: What is our national competitive strategy to be?

They asked the right question. It was their answer that was wrong. To understand why, we have only to examine how the world automobile industry is evolving.

The world automobile market is a \$250 billion-a-year business, not counting sales of parts, secondhand cars, repair, and service. World car production peaked in 1978 at 31.8 million vehicles, and is now inching back from the 1982 trough of 27.5 million. Japan accounts for roughly 25 percent of this output; the United States, for 23 percent. The United States is a net importer of cars; Japan exports more than 50 percent of its production. The industry is a major employer in all industrialized nations; in Japan 8.9 percent of the working population is directly involved in producing cars; 4.3 percent of U.S. workers are similarly dedicated. If subcontractors, component manufacturers, dealers, advertisers, mechanics, and other related occupations are included, the figures rise to 18 percent and 16 percent, respective-

ly. Many of these jobs, moreover, pay quite well. Relative to other industrial workers worldwide, auto workers are highly productive.

The most dramatic development in the world automobile industry over the past decade, as in so many other industries, has been the success of the Japanese. Between 1975 and 1980 alone, Japanese production rose from 4.6 to 7 million vehicles. Japan's exports more than doubled, from 1.8 to 4.2 million. But it would be wrong to conclude from this that Japan's national economic strategy turns on automobile production. The auto industry in Japan is no longer a particularly favored sector; it enjoys none of the special tax preference, low-interest credit allocations, antitrust exemptions, or consumer subsidies that are had by fledgling companies in such fields as biotechnology or computers. Strength in the world automobile market is not an end in itself for the Japanese. Their long-term goal is not simply to sell more cars. It is to gain world dominance in the knowledge-intensive industries of the future. Automobile production—or more accurately, the design and fabrication of complex auto parts and the processes necessary to put them together—is a means toward that end. This point bears further elaboration.

Regardless of whose nameplates grace their exteriors, today's automobiles increasingly are multinational creations. Economies of scale and experience, together with political exigencies, are coming to require that parts be produced wherever on the globe they can be manufactured most cheaply, and assembled in the region of the globe where the finished cars are to be sold. It is a safe bet that twenty years from now General Motors cars will bear no special relationship to the United States, and Toyota no special connection with Japan. One no longer will be able to speak with pride (or derision) about an "American" automobile any more than about a "Japanese" or "West German" automobile. Regardless of where corporate headquarters is located, shareholders, lenders, managers, workers, and consumers alike will be drawn from all over the globe.

But there will be at least one important difference among nations. Workers' real wages—their standard of living—will depend upon the portion of the production process for which they have responsibility. Since assembly operations will be highly automated worldwide, with robots handling most tasks, the critical distinctions among national work forces will depend upon which components they specialize in producing. Workers engaged in making such relatively simple parts as seatcovers, windshield wipers, and dashboards, for example, will not command the same rewards in the global economy as those engaged in more complex tasks. Indeed, the proportional contribution of world auto sales to a nation's wealth will turn on the relative value added to automobile production by the nation's work force. National competitiveness in the automobile industry, as in many other global industries, will come to depend upon national prowess in the higher-valued aspects of production.

The Japanese understand this prospect. They are bent on capturing the highest-valued portions of world auto production. They intend to specialize in such parts as engines and transaxles (front-wheel drive transmissions and axles), and in such processes as robots and computer-controlled systems for putting all the parts together. These products and processes, in turn, rely

upon advanced microelectronics and on strong but lightweight synthetic materials and alloys. They thereby represent specific commercial applications of Japan's emerging knowledge-based industries.

The overall strategy is clear. It is the same strategy that underlies Japan's recent, rapid shifts into aircraft engines, video cassette recorders, telecommunications devices, and personal computers. These products are launchpads for gaining scale and experience in the world's newest technologies. Attaining immediate profits from these products is less important than becoming the largest and most experienced world practitioners of the advanced methods which lay behind them. A Japanese labor force so attuned will easily come to dominate the highest-valued portions of any global industry. There is nothing sinister about this; consumers all over the globe continue to benefit from Japan's advances, although Japan eventually will enjoy the world's highest standard of living. Viewed in this light, the Japanese automobile strategy is part of an overall national strategy by which the Japanese will become the design engineers for the world.

Japan's automobile strategy is well underway. GM already buys its diesel engines from Isuzu. Chrysler buys its transaxles from Mitsubishi and plans to purchase one hundred fifty thousand Mitsubishi engines this year. Ford gets many of its complex parts from Toyo Kogyo (Mazda). In Ohio and Britain Honda is assembling cars whose designs and more sophisticated components come from Japan. Nissan is assembling trucks in Tennessee and cars in Britain and Spain; their designs and highest-valued parts also come from Japan.

This trend is particularly apparent in the production of the smallest cars, which must be designed and manufactured especially carefully in order to minimize costs and maximize comfort. As the Japanese have learned in producing everything from televisions to semiconductors, innovations in products and manufacturing processes often occur at the most compact end of a product line, where the engineering challenges are the greatest. For the same reason, development expenses often are highest at the compact end. If your strategy is to gain scale and experience in applying new technologies, then you will gladly bear these costs; the investment will pay off in a work force better able to innovate in the future. But if your strategy is to maximize profits over the next three or four years, you will buy the compact technology from someone else. Accordingly, the Japanese are developing it; the Americans are buying it.

Subcompact automobile technology—including the design, advanced parts, and machines for assembling the parts according to the designs—is now being ceded to the Japanese. GM is seeking to import subcompacts from Suzuki and Isuzu, and to assemble "R" cars now being produced by Isuzu; it has given up its plan to build an S-body Corsa in the United States, it is phasing out the Chevette, and its futurist Saturn model is barely on the drawing board. Chrysler has quietly abandoned its planned replacement for the Omni/Horizon family of cars and is looking to Mitsubishi to fill out its subcompacts. Ford has just announced a \$500 million investment in Mexico, where it will assemble a Toyo Kogyo subcompact.

The proposed joint venture between General Motors and Toyota fits this pattern exactly. The cars that are to roll out of the Fremont, California, assembly plant will be

designed in Japan; their engines, transaxles, and other advanced components will be manufactured in Japan; many of the robots and computerized machine tools used to assemble them will be designed and produced in Japan. Left to American labor will be the lower-skilled assembly tasks, production of the simpler parts, and, of course, advertising, sales, and repair services to be offered in the United States.

The irony of all this is that America is perhaps now better able to take on the higher-valued portions of automobile production than at any time in the last decade. U.S. workers are becoming more productive. Unit labor costs in Japan are increasing rapidly. The American market is growing again: 9.2 million new cars were sold here last year, the best year since 1979, and in 1984 sales may reach 10 million. American automakers are profitable again; after losing \$4.7 billion between 1980 and 1982, the Big Three had aggregate profits in 1983 of around \$6.5 billion. Since 1981, when Japan began "voluntarily" restricting its auto exports to the United States, the average retail selling price for all new cars sold in America has risen by 18.8 percent (or \$1,741) more than the Consumer Price Index. If there was ever a time for U.S. automakers to invest in the future, it is now.

But here's the rub. GM, Ford, and Chrysler have grown more profitable largely by cutting their costs and selling bigger cars based on older models. Over the past three years the three companies have closed ten huge assembly plants, slashing capacity by more than two million cars and trucks a year. They have shut down vast networks of parts plants. They have laid off one quarter of their work force. They have canceled or delayed at least a dozen new products. Altogether the Big Three have managed to cut more than \$10 billion out of their annual costs. They are now "lean and mean," which is the way corporate managers in America like to describe the newly dismembered companies over which they preside. They are approaching the current economic recovery cautiously, for fear that it may be short-lived. They are adding workers slowly, relying on the presently employed to put in substantial overtime. They are investing in new models only gradually, extending the lives of older models by making slight alterations.

General Motors, with over 40 percent of the American market, accounting for two-thirds of the sales of the U.S.-based manufacturers, leads this timid pack. Its costs are the lowest, its profits highest. But it worries about the next downturn in the business cycle. Its "planning horizon" is three years. If GM finds a new way to cut its costs, Ford and Chrysler must follow suit or else run the risk of losing even more of the market. GM has decided that it is cheaper to buy subcompact technology from Japan than to invest in it at home. And the cheapest way to buy subcompact technology from Japan is to get the Japanese to foot part of the bill for jointly assembling Japanese cars in America. That is what the joint venture with Toyota is all about. It is a white flag of surrender. Other U.S. automakers will see it and follow.

Joint ventures like this one fit nicely into Japan's automobile strategy, making it worth the extra cost. They create an immediate demand for Japanese designs, sophisticated components, and high-technology manufacturing systems. Yet because they appear to save American jobs, they also forestall mounting political pressures in the

United States to protect against Japanese imports. Indeed, the United Auto Workers is quite supportive of the GM-Toyota plan. Never mind the jobs preserved or created in America will be lower-skilled and routine, eventually to be replaced by robots and computers. In the immediate future at least, there are jobs. To American workers the obvious alternative seems far less salutary.

Is there any other alternative? Surely not the proposal, touted by the United States Auto Workers Union, that cars sold in the United States must contain a high percentage of components produced in America. Even if 90 percent of the value of cars sold here were produced here, Japan still would be supplying the most sophisticated 10 percent, and simultaneously supplying the rest of the globe (including GM, Ford, and Chrysler operations abroad) with an even larger percentage—thereby maintaining superior scale and experience at the highest-valued end of world auto production. More to the point, the "domestic content" proposal gives companies no real incentive to invest in advanced automobile technologies within the United States. When pressed, they can simply duplicate whatever technologies already have been perfected in Japan. Meanwhile, everyone who buys a car in the United States gets stuck with a huge price tag reflecting the higher cost of making cars in America. We lose both ways.

There is no simple solution. Japan's competitive strategy embraces its entire industrial base; America's strategy is the by-product of individual corporate strategies whose goals may have little to do with enhancing the standards of living of Americans. To reverse the present trend and gain predominance in the highest-valued portions of the world auto production would require that auto companies operate under a very different set of incentives than they do today. At the least, such a reversal would entail changes in tax laws, international trade laws, and antitrust rules. For example, Congress or the Special Trade Representative might have linked Japan's "voluntary" export restraint to explicit agreements by U.S. automakers to invest in advanced automobile technologies and to train their workers in these emerging fields. We missed this opportunity; the automakers got the benefits of the export restraint with no strings attached.

The proposed GM-Toyota joint venture represented another small opportunity to move the auto industry in the right direction. To be sure, had the Federal Trade Commission rejected the proposed venture, that would not have stemmed the tide; at best, it might have slowed it down a bit. Antitrust law is a crude means of fashioning industrial policy. But the commissioners might have used the occasion to announce a different direction for antitrust enforcement in the future, perhaps encouraging joint research ventures among American companies, and clearly signaling the strategic perils for the American economy that lay in the path GM and Toyota had chosen. If they in fact believed the dubious contention that the venture would help the entire U.S. automobile industry, moreover, the commissioners might have called GM's bluff and required the arrangement be a public "demonstration project" in which Ford and Chrysler were invited to participate. But the commissioners did none of these things. By approving the venture instead, and doing so on such broad grounds, they have opened the floodgates.

In coming years we can now expect more Japanese-U.S. joint ventures in automobiles and in a wide variety of other products. Americans increasingly will be called upon to assemble and distribute to one another kits made in Japan. Americans will continue to be inventive, of course, but increasingly our inventions will be embedded within new technologies produced across the Pacific. We will have jobs, but they will be relatively humble ones. We will have access to high-quality, low-cost products, but we will be poor relative to other industrialized nations better able than we to take a longer, more strategic view of their economies. Meanwhile, we will continue to indulge ourselves in an endless debate about the wisdom of creating a national industrial policy as if it were a matter of centralized planning boards and development banks. We need to acknowledge that strategic issues underlie even the most seemingly pedestrian anti-trust questions, decided by even the most pedestrian federal agencies—like whether GM and Toyota should be allowed to join forces in Fremont, California. ●

EXPORT RULES THAT WORK

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. BEREUTER. Mr. Speaker, today the House-Senate Conference Committee on H.R. 3231/S. 979, legislation to reauthorize the Export Administration Act of 1979, is to begin the long and difficult process of resolving the many differences in these two bills. As we begin the complex negotiating process, we would all do well to read an editorial which appeared in the Washington Post. That article highlights a fundamental point made with eloquence by others, such as Senator SAM NUNN, about the detrimental impact of an overreaching, overly broad control system. I hope that my colleagues will read that editorial, which follows, keeping these words in mind or at hand during action on the forthcoming conference report.

The article follows:

EXPORT RULES THAT WORK

Keeping strategic technology—certain advanced computers, for example—out of Soviet hands is exceedingly important. But the United States can't do it alone. It has to work in cooperation with its allies, and with other countries that are capable of producing these machines.

The struggle over strategic export controls is now going forward both in the administration and in Congress. Within the administration, the Defense Department is trying to impose its own extremely broad definitions not only on this government but on others. In Congress, a conference committee is shortly going to try to reconcile the very different Senate and House bills—the Senate having voted for an abrasive attempt to enforce American law on other countries, the House having written a more restrained bill that is also more likely to be effective.

William A. Root was the State Department's expert on this subject until last fall, when he resigned in protest against the ad-

ministration's current methods. In testimony before a Senate committee last week he observed that, by the pragmatic test of getting results, American arm-twisting and a rigid insistence on American policies have been a failure. "For example," Mr. Root said, "we could have had strengthened controls on computers and on oil and gas items by now if we had given a priority to give-and-take negotiations rather than to efforts simply to persuade our allies to adopt our original proposals."

There have certainly been lapses in the embargo. A few days ago the federal government here brought criminal charges against a Swedish company for having sold American-made radar equipment to the Soviets in the late 1970s in violation of the export license. The prosecution is entirely proper. The radar is the kind of gear that ought to be sold only under licenses, and licenses need to be enforced. It might be noted that the Swedish government recognizes the need for these controls and has been providing valuable help in enforcing them.

But the administration weakens the whole structure of surveillance and enforcement when it tries to apply to rules increasingly broadly to wide ranges of goods used in the civilian economy and to technology commonly available in the industrial world. That's where the quarrels with the other governments start. The Defense Department in particular has been pushing, with some success, for definitions of strategic technology that include increasingly common commercial electronic products. But as the government expands the numbers of export licenses required, the attention given to each license will inevitably decline. As it tries to put pressure on other countries to enforce rules that they regard as impractical, it will get less help in enforcing those rules that are well justified. ●

THE 1982 BOULDER CASE

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. EDWARDS of California. Mr. Speaker, in the 1982 Boulder case, the Supreme Court ruled that any municipal action not authorized by a State policy which explicitly substituted regulation in the place of competition may be challenged under the Federal antitrust laws. With this decision, dark cloud of uncertainty descended over local governments and cast a deep shadow over the validity of almost every municipal action, including those actions which are clearly legitimate governmental functions are necessary for the well-being of the public.

On March 29, 1984, the Judiciary Committee's Subcommittee on Monopolies and Commercial Law held a hearing to look at the impact on local governments since Boulder. All of the witnesses endorsed the need for a congressional solution to this serious matter. Especially eloquent and impressive were the witnesses representing local governments—Robert J. Logan, city attorney of San Jose, Calif.; George Latimer, mayor of St.

Paul, Minn.; and Peter Shapiro, county executive of Essex County, N.J.—as they described the problems and the lawsuits they have labored under since Boulder and which are increasing every day.

I and other members of the subcommittee keenly understand the problems. I believe, and others with me, that local governments when exercising their governmental functions should be beyond the reach of the antitrust laws. Other laws exist under which improper conduct by local governments can be reached. Having previously introduced a bill to deal with Boulder, I know the drafting challenge is a difficult one, but it is a challenge that the subcommittee is determined to meet. We are committed to removing the dark cloud of Boulder by enacting a legislative solution during this session of Congress. ●

POLITICS AND POWER IN HONDURAS

HON. JAMES M. JEFFORDS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. JEFFORDS. Mr. Speaker, last fall a six-member delegation of private citizens visited Honduras to investigate conditions in that country some 2 years after the 1981 elections. I have read its report, and have found it very informative. I commend it to my colleagues' attention:

PREFACE

From October 16-22, 1983, a six-member delegation visited Honduras to examine the development of democratic institutions and assess the current human rights situation in that country. The mission was co-sponsored by the Washington Office on Latin America (WOLA), Americas Watch and the Lawyers Committee for International Human Rights. The members of the delegation were: Leyda Barbieri, a WOLA staff associate; David Wilson, legislative assistant to Congressman James Jeffords (R-Vt); Professor William Crotty, Department of Political Science, Northwestern University; Professor Drew S. Days, III, Yale Law School, and former Assistant Attorney General of the United States; Juan E. Mendez, Director of the Washington Office of Americas Watch; and Michael A. Posner, Executive Director, the Lawyers Committee for International Human Rights. Ms. Barbieri, Mr. Wilson and Professor Crotty had visited Honduras in November, 1981 to observe the country's first national elections in a decade.

While in Honduras the delegation met with a number of officials of the Government of Honduras including Foreign Minister Edgardo Paz Barnica, the First Lady, Mrs. Aida de Suazo Cordova, and Minister of Justice Oscar Mejia Arellano. The delegation also met with Lic. Cisnes Reyes a member of the Supreme Court of Honduras; Oswaldo Ramos Soto, Rector of the National University and Efraim Bu Giron, President of the Honduras Congress. Despite repeated efforts to meet with representatives

of the Honduran military, including General Gustavo Alvarez Martinez, chief of the Armed Forces, Colonel Daniel Bali Castillo, the director of the Public Security Forces (FUSEP) and Major Juan Blas Salazar, director of the National Department of Investigations (DNI), the delegates were denied appointments with these officials.

During their visit, the delegation met with leaders of representatives of a broad spectrum of viewpoints in Honduras. The delegation met with members of the National Congress, labor union officials, journalists, economists, business people, church officials, political prisoners, lawyers (including leaders of the Bar Association), doctors, university officers, leaders of women's organizations and representatives of domestic human rights organizations.

The delegation met several times with officials in the Embassy of the United States, including the Deputy Chief of Mission, Mr. Shepard Lowman, as well as with representatives of the Office of the United Nations High Commissioner for Refugees and international private voluntary organizations.

The conclusions below are drawn from interviews with these individuals, as well as from other research.

INTRODUCTION

Since the election of a civilian government in November 1981, there have been some positive signs in the development of democracy in Honduras. During our stay in their country, all Hondurans we spoke with expressed support for strengthening democracy in their country. Many of them are working to improve conditions in their country, sometimes under extremely difficult conditions. This commitment is extremely important given that democracy is a process, not something that can be achieved overnight in any country. It is a process that requires commitment, understanding and hard work.

However, the delegation was also extremely alarmed by many problems facing Honduras in its development of democracy. There is a growing military focus in Honduran politics and a clear question has arisen as to who is in charge of the Honduran government—the elected civilians or the military. The Honduran government has pursued a major build-up of its military, augmented by a large influx of U.S. forces.

The "doctrine of national security" is commonly invoked to justify practices that are clearly not compatible with the goal of democracy. These actions include the justification of government decisions and actions in terms of military necessity, repression of views critical of the government, and the violation of human rights through illegal imprisonment, torture and possibly murder. Such human rights violations are relatively new to Honduras and occur less frequently there than in neighboring countries. However, they have had a profound effect on the faith of many Hondurans in governmental institutions. While it is difficult to determine whether human rights violations are a systematic element of government policy, it is clear that there has been little or no effort to stop them.

In addition, a significant effect of these changes has been an increasing ideological polarization in the country. Critics of government policies are commonly labeled "Subversives" or Sandinista sympathizers. This state of affairs poses a serious danger to democracy in Honduras.

Such developments also may signal the end of Honduras' isolation from the violence and turmoil of its neighbors. The United States has made Honduras an important

part of its strategy in Central America, a development that puzzles many Hondurans and brings added responsibility on the part of the United States for domestic developments. U.S. policies, arranged and implemented with little participation from the Honduran Congress, have enhanced the influence of the Honduran military, reinforced the government's growing preoccupation with the "doctrine of national security," and contributed to the polarization of political debate.

Perhaps most disturbing about the level of U.S. influence in Honduras is that it could be used positively, yet it is not. Through its silence, the U.S. has condoned the Honduran government's efforts to label dissenters as threats to national security. Publicly, the State Department has largely ignored reports of disappearances, arbitrary arrest and torture. Privately, these reports have been dismissed as unsubstantiated.

This posture reinforces the prevailing response by Honduran authorities to these abuses. Backed by such tacit support, Honduran military leaders continue to perpetrate arbitrary arrests and disappearances, and civilian authorities fail to conduct meaningful investigations of these episodes.

BACKGROUND

By virtually any standard, Honduras is an extremely poor country. The per capita income in Honduras, \$640 a year is the second-lowest in the Western Hemisphere. In 1982, Honduras' economy experienced a negative "growth" rate of 1.5 percent. The country also faces extremely high levels of infant mortality, malnutrition and illiteracy (around 50%), all among the highest in this hemisphere.

The economic structure that exists is built largely on exports of bananas and coffee. Economic links to the United States are strong: in 1980 U.S. private direct investment in Honduras was estimated at about \$200 million. This investment is predominantly in agriculture (bananas and sugar), petroleum refining, fishing, meat packing and some banking.

Aid from the United States government also plays a significant role in the Honduran economy. In fiscal year 1983, U.S. assistance to Honduras was \$134 million, \$37 million of which was military aid. These figures represent a tripling over the last two years. Since 1962, the U.S. Agency for International Development has provided over \$500 million to Honduras, making it one of the largest AID programs in Latin America.

Political institutions in Honduras suffer from a historical pattern of instability. Since 1824, there have been 124 changes of power. Most recently, presidential elections were held in November 1981, ending ten years of direct military rule. These elections took place as Honduras sought both to deal with its serious economic problems and, at the same time, to avoid the turmoil and violence of its neighbors.

In contrast to the other nations of Central America, the political history of Honduras is largely nonviolent. While there have been frequent changes in regimes, these transitions have been relatively peaceful. Honduras has never been dominated by a dictatorial ruling family comparable to the Somoza dynasty in Nicaragua. It lacks the rigid class structure and vast disparities in wealth that have characterized El Salvador, and it is not divided by the racial animosities that have plagued Guatemala. Perhaps for these reasons, Honduras has not experienced the presence of opposition groups with a strategy of armed struggle.

However, in recent years, Honduras has become increasingly affected by and drawn into the crisis that now affects all of Central America. The presence of more than 30,000 refugees in Honduras from Guatemala, Nicaragua and El Salvador is one obvious manifestation of this crisis and its regional implications. Increasing concerns about threats to the security of Honduras—whether justified or not—have had far-reaching effects on social, political and economic conditions in the country. Many Hondurans, as well as U.S. policy-makers, make constant reference to the "doctrine of national security" that now dominates government decision-making across a broad range of issues.

THE DISTRIBUTION OF POWER

Under the Honduran constitution, there are three branches of government: the executive branch, the unicameral Congress, and the judicial system. In theory, each serves as an independent governmental authority and as a check on the others. In practice, there appears to be little in the way of effective separation of powers in Honduras. Several institutional factors have rendered the Congress and the courts subordinate to both the executive branch and to the military.

First, the Liberal party, which swept to victory in the 1981 election, controls the Congress and the presidency. Single party rule has been strengthened by the fact that the Congress is empowered to appoint all of the justices of the Supreme Court. As a result, the nine-member Court is made up of six Liberals and one justice from each of the National, the Christian Democratic and the Innovation and Unity (PINU) parties. The Supreme Court, in turn, appoints members of all of Honduras' lower courts. More importantly, the lower court judges can be removed at will by the Supreme Court, and in turn, Supreme Court justices are replaced with every change of government.

The lack of life tenure and the political nature of the appointments process has a profound and debilitating effect on the independence of Honduras' judiciary. As a result, the Court system is largely ineffectual as a check on the other branches of government, particularly in cases where the armed forces are accused of violating the human rights of Honduran citizens.

The authority and power of the judicial branch suffers from the lack of an established tradition of judicial independence or activism. One Honduran official described the reactions of disbelief in his country as they watched the Watergate proceedings unfold in the United States. Hondurans could not comprehend how the executive branch could ever allow itself to be brought under such close scrutiny by the courts.

THE CRIMINAL JUSTICE SYSTEM

Elsewhere in this report we have noted the paucity of government efforts to investigate human rights abuses and prosecute those who are responsible. (See Chapter II, *infra*.) While the dominance of the Honduran military over other branches of government and its lack of resolve to have cases prosecuted are, in large measure, responsible for this pattern, another contributing factor is the antiquated nature of substantive and procedural laws governing criminal justice in Honduras. We were told that the Honduran Penal Code and Code of Criminal Procedure are so out-of-date that they have rendered the criminal justice system completely ineffective in dealing with common offenses, let alone more sensitive cases with political implications.

It appears that these problems may contribute to the growing pattern of military abuses, as well as the failure to prosecute these actions. Members of the security forces, we were told, have grown increasingly frustrated as criminals they have captured soon walk the streets again because of legal technicalities. The courts are so burdened with cases that judges tend to move forward only on cases where an aggrieved party promotes the prosecution (in Honduras, as in all other Latin American countries, prosecutors play a very passive role, and are involved only after the investigatory stage is completed). Unwilling to let the criminal justice system run its usual course, security forces have resorted to extra-legal methods of handling persons suspected of subversion or other offenses.

Limited court resources exacerbate problems posed by antiquated laws. For example, Honduran law does not contemplate the introduction of evidence obtained through modern scientific techniques such as fingerprinting and ballistics tests. While such evidence can be introduced through the testimony of an expert witness, either at the judge's initiative or by request of any of the parties, this seldom happens. Operating on shoestring budgets and overburdened with cases, Honduran courts lack professional staff who could assist in these matters.

Efforts are now underway to address some of these problems. The Honduran Congress has recently approved a preliminary draft of a new Penal Code, and has initiated the process of amending the procedural code as well. The United States Government has invited North American jurists to submit comments on proposed changes to these codes.

We welcome these efforts to modernize Honduran statutes relating to criminal justice. But statutory changes must be backed by a political will to upgrade the judiciary and encourage its members to freely exercise the independence they now possess in theory only. The administration of Mr. Suazo Cordova would make an important contribution to democracy if it enabled Honduran courts to use their powers creatively and forcefully to pursue investigations of all forms of criminal behavior, while providing all the guarantees of due process contained in the Honduran Constitution and mandated by international law. An important step in this direction would be the allocation of adequate funding to the courts, while ensuring all judicial appointees of their permanence in office as long as they perform their duties in a legal and honorable fashion.

THE CONGRESS

The Honduran Congress also labors under institutional impediments that sharply curtail its ability to serve as a strong force in the government. On many important issues the Congress now serves as little more than a rubber stamp for executive decisions. For example, the Congress technically is empowered to enact the national budget. Yet, because its members have no staffs, the Congress has come to rely almost totally on information provided to it by the executive branch. Those in Congress who request additional budget information have been accused by prominent government officials of trying to "destabilize" the government.

As an example of Congress' weakness, critics of the government point to the handling of the agreement between Honduras and the United States to train Salvadoran troops at a Regional Military Training Center. Despite a strong Liberal majority in the Congress which undoubtedly would

have ratified the plan, President Suazo presented the agreement as a *fait accompli*. It appears that these kinds of developments, have helped to cause a major split in the ranks of the Liberal party, forcing a cabinet member to resign, and a group of eight Congressmen to form a dissident caucus.

While these incidents may not have resulted in major shifts in policy for Honduras, they suggest a disturbing trend. As the country declares its intention to develop democratic institutions and procedures, laws and constitutional procedures are not being followed. It is not adequate, each time a crisis arises, for the government to justify extraordinary actions on national security grounds. If this approach continues, the rule of law and the system of civilian authority will have no meaning.

POLITICAL POLARIZATION

The "doctrine of national security" and references to a situation of crisis have come to dominate Honduran politics. They are used to justify the presence of U.S. forces in Honduras, the build-up of the Honduran military, the suppression of dissent, and violations of human rights. Those who disagree with government policy have been labelled "subversives" or as being sympathetic to Nicaragua. For example, the Honduran government recently announced the "postponement" of an \$8 million literacy program because of budget constraints. Those who criticized this action as an indication of misguided priorities were described in the press by government officials as trying to destabilize the government.

The tragic irony in this situation is that democratic principles are being abridged and democratic institutions are being seriously compromised in the name of saving democracy.

Regardless of their attitudes about U.S. military presence, many Hondurans seem to share a sense of disillusionment about the results of the 1981 election. Almost without exception, they viewed those elections as an opportunity to establish a civilian government composed of competent leaders who would address the serious social and economic problems facing the country. What they see instead is a system similar to what they had in the past; a system dominated by a military that is increasingly preoccupied with national security issues and at the same time less and less responsive to the needs and desires of the Honduran people.●

CONTINUED THREATS TO NATION'S GROUND WATER MUST BE ABATED

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. FLORIO. Mr. Speaker, I was alarmed to read recent press accounts, such as the article that follows, concerning the potential saltwater contamination of six major aquifers in my home State of New Jersey. Apparently, continual pumping of these ground water supplies has lowered their water levels below sea level, and the aquifers are now endangered by excessive chloride contamination.

This crisis, the most recent in a series of disturbing incidents involving

New Jersey and other States' ground water supplies, illustrates the pressing need for the Federal Ground Water Commission which would be established under the Resource Conservation and Recovery Act amendments (H.R. 2867) recently adopted by the House. I am hopeful that the Senate will pass similar legislation in the near future and I urge my colleagues to support this important bill when it comes back from conference.

The article follows:

SALTWATER PERILS AQUIFERS

(By Bruce Bailey)

Six major aquifers in New Jersey are threatened by saltwater contamination because pumping has lowered their water levels below sea level, according to a joint federal and state study.

The aquifers where saltwater intrusion has been found are located in areas of Middlesex, Monmouth, Ocean, Atlantic, Cape May, Salem and Gloucester counties as reflected in a recent study by the state Department of Environmental Protection (DEP) and the Geological Survey of the U.S. Department of the Interior.

Frederick L. Schaefer, a member of the federal survey and author of the report, said water contamination in three areas began more than 40 years ago but has become more extensive in the last few years.

Schaefer said the underground water-bearing units involved are the Sayreville area in Middlesex County, Cape May City in Cape May County and areas along the Delaware River in Salem and Gloucester counties.

"Salt levels, expressed as chloride concentrations, exceeded several hundred milligrams per liter in some well samples," Schaefer said. "Many wells have been abandoned because of high salt levels and some wells still in use yield chloride concentrations that approach 250 milligrams per liter, a maximum potable water limit."

Since the mid-1960s, according to Schaefer, salt-water has intruded into aquifers at Keyport and Union Beach in Monmouth County, Point Pleasant Beach and Seaside Heights in Ocean County, Somers Point in Atlantic County and Salem City in Salem County.

"At these locations," Schaefer said, "increases in chlorides to date have been localized and have affected only pumping wells near saltwater bays, estuaries or the Atlantic Ocean."

Schaefer said well fields have been abandoned at Keyport and Union Beach and the use of well water at Somers Point and Salem City has been reduced.

Schaefer said the joint state-federal study is part of a continuing surveillance by the DEP and the Geological Survey and was prepared during a five-year period beginning in 1977.

More than 900 samples were taken from a network of 430 wells and analyzed for chloride content, Schaefer said.

"The data was then compared with historical chloride data for the specific areas, and the resulting analysis of trends delineated areas in the Coastal Plain where saltwater has intruded into aquifers," Schaefer said.

Copies of the full report, Schaefer said, are available for inspection at the Geological Survey offices at the Federal Building on East State Street in Trenton.●

BEEF AGREEMENT A STEP
AHEAD

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. BEREUTER. Mr. Speaker, I would like to call to the attention of my colleagues an editorial which appeared yesterday in the Omaha World Herald concerning the recent agreement by the Japanese Government to raise its import quota of American beef. For Nebraska, one of our Nation's largest beef producing States, the agreement is a modest, but positive, step toward expanding the Japanese market for American beef.

Today, Japan is the largest foreign purchaser of American beef. However, the strong demand by Japanese consumers for more beef indicates an even greater potential market for America's beef producers. The United States is the only country in the world which can provide the Japanese with large quantities of high-quality beef at an affordable price.

The new agreement between the Japanese and the United States is a step in the right direction. However, the quota could still be considerably relaxed without the Japanese jeopardizing their own beef industry. A higher quota, or preferably the elimination of the quota altogether, would at least help a bit to reduce the trade deficit between the United States and Japan. Unfortunately, the existing quota not only denies American beef producers access of a large and lucrative market for their product. It also denies the Japanese consumers of nutritious and inexpensive beef.

[From the Omaha World-Herald, Apr. 10, 1984]

BEEF AGREEMENT A STEP AHEAD

Japan's willingness to buy more American beef and other agricultural . . . although modest, start. It also is important symbolically in trade relations between the two countries.

If the agreement hadn't been reached, the Reagan administration was ready to impose retaliatory measures to restrict American imports of Japanese products. That could have touched off a trade war that could have injured both sides.

The pact will guarantee U.S. cattlemen a minimum of \$300 million in increased sales over the next four years, bringing total beef sales to Japan during that period to \$900 million.

That isn't much in the international marketplace. Because per capita beef consumption in the United States is off, producers are seeking new markets.

Quotas on high-quality beef will increase by 6,900 metric tons a year for the next four years. At the end of the four years, the quota will stand at 58,400 metric tons. A metric ton is 2,204 pounds.

American producers also will be permitted to sell more milk, cream, jams, vegetable juices, ketchup and marmalade to Japan.

Japan increased quotas of oranges coming from the United States and eased restrictions on orange and grapefruit juices.

The beef quota increase was protested by Japanese farmers. This . . . cause Japan's Prime Minister Yasuhiro Nakasone, like President Reagan, is up for re-election this fall.

Nakasone, who barely survived recent parliamentary elections, is seeking another term as head of the ruling Liberal Democratic Party. He must retain this position to continue as prime minister.

Japan acted quickly to quite its farmers by starting action on a program to increase government subsidies to beef producers.

Roger Berghund, vice president of the National Cattlemen's Association, said that the beef pact represents progress. But, he said, cattlemen are disappointed that the quotas were not higher.

That disappointment is understandable. But the market had been expended, and that is favorable.

The United States is expected to record a trade deficit of more than \$100 billion this year.

In February alone, the difference between Japanese imports to the United States and U.S. sales to Japan was \$2.43 billion. The advantage went heavily to Tokyo.

This lopsided trading edge can't be maintained forever. Japan must continue to remove markets restrictions on American goods until a better balance is achieved. ●

IS A FAIR HOUSING LAW A
FORGOTTEN DREAM?

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. EDWARDS of California. Mr. Speaker, I want to call to the attention of my colleagues an excellent article written by our former colleague, Robert Drinan. The article, which appears in the April 7, 1984, issue of America magazine, is entitled, "Is a Fair Housing Law a Forgotten Dream?"

The article examines the inadequacies of the 1968 Fair Housing Act and the need for Congress to enact legislation to provide better enforcement mechanisms for Federal fair housing laws. I am sure that my colleagues will find much food for thought in Father Drinan's insightful words.

The article follows:

IS A FAIR HOUSING LAW A FORGOTTEN DREAM?

(By Robert F. Drinan)

As the struggle to attain racially balanced schools and to make the working place multiracial continues, little is heard these days of the dream that always went with these two objectives—the creation of racially integrated neighborhoods. The Congress will have bills before it in 1984 to strengthen existing fair housing laws, but any action in this area seems unlikely.

The Civil Rights Act of 1964 created the Federal machinery to desegregate the schools by establishing a new civil rights office in the Department of Health, Education and Welfare (H.E.W.). Similarly, the civil rights law sought to integrate employment by the creation of the Equal Employ-

ment Opportunity Commission (E.E.O.C.). Unfortunately, the far-reaching fair housing bill that passed the House in 1965 was sidetracked by a filibuster in the Senate. If a unit had been created within the Department of Housing and Urban Development (H.U.D.) to enforce a fair housing law, the shape of urban America might have been very different today. But the Fair Housing Law of 1968 was too weak to have the needed impact. A new and tough law is required. Indeed it may well be that the goals of racially mixed schools and an integrated work force may not be attainable until blacks and poor whites can acquire decent housing in the places they desire to live.

GOVERNMENT COMPLICITY

The history of segregated schools and the massive exclusion of black workers from jobs is well known and is remembered with pain. But the same official policy kept blacks out of white neighborhoods until the 1960's. Federal policies, as spelled out in Federal manuals, banned up until the 1960's the "infiltration of inharmonious racial or nationality groups" into all-white communities. Until at least 1948, Federal housing policies contained an explicit endorsement of racism. Those policies eased a bit after the Supreme Court in 1948 forbade the enforcement of racially restrictive covenants. But until the 1960's the Federal Government never banned even one builder or developer from participating in Federal Housing Administration (F.H.A.) or Veterans Administration (V.A.) programs. The Federal Government never acted against real estate brokers who, by blockbusting and steering, helped to bring about the present patchwork of black and white neighborhoods.

In the Presidential campaign of 1960, when Federally subsidized discrimination in housing emerged as an issue, candidate John F. Kennedy stated that if elected he would sign an executive order to ban Federally subsidized discrimination in housing with a "stroke of the pen." That order finally came—two years into the Kennedy Presidency. The order was narrowly construed so that it applied only to Federally assisted housing contracted for after the date of the order. The Federal agencies that supervised most of the mortgage lenders were excluded from the order at the last moment. The order covered less than 1 percent of the then existing inventory of housing and 15 percent of the new construction. The order had little impact on the patterns of segregated housing built up with the consent, if not the blessing, of the Federal Government over a period of several decades.

The existence of President Kennedy's executive order was used by the realtors and by others to keep housing out of the 1964 Civil Rights Act. As already noted, a fair housing measure failed in 1965.

In 1968, after the assassination of Martin Luther King Jr., Congress returned to its unfinished business in housing and enacted Title VIII, which contained a broad prohibition against discrimination in private and public housing. In June 1968 the Supreme Court in Jones v. Mayer ruled that the Reconstruction Civil Rights Act of 1866 was broad enough to provide black citizens with redress against private as well as governmental discrimination in housing transactions.

But the Fair Housing Act of 1968 was weaker than the measures Congress had provided for education, employment and voting. The housing bill failed to provide any adequate enforcement mechanism.

H.U.D. could receive, investigate and conciliate complaints of housing discrimination, but it lacked the power to issue cease-and-desist orders or to order a remedy. The enforcement was also inadequate. Incredible as it sounds, no regulations were issued until 1972, and these were so inadequate that it must be said that the only meaningful regulations for the 1968 law were issued by the Carter Administration in 1980—only to be withdrawn in the early days of the Reagan Administration.

Federal officials understood how intense the suburban resistance would be to the enforcement of a fair housing law. In 1971 President Nixon uttered these ambiguous and troubling words: "Whether rightly or wrongly, as they view the social conditions of urban slum life, many residents of the outlying areas are fearful that moving large numbers of persons—of whatever race—from the slums to their communities would bring a contagion of crime, violence, drugs and the other conditions from which so many of those who are trapped in the slums themselves want to escape."

In the years from 1969 through 1978 the Justice Department, using its power under the 1968 law to bring action against patterns of racial discrimination, initiated an average of 32 cases per year—striking at practices involving blockbusting, steering and discriminatory rental policies. The Justice Department sought to break patterns of segregation in housing and thereby to eliminate segregated schools.

In 1980 Congress returned to the inadequacies of the Federal fair housing laws. A bill (H.R. 5200) sponsored by Congressman Don Edwards (D., Calif.) and me passed the House, but in December 1980 (after the election had changed the leadership of the Senate) it fell five votes short of the needed 60 to end a filibuster mounted by senators who opposed some of the reforms in the Edwards-Drinan bill and who wanted to require proof of intent rather than the current effects test.

The Reagan Administration failed to propose any fair housing bill until late 1983, when the White House proposed a measure too weak even for acceptance by a coalition of Republicans anxious to eliminate the weaknesses in the 1968 Fair Housing Law.

CAN A FAIR HOUSING BILL WORK?

The nation can look back at the past 20 years and claim with some pride that real advancements for minorities have been made in education, voting and employment. Indeed some of these advancements are almost spectacular, as for example, the dramatic banning of all those shameful forms of discrimination in voting that had permeated Southern elections for decades. A combination of a clear legal mandate and vigorous enforcement brought about a revolution in these areas.

Why has the progress been so slow in housing? The answer to that question sometimes seems more difficult as time goes on. The question of who is to live next door involves a deeper range of emotions than who is to be in one's child's classroom or who will work in the next office. Notions of private property and freedom of choice run deep when people contemplate any development that they fear might jeopardize the value of their homes or the privacy of their lives. As a candidate in 1976, Jimmy Carter reflected this fear when he said, "I have nothing against a community . . . trying to maintain the ethnic purity of their neighborhood." Candidate Carter later apologized for the use of the term "ethnic purity," but added

that he would not "arbitrarily use Federal force to change neighborhood patterns."

Other misunderstandings permeate the emotional issues of blacks moving into a predominantly white community. Will property values decrease? Will the area "tip" if one-fifth or one-fourth of the community becomes black? There is no evidence that these fears are any more difficult to deal with than comparable fears in the areas of education and employment. If the fair housing law that passed the House in 1965 had cleared the Senate and received the conscientious enforcement given to the Civil Rights Act of 1964 and the Voting Rights Act of 1965, would there now be many truly interracial communities throughout the country rather than the checkerboard pattern that exists almost everywhere? One cannot be entirely certain, but the answer is probably yes. In any event, the Congress cannot leave a major right like housing without strong Federal protection and guarantees. It may be indeed that the failure to enact measures to guarantee open housing will in the end make integration in schools and jobs impossible to attain.

The availability of low-income housing is, of course, a central issue in the whole question of the enforcement of fair housing laws. If affordable housing is not available, the most sophisticated procedures to prevent discrimination against would-be minority purchasers are of no use. In 1982, H.U.D. estimated that more than 18 million families need housing assistance of some kind. With the slashes proposed by the Administration in Federal assistance to low-income people, that number may grow.

A Presidential commission on housing reported in 1982 that the existing supply of housing is adequate but that the poor cannot afford to rent. That conclusion has been widely attacked by experts in the housing industry and by observers in the civil rights community. Civil rights specialists also see that low- and middle-income blacks are in effect prevented from acquiring property that they can afford because realtors engage in discriminatory practices knowing that the Federal Government will not prosecute.

An excellent treatment of many of these issues can be found in a 116-page study issued recently by former members of the U.S. Commission on Civil Rights now "in exile." Chaired by former Secretary of H.E.W. Arthur S. Flemming, the Citizens' Commission on Civil Rights documents how the Reagan Administration made a weak fair housing law even weaker. The document shows in addition how drastic cutback in subsidies for housing for the poor will make existing patterns of segregated housing even more difficult to rectify.

Shortly after the enactment of the weak fair housing bill in 1968, a national consensus emerged as to what the Government should do to improve Federal fair housing laws and their enforcement. There has been little dispute as to the elements needed for a strong fair housing law that will do for housing what Federal laws have done for education, voting and employment. Those elements were contained in the bill that passed the House in 1980 but failed in the Senate.

Early in 1981 civil rights advocates tried to persuade the Reagan Administration to go to Congress and obtain the enactment of that bill. The Administration refused. After almost three years of delay the Administration finally filed a bill that unfortunately had no constituency and that was virtually dead on arrival.

The fundamental measures that should be added to existing fair housing laws include the following:

1. Victims of housing discrimination should be able to secure relief without the necessity of filing a private lawsuit. This was provided for in H.R. 5200 by authorizing an administrative law judge with H.U.D. to sit in judgment on the allegation of the person denied a dwelling.

2. Injunctive relief should be provided to prevent the house or apartment being taken off the market before the complaint is adjudicated.

3. Protection should be extended to handicapped persons, to families with children and to single persons with or without children.

4. Reasonable attorney and expert witness fees should be available to the prevailing party.

5. Existing court decisions prohibiting racial redlining and discriminatory property insurance practices should be codified into statutory law.

Even if, however, all of these measures were enacted into law and enforced vigorously, discrimination in housing in many forms would probably continue. The practice of racial and ethnic groups being kept out of white communities is widespread and pervasive in the United States. It is one of the major reasons why busing is necessary to guarantee racially balanced schools. It is one of the principal reasons for interracial tensions and ethnic misunderstandings. It is certain that law alone cannot alter the way of life in cities where ethnic groups have lived in different areas for decades. But law can challenge and to some extent curb a practice that can have no foundation other than bigotry or at least ignorance. Law is a powerful force that teaches and gradually alters attitudes. Law has certainly had an amazing impact on the way Americans think about blacks in schools and factories. A fair housing law—enforced by continuous explanation, exhortation and counseling—would ease the anxieties and apprehensions of those who have never lived in any residential community that was not almost totally white. After these apprehensions have been softened, these individuals would be prepared to say that it is fundamentally unfair for white America to tell black people that they can have a right to have a job in a white factory and that their children can go to a predominantly white school, but that they themselves have no right to live in a neighborhood simply because no blacks have ever resided there.

Residential segregation is probably at the heart of every other form of segregation in the United States. It is harmful and costly. Unlike most major forms of racial discrimination, it is not forbidden by a law with strict civil and criminal penalties. The time has long since come for religious and civil rights groups to demand that segregated housing be dismantled and that racially integrated neighborhoods be created. ●

CONSERVATION SERVICE
REFORM ACT OF 1984

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. OTTINGER. Mr. Speaker, today I am introducing the Conservation Service Reform Act of 1984. This bill proposes changes aimed at providing increased flexibility to utilities and States under the residential conservation service (RCS) and the commercial and apartment conservation service (CACS) programs administered by the Department of Energy.

More than a decade after the Arab oil embargo, the potential for cost-effective energy savings in our Nation's housing stock remains enormous. A recent study by the Congressional Research Service entitled "Residential Energy Conservation: How Far Have We Progressed and How Much Further Can We Go?" concludes that "the residential energy reductions that have been achieved to date are only a fraction of what can be accomplished." The report concludes that the Nation could have used 28 to 38 percent less residential energy than it did in 1981 if cost-effective conservation improvements had been made and appliances had been replaced with the most efficient cost-effective models. That saving is on the order of 2 to 3 million barrels of oil equivalent per day, an estimated savings of \$25 billion to \$35 billion per year in reduced energy bills to the Nation's residents. Instead of capturing those savings, the CRS report discovered, the residential energy savings that were achieved between 1973 and 1981 were roughly equivalent to every household setting its thermostat back 5 degrees, but doing nothing else.

The legislation I am introducing is intended to give States and utilities the tools to tap the potential energy savings.

This bill was drafted following hearings before the Energy Conservation and Power Subcommittee on September 26, 1983, on the RCS and CACS programs. I have also consulted extensively in the drafting of this bill with utilities, States, consumers, small businesses and members of the subcommittee.

The RCS program was created by the National Energy Conservation Policy Act of 1978. It requires large electric and gas utilities to offer home energy inspections, known as audits, to their residential customers and to recommend improvements that reduce energy use in the home. The CACS program, established by the Energy Security Act of 1980, requires utilities to offer energy audits to small commercial establishments and to multi-

EXTENSIONS OF REMARKS

family buildings that are centrally heated or cooled.

This bill would provide a framework within which States and utilities could design their own residential and commercial building energy conservation programs. The bill would permit States and utilities to fulfill the requirements of the law by offering a variety of energy conservation programs in place of, or in addition to, audits. In the past few years, numerous innovative energy conservation programs have been developed by utilities, States, and community groups. These range from financing programs to appliance rebates to the installation of low-cost, leak-plugging items. Some utilities have started to put a monetary value on energy conservation by paying contractors for the value of the energy saved in customers' homes after the improvements have been made. This legislation is intended to encourage innovative programs in this area and thus does not restrict the types of approaches that may be used to any one method.

Under the bill, a State may develop an alternative plan that will exempt its utilities from the requirements of the RCS program. A similar provision provides for alternative plans under the CACS program.

The alternative plan must:

Be implemented by regulated utilities, a State agency, or a combination of both,

Provide energy conservation programs that will reach 5 percent of the eligible residential buildings in the State. This number is calculated based on those buildings that have not already received a conservation benefit under the RCS program, the Alternative Plan or similar State programs,

Provide energy conservation programs that will reduce energy use in participants' homes by 10 percent annually on average,

Assure that the programs provide benefits to low- and moderate-income individuals as well as other individuals.

The bill requires that the Governor of a State choosing to adopt an Alternative Plan hold a public hearing in the State before certifying to the Department of Energy that the State will adopt such a plan.

The bill also provides an opportunity for regulated and nonregulated utilities to adopt an Alternative Plan.

The experience with the RCS program has been enormously varied, ranging from participation rates among utilities of as high as 22 percent, when coupled with financial incentives to customers to install conservation measures, to less than one percent. While the RCS program continues to be an attractive program for many States and utilities, others believe that alternative conservation programs will be more effective in spurring interest among customers and in

producing energy savings. This legislation offers utilities and States the opportunity to carry out a variety of approaches.

A summary of the bill follows:

SUMMARY OF CONSERVATION SERVICE REFORM
ACT OF 1984

The major amendments proposed in the draft follows:

TITLE I—RESIDENTIAL CONSERVATION SERVICE

Extension of announcement date

(1) The bill would extend the last date required for issuing program announcements to utility customers from January 1, 1985 to January 1, 1990.

Elimination of arranging and listing requirements

(2) The bill would eliminate the requirements that covered utilities arrange for the installation and financing of conservation measures and provide a list of suppliers, contractors and financial institutions to residential customers. (However the bill does not prohibit such activities by a utility).

Temporary programs

(3) The Secretary of Energy must approve or disapprove any pending applications for Temporary Programs no later than 30 days after enactment. If the Secretary takes no action within 30 days, the Temporary Program shall be deemed approved.

Alternative State plan

(4) The bill creates an "Alternative Plan" exemption from the requirements of the RCS program.

a. A Governor of any state or any state agency authorized under state law may certify to the Department of Energy that the state will carry out an Alternative Plan.

b. The Governor or appropriate state agency shall hold a public hearing on the Alternative Plan with opportunity for oral comments before certification.

c. The Governor may make his certification as soon as DOE has prescribed a form for such certification or, if no such form is available, as early as 90 days after enactment.

d. The Alternative Plan must include several elements. The Plan shall:

(1) Be implemented by utilities, a state agency or a combination of both.

(2) Result in the dissemination of general energy conservation suggestions to all residential customers of utilities in the state;

(3) Provide specific energy conservation suggestions at the request of residential customers or result in energy conservation improvements to the residents' homes through other programs;

(4) Result in annual participation in the Alternative Program by 5 percent of the residential buildings served by the utilities included in the State plan. In the case of an Alternative Plan carried out by a state agency, without utility participation, the Plan shall result in annual participation in the Program by 5 percent of the residential buildings in the state served by utilities. The percentage shall be calculated each year based on the number of buildings that have not already received benefits under the RCS program, the alternative program or similar state law;

(5) Result in average annual energy consumption reductions of at least 10 percent per household among program participants. The methodology for determining energy consumption reduction shall be determined by the Governor;

(6) Benefit individuals with low or moderate incomes, as well as other individuals;

(7) Contain adequate procedures to assure that, if a public utility supplies or installs residential energy conservation measures, such actions shall be in accordance with Section 216 (which permits utility installation and supply only through independent contractors) and at fair and reasonable prices and rates of interest;

(8) Contain adequate procedures for preventing unfair deceptive or anti-competitive acts or practices;

(9) Be consistent with DOE Rules developed concerning unfair, deceptive or anti-competitive practices.

(10) Contain provisions to assure that any person who alleges injury resulting from inadequate implementation shall be entitled to redress under state law or procedures established by the Governor, or appropriate state agency.

Annual report

(5) The State shall submit an annual report to DOE describing implementation of the Alternative Plan and reporting on the number of buildings reached and energy savings achieved within 60 days after the end of the one-year period to which the report applies. DOE shall compile a summary of such annual reports to be delivered annually to Congress.

Petition rights and judicial proceedings

(6) (a) A resident of any state in which an Alternative Plan has been certified may, after one year, petition DOE to conduct a public hearing to determine if the Alternative State Plan has been adequately implemented.

At the time that such a petition is filed, the State may opt to implement its previously approved RCS plan and thus halt the DOE hearing process.

(b) If the Secretary finds that the program has not been adequately implemented, he shall initiate Federal Standby authority (implementing the regular RCS program) within 90 days after the petition is filed.

(c) If the Secretary does not initiate Federal Standby authority within 90 days, the petitioner may bring the action to U.S. district court to require the Secretary to implement standby authority or require the state to adequately implement the Alternative State Plan.

(d) An individual who prevails in court in an action against the Secretary shall be awarded reasonable attorneys' fees and costs.

Alternative utility plans

(7) In a state which does not have an Alternative Plan, an individual regulated utility may certify that it will carry out an Alternative Program if supported by the Governor.

Nonregulated utilities

(8) A non-regulated utility may be included in a State Alternative Plan only if the Governor has legal authority to include it or the non-regulated utility elects to be included in the state plan. A non-regulated utility may certify to DOE that it will carry out an Alternative Plan if the Governor does not include it in the state plan.

DOE evaluation report

(9) Every 2 years, DOE shall submit a report to the House and Senate Energy Committees comparing actual and predicted energy savings under both the RCS and Alternative Programs and identifying the most successful programs.

Dissemination of information by DOE

(10) The Secretary shall at least annually provide information to states and utilities, including technical assistance and information about the most effective programs.

TITLE II—COMMERCIAL AND APARTMENT CONSERVATION SERVICE

(1) Utilities are prohibited from supplying and installing conservation measures to commercial and multi-family customers, except through independent suppliers and contractors. (This provision is modeled after the prohibition contained in the existing law for the RCS program.)

(2) The bill creates an "Alternative Plan" exemption from the requirements of the CACS program.

(3) The Governor of any state or authorized state agency may certify to DOE that the State will carry out an "Alternative Plan".

(4) The Governor or the appropriate state agency shall hold a public hearing on the Alternative Plan before certification.

Alternative State plan

(5) The Alternative State Plan must meet the following requirements.

a. Be implemented by utilities, a state agency or a combination of both;

b. Result in dissemination of general energy conservation suggestions to all eligible customers of utilities in the state;

c. Provide specific energy conservation suggestions at the request of eligible customers or result in energy conservation improvements through other energy conservation programs;

d. Result in annual participation in the Alternative Program by five percent of the eligible customers of the utilities included in the plan. In the case of an Alternative Plan carried out by a state agency, without utility participation, the Plan shall result in annual participation in the Program by 5 percent of the eligible buildings in the state served by utilities. The percentage shall be calculated each year based on the number of buildings that have not already received benefits under the CACS program, the Alternative Program or similar state law;

e. Result in average annual energy consumption reductions of at least 10 percent in each of the commercial buildings and multifamily dwellings participating in the program;

f. In the case of multi-family dwellings, benefit individuals with low- or moderate-incomes as well as other individuals;

g. Contain adequate procedures for preventing unfair, deceptive or anti-competitive acts or practices.

h. Contain adequate procedures to assure that, if a public utility supplies or installs energy conservation measures, such actions shall be in accordance with Section 713 of the bill (which permits utility installation and supply only through independent contractors) and at fair and reasonable prices and rates of interest;

i. Be consistent with DOE's RCS rules concerning unfair, deceptive or anti-competitive practices;

j. Contain provisions to assure that any person who alleges injury resulting from inadequate implementation shall be entitled to redress under state law or procedures established by the Governor or the appropriate state agency.

(5) Annual report

Same requirements as under the RCS Alternative Plan.

(6) *Petition rights and judicial proceedings*
Same process applies as described under the RCS Alternative Plan.

(7) Alternative utility plans

Same process as described under Title I of bill.

(8) DOE evaluation report

Same as Title I of bill.

(9) Dissemination of information

Same as Title I of bill.

(10) The definition of commercial buildings is amended to include all commercial buildings using less than 29,300 kilowatt hours per month. This is the btu equivalent of the gas use ceiling for commercial buildings covered by the CACS program under current law. The current law covers only those buildings with electric use of less than 4,000 kwh per month.

(11) The bill amends the existing requirement that utilities maintain a report of each audit performed for at least ten years. The bill shortens the requirement to five years. ●

THE REAL ISSUE ON EXPORT CONTROLS

HON. DOUG. BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. BEREUTER. Mr. Speaker, on March 8 the House of Representatives passed the bill to reauthorize the Export Administration Act. As we are beginning conference with the Senate on that important legislation, it is appropriate to consider once again its importance to our economy. Our colleague, the gentleman from Washington (Mr. BONKER) has constructively underlined the need to craft an export control policy that balances national security concerns with our economic needs in a contribution to the April 12, 1984, edition of the Washington Post. I concur with this gentleman that this Nation cannot afford to throw away export opportunities for no appreciable benefit. I commend to you his excellent remarks.

The article follows:

[From the Washington Post, Apr. 12, 1984]

THE REAL RISK IS TO OUR TRADE BALANCE

(By Don Bonker)

While attention is focused on the federal budget deficit, another record-breaking deficit is just as ominous. The trade mercantile deficit for March was \$10.7 billion. It could exceed \$120 billion for 1984.

Protectionism, of course, is not the answer for the long term. Ultimately, the approach will prove counterproductive and could lead to a global economic tailspin.

Our best course is to learn to compete toe-to-toe with our trading partners. Congress must do its part by providing legitimate incentives to U.S. exporters, and by removing the self-imposed barriers that now frustrate them.

The Export Administration Act, which must be reauthorized during this Congress, brings into conflict two policy imperatives—to increase U.S. exports, and to prevent the

export of products or technologies with military applications.

Yet even as Congress is about to complete the revising of our export control program, the Reagan administration has been writing its own script through administrative actions.

In January, the Pentagon greatly expanded its guidelines and the departmental structure involved in the review of export licenses on technology items. The Department of Commerce proposed regulations curtailing the use of omnibus licenses that expedite shipments to free-world countries. Last month, President Reagan endorsed a new program giving the Pentagon review authority on individual export licenses to a dozen free-world nations, and establishing a six-department committee to make further changes in export licensing.

In 1982, the administration set up "Operation Exodus," a cumbersome export control program in the Customs Service funded initially by a Pentagon grant of \$30 million. With the latest White House maneuvers, we now have an expanded Pentagon role, new interagency committees and an endless series of regulations and directives.

This is a shame, since Secretary of Commerce Malcolm Baldrige has improved licensing procedures. Accusations that Commerce has somehow "dropped the ball" in export enforcement are simply unfounded. Even the recent VAX computer diversion case, upon close scrutiny, shows Commerce as cautious and vigilant, contrary to charges leveled by some high-ranking officials. U.S. intelligence simply failed to pick up evidence of a diversion, despite repeated Commerce Department requests for evaluations of the South African buyer.

The use of economic sanctions, futilely, by two presidents upset our closest friends. Possibly we can minimize that problem if "contract sanctity" is preserved in the EAA reauthorization bill.

Our allies are put out by our reach for extraterritorial control, proposed import controls, lack of consultation and overall neglect of their concerns. They are tired of being asked to cooperate on new and extreme U.S. export control proposals, which they see as contributing little to their security or our own.

With the exception of food and raw materials, the most sought after U.S. products abroad are high technology items. That is the future in trade and it happens to be where we have a competitive edge. But that holds true only so long as we can compete on an equal basis. The administration's policies here, if not checked, will impede our export potential.

I do not want to see our technologies contribute to the military capability of adversary nations. But rather than try to control all forms of technology to all destinations, as the administration appears intent on doing, we should concentrate on preventing the transfer of those with significant military applications.

For many high-tech items, the United States is only one of a number of suppliers. Unilateral export controls will only curtail our nation's export opportunities while allowing other nations to carve out lucrative new markets.

With our nation's trade deficit projected to reach \$100 billion this year, we cannot afford to throw away export opportunities. The White House should cooperate with Congress in crafting an export control policy that balances national security concerns with today's economic realities. ●

BILL WOULD ALLOW CLOSER LOOK AT OIL MERGERS

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. FLORIO. Mr. Speaker, I am introducing a bill today that would enable the Government and the public to take a closer, more deliberate look at oil company megamergers before they are approved.

In recent joint hearings conducted by my Commerce Subcommittee and the Subcommittee on Fossil Fuels, we heard troubling testimony about the current wave of multibillion dollar oil company mergers. One of the most troubling themes was the inadequacy of the procedures under which these deals are being considered.

The Federal Trade Commission, the agency that has considered the oil mergers, has had only a few weeks to evaluate the significance of transactions with vast economic consequences and far-flung geographical impact. Divestitures are mandated by the FTC, supposedly to eliminate the adverse competitive impact of a merger. Yet current procedure allows the merger to be approved many months before anyone knows whether the refineries or other assets to be divested will be purchased and maintained as viable competitive businesses.

By that time the merging companies will likely have so integrated their operations that undoing the transaction would be like unscrambling the eggs of an omelette. It may become clear, when it is far too late, that employment, competition, and community life have been irreparably damaged by divestitures that would not work. Moreover, the merger approval that allows the eggs to be scrambled takes place without any subsequent waiting period during which private parties or state attorneys general can evaluate the final arrangements and determine whether they should resort to anti-trust litigation to preserve their rights.

Mr. Speaker, it is time to stop the games of dice and blindman's buff in which the government is allowing a few giant companies to map industrial policy and dictate the future of energy and national security policy for the American people. The bill I have introduced would deal with these problems in a straightforward way.

Currently, a large merger is subject to a waiting period during which the FTC evaluates the merger and decides whether to seek to block it through an administrative proceeding or court action. Under current law, the waiting period can be as short as 10 days from the time the merging companies provide all the information requested by the Commission. If, rather than seek-

ing to block a merger, the FTC proposes to allow it, conditional upon certain divestitures, the FTC negotiates an agreement with the merger parties known as a consent agreement. The proposed agreement is published for 60 days of public comment and then often made final without change, allowing the integration of the companies to take place without any further delay. Subsequently, over a period of many months, attempts are made to sell off the assets the FTC has ordered divested pursuant to the consent agreement.

Under my bill, the FTC would have the discretion to extend the initial waiting period for up to 60 days in the case of any company with sales or assets over \$2 billion. This would create a more realistic time period for initial evaluation of any large merger. The rest of the bill applies only to mergers involving substantial energy reserve holders, defined so as to include roughly the top 50 oil companies. It is with respect to such mergers that our hearings raised the most serious questions about current procedures.

Under the bill, if a consent agreement or court order provides for a divestiture, the agreement or order may not become final until the divestiture is approved. If the divestiture is not approved, the agreement can be rescinded and the FTC can move to block the merger. Thus, the bill insures that instead of approving a merger and hoping the divestitures will work out all right, the approval of the merger is contingent on approval of the divestitures.

Furthermore, the bill provides that until 60 days after final approval of the merger, the merging parties must be held separate—that is, maintained as separate, viable entities. This serves the purpose of insuring that if it is found that the divestitures will not work, the eggs are not scrambled, and the merger can be undone. By continuing the hold separate until 60 days after the approval of the merger, the bill also gives private parties and State attorneys general an opportunity, before it is too late, to evaluate the final arrangements to determine whether they should institute anti-trust litigation to preserve their rights. The bill applies to consent agreements proposed after January 1, 1984.

Let me stress that this bill is a very moderate measure. It does not stop a single merger. All it does is insure that the current process will be undertaken with greater deliberation. I am not at all convinced that much stronger medicine is not required. That is why I introduced H.R. 5153 to create a moratorium on big oil mergers, so we can assess whether stronger measures are needed. (See March 15, 1984, CONGRES-

SIONAL RECORD 5801.) At a minimum, however, it is now evident that when these mergers are allowed to proceed, the current stampede must end and there must be substituted a process involving greater deliberation.

I urge my colleagues to support this bill as a first step in reasserting the public interest regarding the current restructuring of the oil industry and the immense consequences that may follow.●

**SUPERINTENDENT GLENN
HOFFMANN RETIRES**

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. EDWARDS of California. Mr. Speaker, today we pay tribute to Glenn W. Hoffmann, Santa Clara County Superintendent of Schools, on the occasion of his retirement. Glenn has served as superintendent of schools in Santa Clara County with dedication for 17 years. He will be honored at a retirement banquet on May 4, 1984.

We have been fortunate to work with Glenn in the interests of the thousands of young people who have passed through the county's schools. We have witnessed the total commitment Glenn has brought to his position and to the students in Santa Clara County. His deep concern for the education of the school children in the county has made a lasting impression on us, and no doubt, on the many young people who have benefited directly from his hard work.

Glenn's guidance and wisdom has shaped the county school system into one of the most innovative and exemplary school districts in the country. So we bring this retirement news to the attention of our colleagues with a mixture of pleasure and sadness. We are sad to lose the full time services of a man of the caliber of Glenn Hoffmann. They are not easy to come by. Yet although Glenn will be stepping down from his official duties as superintendent, we are pleased to note that he will continue to participate in the mission of the county schools as a consultant to the county school district.

We know that Glenn's semiretirement will afford him the opportunity to spend cherished time with his family and pursue his diverse hobbies. It is truly a rare man who combines a love of flying and golf with a passion for creating cut glass works of art. We know our affiliation with Glenn will not end with his departure from the superintendent's post. We are grateful for his friendship and his service to our students in the Santa Clara Valley over the past 17 years. We hope that his years of retirement will be as rich

and rewarding as those he has given to Santa Clara County.●

**A TRIBUTE TO AMBASSADOR
TERRENCE TODMAN**

HON. RON de LUGO

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. DE LUGO. Mr. Speaker, on March 31, the people of the Virgin Islands commemorated the 77th anniversary of "Transfer Day," that day in 1917 on which the United States of America formerly took ownership of the Virgin Islands from Denmark. To mark the anniversary this year, Virgin Islanders United paid tribute at a special testimonial dinner to the Honorable Terrence A. Todman, the U.S. Ambassador to Denmark. That decision could not have been more appropriate and I highly commend Edward Phillips, the president of this new organization, and its membership for their decision.

For Ambassador Todman is a Virgin Islander, born on St. Thomas 9 years after that historic Transfer Day, 1917. He is the highest ranking Virgin Islander in the diplomatic corps, and indeed, the highest ranking black diplomat in the United States. That this native son of the U.S. Virgin Islands should now be the U.S. Ambassador to Denmark is an historical full circle, and speaks volumes of our achievements as Virgin Islanders and as citizens of the United States.

Ambassador Todman is a career diplomat of the highest calibre. He began his diplomatic career in 1952 in the State Department's Bureau of Near Eastern and South Asian Affairs as Desk Officer for India, Ceylon, and Nepal. He was then assigned to the Trusteeship Branch of the Bureau of International Organization Affairs and served as the U.S. Representative on the Petitions and Rural Economic Development Committees of the U.N. Trusteeship Council. This was followed by assignments as Political Officer in New Delhi, Tunis, and as Deputy Chief of Mission in Togo, and then a return to Washington as Country Director for Kenya, Tanzania, Uganda, and the Seychelles.

He served as Assistant Secretary of State for Inter-American Affairs, and was Ambassador to Chad from 1969-72, to Guinea from 1972-75 and to Costa Rica from 1975-77.

In July 1978 he became Ambassador to Spain, and performed so admirably and ably in that office, particularly in his negotiations on the Defense Treaty with Spain, that he was asked to stay in his post in 1981. That his special abilities and professionalism were recognized by President Reagan in retaining Ambassador Todman at

his post until the treaty negotiations were completed is a credit to this administration. But that Ambassador Todman received from Spain one of its highest awards, the Grand Cross of the Highest Order of Isabela la Católica, in 1983, in recognition of his service, and yet received no special recognition from our Government is indeed a disappointment.

I would urge that the President give every consideration to singling out the achievements of Ambassador Todman. For his career is a tribute to what America stands for, to the very best of our democratic way of life. He is a credit to the people of the United States, to the Department of State, and especially to the people of the U.S. Virgin Islands. We in the U.S. Virgin Islands are rightly proud of Terrence Todman and we would hope that we could join with our fellow Americans in paying tribute to this outstanding man through a national honor that he so well deserves. I would urge, Mr. Speaker, that my colleagues support me in asking the President to consider this request.●

**EDITH S. HUSTON NAMED OUT-
STANDING CITIZEN OF
GLOUCESTER COUNTY**

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. FLORIO. Mr. Speaker, I would like to bring to the attention of my colleagues an exemplary citizen of Gloucester County, Edith S. Huston. I join with the Holly Shores Girl Scout Council in honoring her as "Outstanding Citizen of Gloucester County." She will be honored on Thursday, April 12 at the council's annual "Super Supporters Dinner," being held at Bally's Park Place Casino Hotel in Atlantic City.

Edith Huston is secretary of Glassboro State College, assistant to the institution's president and onbudsman of Glassboro State College. She currently carries the distinction as the employee with the longest years of service—37½ years—at Glassboro State College.

Edith is an active member of the board of directors and the Officers Executive Committee of the Gloucester County United Way. She was elected the first woman president of the Gloucester County United Way in 1979, and held that position until 1981. She was also the first woman foreman of the Gloucester County Grand Jury.

Other community and civic organizations with Edith has been actively associated include, as member: board of directors of the Gloucester County Retarded Citizens Association; the Juvenile Problems Committee in Pitman;

and, the Pitman Methodist Church. She cochaired the Bicentennial Committee for Glassboro State College and the Borough of Glassboro.

Edith Huston has been honored with numerous awards and citations, including the President's Award from the Gloucester County United Way and the Glassboro State College Outstanding Employee of the Year Award.

Vernon Huston, Edith's husband is assistant dean of Community Services at Gloucester County College.●

IRRESPONSIBLE USE OF EXIT POLLS

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. BEREUTER. Mr. Speaker, I would like to share with my colleagues in the House an editorial from the April 5, 1984, editorial of the New York Times.

As we proceed through this election year and this season of primaries, we are repeatedly assaulted by premature reports of so-called exit polls. The early use of such polls is damaging, it is truly irresponsible, and it is likely to lead to broad regulation of the use of such data.

I commend to you this analysis of the problem.

[From the New York Times, Apr. 5, 1984]

DEMOCRACY ENLARGED; ALSO POLLUTED CHEATING THE VOTERS ON THE EVENING NEWS

Sometimes, to those of us in the print branch of the news business, television can be an exasperating cousin. We share many interests and problems with TV news and just two days ago advocated freeing its political coverage from Government regulation. But that very night, election night in New York—and hours before the polls closed—the networks were pronouncing magisterially that it was a big night for Walter Mondale. Don't they see this as an abuse of the Vote? Don't they hear the properly angry reaction bubbling up around the country?

The issue is not accuracy. The Tuesday reports, based on exit polls, were correct. And the issue should not be exit polling, an invaluable tool for finding out why people vote the way they do. The issue is the abuse of exit polls.

Besides analyzing the vote, exit polls can be used to anticipate the results before the voting has ended. And if the findings are reported while people are still voting, that risks infecting the outcome. What are people apt to do when they hear that their candidate's way ahead—or behind? Not vote. And that can alter the outcome, if not for those candidates then for others on the ballot.

TV news knows all that, and responsible broadcasters assert that they will wait until the voting booths close before divulging their exit polls. But they are cheating on that resolve, as can be seen in excerpts from the 7 o'clock news Tuesday night.

The boldest report was on NBC: "In New York, where the polls are still open, Mondale appears to be winning by a decisive

margin. Interviews with voters leaving the polling places indicate that Mondale is the first choice of most groups." Note the words winning and decisive. The language was more measured on CBS ("This may be a big night for Walter Mondale and Jesse Jackson") and ABC ("It appears to be going well for Walter Mondale"). Appears from what? On all three networks, the point was unmistakable: Sure, dear viewer, there are two hours of voting left, but never mind, things are all wrapped up.

Democracy depends on a free press because the public needs unfettered access to news. But democracy also depends on an untainted vote, and premature reporting of exit polls can taint the vote. Fearing that, Washington state passed a law last year to keep poll-takers away from voters, a law that this newspaper and others are challenging in Federal court. Florida and Hawaii have passed similar laws; Massachusetts is thinking about it.

Such regulation is deeply offensive because it inserts a governmental nose into reporting and because exit polls, which The Times conducts with CBS, contribute so much to public understanding of the electoral process. The polls deserve protection—and the best protection would be for broadcast journalists to report them responsibly, which, most of all, means after the voting has ended.

If broadcasters keep rushing to use exit polls to predict that so-and-so will win, they'll unleash an avalanche of outrage. That would risk wiping out the good, irreplaceable data about the vote, along with the bad, and for what? Does any TV news executive believe that would improve political reporting?●

INDIAN TRIBAL GOVERNMENT TAX STATUS AMENDMENTS

HON. BYRON L. DORGAN

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. DORGAN. Mr. Speaker, I am introducing today with Mr. CONABLE, Mr. FRENZEL, and Mr. FORD of Tennessee, the Indian Tribal Government Tax Status Amendments of 1984.

This bill puts Indian tribal governments on the same tax footing as State governments in three respects: First, it maintains the existing authority for tribes to issue public purpose bonds, second, it enables Indian tribal governments to issue industrial development and mortgage subsidy bonds on the same basis as State governments, and third, it treats tribal governments like State governments for tax purposes with respect to accident and health plans, appearances before legislatures, discount obligations, death taxes, and collection of individual income taxes.

Essentially, these amendments insure that Indian tribal governments will rightfully enjoy the same tax treatment as State governments for the purposes defined in the bill. The bill does so only by placing on tribal governments the same restrictions and limitations which now apply—or which

will apply if H.R. 4170 is enacted—to State governments. So in that sense, the bill does not break new ground for tribal tax treatment—except to treat tribal governments equitably.

The bill carefully defines the circumstances under which tribal governments can issue industrial development and mortgage subsidy bonds. Substantially all of the proceeds of any bond issue must be used with respect to facilities located on the reservation of the issuing tribe. Indian tribes would be subject to the H.R. 4170 restrictions with two exceptions. First, because the population of most tribes is so small, the volume limitation for industrial development bonds will be \$7.5 million per tribe rather than \$150 million per resident. Similarly, because Indian tribal governments have not issued mortgage subsidy bonds in the past, a volume limitation of \$7.5 million per tribe is imposed.

Whatever the merits of industrial development and mortgage subsidy bonds, it is time to treat tribal governments like State governments. If we expect tribal governments to become economically self-sufficient, they deserve to use the same economic development tools available to State and local governments.

The text of the Indian tribal government tax status amendments and an explanatory analysis follow.

H.R. 5450

A bill to amend the Internal Revenue Code of 1954 to expand and make permanent the purposes for which Indian tribal governments are treated as States under such Code

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

SECTION 1. SHORT TITLE: AMENDMENT OF 1954 CODE.

(a) SHORT TITLE.—This Act may be cited as the "Indian Tribal Governmental Tax Status Amendments of 1984".

(b) AMENDMENT OF 1954 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1954.

SEC. 2. EXPANSION OF PURPOSES FOR WHICH INDIAN TRIBAL GOVERNMENT TREATED AS STATES.

(a) IN GENERAL.—Paragraph (6) of section 7871(a) (relating to Indian tribal governments treated as States for certain purposes) is amended to read as follows:

"(6) for purposes of—

"(A) section 24(c)(4) (defining State for purposes of credit for contributions to candidates for public offices),

"(B) section 105(e) (relating to accident and health plans),

"(C) section 117(b)(2)(A) (relating to scholarships and fellowship grants),

"(D) section 162(e) (relating to appearances, etc., with respect to legislation),

"(E) section 403(b)(1)(A)(ii) (relating to the taxation of contributions of certain employers for employee annuities).

"(F) section 454(b)(2) (relating to discount obligations), and

"(G) sections 2011 and 2053(d) (relating to death taxes); and".

(b) **AUTHORITY TO ELECT COLLECTION OF TRIBAL INDIVIDUAL INCOME TAXES BY UNITED STATES.**—Subsection (a) of section 7871 is amended by striking out "and" at the end of paragraph (6), by striking out the period at the end of paragraph (7) and inserting in lieu thereof "; and", and by adding at the end thereof the following new paragraph:

"(8) for purposes of subchapter E of chapter 64 (relating to Federal collection of individual income taxes by agreement)."

(c) **TECHNICAL AMENDMENTS.**—

(1) Subsection (j) of section 162 is amended by adding at the end thereof the following new paragraph:

"(3) For deductibility of expenses for appearances before Indian tribal governing bodies (or the governing bodies of political subdivisions thereof), see section 7871."

(2) Subparagraph (B) of section 2053(d)(3) is amended to read as follows:

"(B) **CROSS REFERENCES.**—

"(i) For deductibility of death taxes imposed by Indian tribal governments, see section 7871.

"(ii) For the effect of a deduction taken under this subsection on the credit for State death taxes, see section 2011(e).

"(iii) For the effect of a deduction taken under this subsection on the credit for foreign death taxes, see section 2014(f)."

SEC. 3. AUTHORITY TO ISSUE MORTGAGE BONDS AND INDUSTRIAL DEVELOPMENT BONDS UNDER RESTRICTIONS APPLICABLE TO STATES AND CERTAIN OTHER RESTRICTIONS.

(a) **IN GENERAL.**—Subsection (c) of section 7871 (relating to additional requirements for tax-exempt bonds) is amended to read as follows:

"(c) **SPECIAL RULES RELATING TO TAX-EXEMPT BONDS.**—

"(1) **INDUSTRIAL DEVELOPMENT BONDS MAY BE ISSUED WITH RESPECT TO FACILITIES ON RESERVATION.**—An industrial development bond issued by an Indian tribal government (or subdivision thereof) may be treated as an obligation described in section 103(a) only if substantially all of the proceeds of the issue are or will be used primarily with respect to facilities located on a reservation over which such Indian tribal government has governmental jurisdiction.

"(2) **PRIVATE ACTIVITY BOND LIMIT.**—

"(A) **IN GENERAL.**—For purposes of section 103(n), the State ceiling applicable to any Indian tribal government for any calendar year shall be \$7,500,000.

"(B) **ALLOCATION OF LIMIT AMONG SUBDIVISIONS.**—In lieu of the rules contained in paragraphs (2) through (6) of section 103(n), the State ceiling applicable to any Indian tribal government may be allocated among the subdivisions of such government under any formula adopted by the tribal governing body of such government.

"(3) **LIMIT ON MORTGAGE BONDS.**—

"(A) **IN GENERAL.**—For purposes of section 103A(g), the State ceiling applicable to any Indian tribal government for any calendar year shall be \$7,500,000.

"(B) **ALLOCATION OF LIMIT AMONG SUBDIVISIONS.**—In lieu of the rules contained in paragraphs (2) through (7) of section 103A(g), the State ceiling applicable to any Indian tribal government may be allocated among the subdivisions of such government under any formula adopted by the tribal governing body of such government.

"(4) **OTHER OBLIGATIONS MAY BE ISSUED ONLY WITH RESPECT TO ESSENTIAL GOVERNMENTAL FUNCTIONS.**—

"(A) **IN GENERAL.**—Except as provided in subparagraph (B), an obligation issued by an Indian tribal government (or subdivision thereof) may be treated as an obligation described in section 103(a) only if such obligation is part of an issue substantially all of the proceeds of which are to be used in the exercise of any essential governmental function of such government.

"(B) **EXCEPTIONS.**—Subparagraph (A) shall not apply to—

"(i) an industrial development bond,
 "(ii) a qualified mortgage bond (as defined in section 103A(c)) and a qualified veterans' mortgage bond (as defined in such section), and

"(iii) an obligation (other than an industrial development bond) described in subparagraph (E) or (G) of section 103(b)(4), but only if—

"(I) the trade or business in which the facilities described in such subparagraph are to be used is carried on by the Indian tribal government (or subdivision thereof) issuing the obligation, and

"(II) substantially all of the service area of such facilities is a part of a reservation over which such government has governmental jurisdiction.

"(5) **RESERVATION.**—For purposes of this subsection—

"(A) **IN GENERAL.**—The term 'reservation' means any area—

"(i) reserved by treaty, Federal statute, or Executive Order as an Indian reservation, or
 "(ii) designated by the Secretary of the Interior as an Indian reservation.

"(B) **CERTAIN CONTIGUOUS AREAS INCLUDED.**—Such term includes any area—

"(i) which is contiguous to a reservation (as defined in subparagraph (A)),

"(ii) which was acquired in trust for an Indian tribe, and

"(iii) which is proclaimed by the Secretary of the Interior to be part of the reservation referred to in clause (i).

"(C) **SPECIAL RULES WITH RESPECT TO OKLAHOMA AND ALASKA.**—Such term includes any area in Oklahoma or Alaska which is Indian country (as defined in section 1151 of title 18, United States Code).

"(6) **OTHER DEFINITIONS.**—Any term used in this subsection which is also used in section 103 shall have the same meaning as when used in section 103."

(b) **TECHNICAL AMENDMENTS.**—

(1) Paragraph (4) of section 7871(a) is amended by inserting before the semicolon "and section 103A (relating to mortgage subsidy bonds)".

(2) Paragraph (6) of section 7871(a), as amended by section 2 of this Act, is amended by redesignating subparagraphs (B) through (G) as subparagraphs (C) through (H), respectively, and by inserting after subparagraph (A) the following new subparagraph:

"(B) section 25 (relating to interest on certain home mortgages)."

SEC. 4. RULES TREATING INDIAN TRIBAL GOVERNMENTS AS STATES MADE PERMANENT.

Section 204 of the Indian Tribal Governmental Tax Status Act of 1982 is amended—

(1) by striking out "and before January 1, 1985," each place it appears, and

(2) by striking out ", and shall cease to apply at the close of December 31, 1984" in paragraph (5) thereof.

SEC. 5. EFFECTIVE DATE.

(a) **IN GENERAL.**—The amendments made by this Act—

(1) insofar as they relate to chapter 1 of the Internal Revenue Code of 1954 (other than sections 103 and 103A thereof) shall apply to taxable years beginning after December 31, 1985,

(2) insofar as they relate to section 103 or 103A of such Code, shall apply to obligations issued after the date of the enactment of this Act,

(3) insofar as they relate to chapter 11 of such Code, shall apply to estates of decedents dying after the date of the enactment of this Act, and

(4) insofar as they relate to subchapter E of chapter 64 of such Code, shall take effect on January 1, 1985.

(b) **REFERENCES TO 1954 CODE.**—Any reference in this Act, or in the amendments made by this Act, to the Internal Revenue Code of 1954 shall be treated as a reference to such Code as amended by the amendment in the nature of a substitute (of the Ways and Means Committee of the House of Representatives) to H.R. 4170 of the 98th Congress.

SECTION-BY-SECTION ANALYSIS

SECTION 1. SHORT TITLE; AMENDMENTS TO 1954 CODE

The bill provides that it may be cited as the "Indian Tribal Governmental Tax Status Amendments of 1984." All amendments made by the bill are amendments to the Internal Revenue Code of 1954, as amended by the amendment to be offered by the Ways and Means Committee to H.R. 4170.

SECTION 2. EXPANSION OF PURPOSES FOR WHICH INDIAN TRIBAL GOVERNMENTS ARE TREATED AS STATES

The bill expands the areas for which Indian tribal governments will be treated as states for purposes of the Code. The following are the purposes for which tribal governments will be treated as states which were not included in the 1982 Indian Tribal Governmental Tax Status Act.

Accident and health plans

Under Section 105 of the Code, income received from a sickness and disability fund maintained under state law is not included in a taxpayer's gross income under certain circumstances. Under the bill, income received from a sickness and disability fund maintained under the law of an Indian tribal government will be treated identically.

Appearances with respect to legislation

Under the bill, a deduction will be allowed for expenses paid or incurred in carrying on a trade or business in direct connection with appearances before, submission of statements to, or sending communications to, the members of the governing body of an Indian tribe with respect to legislation of direct interest to the taxpayer. The deduction currently exists for such expenses incurred in direct connection with appearances, etc., before Congress, state legislatures and political subdivisions thereof under Section 162(e) of the Code.

Discount obligations

Under Section 454(b)(2), the amount of discount reportable as income for short-term discount obligations issued by states does not accrue until the obligation is paid at maturity, sold, or otherwise disposed of. Under the bill, the same rule would apply to discount obligations issued by Indian tribal governments.

Death taxes

Under the bill, credits and deductions for tribal death taxes are allowed for purposes of determining Federal estate tax liability to the same extent that such credits and deductions are allowed for state death taxes under Sections 2011 and 2053(d) of the Code.

Collection of individual income taxes by the United States.

Under subchapter E of chapter 64 of the Code, states may make agreements with the Secretary of the Treasury for Federal collection of state income taxes. Under the bill, Indian tribal governments also would be eligible to make agreements for Federal collection of tribal income taxes.

SECTION 3. TAX-EXEMPT BONDS ISSUED BY INDIAN TRIBAL GOVERNMENTS

Under the bill, Indian tribal governments will be able to issue industrial, development bonds on the same terms as state governments, with certain exceptions. Additionally, Indian tribal governments will be authorized to issue tax-exempt mortgage subsidy bonds, or, in lieu thereof, the mortgage credit certificates authorized by the amendment to H.R. 4170 should the amendment become law. Substantially all of the proceeds of any bond issue by an Indian tribal government must be used with respect to facilities located on the reservation of the issuing tribe.

Tribal governments generally will be subject to the same limitations on tax-exempt bonds as are applicable to states. The bill specifically incorporates any amendments to the Code which may be made by the amendment in the nature of a substitute to H.R. 4170 of the 98th Congress, so that Indian tribal governments will be subject to the H.R. 4170 restrictions with two narrow exceptions. First, because the population of most tribes is so small, the volume limitation for industrial development bonds will be \$7.5 million per tribe rather than \$150 million per resident. Similarly, because Indian tribal governments have not issued mortgage subsidy bonds in the past, a volume limitation of \$7.5 million per tribe is imposed rather than a limitation based on a percentage of mortgages issued in the previous three years. The second exception is that the governing body of each tribal government will decide how the volume limitation will be allocated among tribal subdivisions.

The bill also will allow bonds issued by Indian tribes to be tax-exempt if the proceeds are used for a utility-type activity. This provision is meant to clarify the 1982 Act. The Act allowed tribes to issue tax-exempt bonds if the proceeds were devoted to an essential governmental function. The Conference Committee Report indicates that public utility activities are essential governmental functions, but the 1982 Act does not explicitly so state. The bill therefore clarifies the intent of the 1982 Act. A utility-type activity includes the furnishing or sale of electrical energy, gas, water or sewage disposal services. The tax exemption applies only if the activity provides substantially all of its service on the issuing tribe's reservation.

For purposes of the tax-exempt interest provisions, a tribe's reservation generally is the area reserved by treaty, Federal statute, or executive order for that tribe. In addition, when the Secretary of the Interior designates an area as a reservation for a tribe, that area is to be treated as that tribe's reservation for these purposes. With regard to

Indian tribal governments in Oklahoma, the tribe's reservation is to be those areas which are "Indian country" under 18 U.S.C. § 1151 and over which the issuing tribal government has governmental jurisdiction. Section 1151 of title 18 generally provides that trust and restricted Indian lands owned by a tribe or individual Indian is "Indian country," as is any "dependent Indian community." Because the lands reserved for the Metlakatla Indian Community constitute the only reservation in Alaska, the definition of "Indian country" at 18 U.S.C. § 1151 also will be the definition of reservation for purposes of applying this section to Indian tribal governments in Alaska.

SECTION 4. REAUTHORIZATION OF THE INDIAN TRIBAL GOVERNMENTAL TAX STATUS ACT OF 1982

This section permanently reauthorizes the provisions of the Indian Tribal Governmental Tax Status Act of 1982, as amended by this bill.

SECTION 5. EFFECTIVE DATES

The provisions regarding bonds issued by Indian tribal governments will apply to obligations issued after the enactment of the bill. Other amendments to chapter 1 of the Code will apply to taxable years beginning after December 31, 1985. The amendments regarding chapter 11 of the Code will apply to the estates of decedents dying after enactment of the bill. The amendments relating to taxes imposed by subtitle D of the Code will take effect the first day of the first calendar quarter beginning after enactment of the bill. The amendment to subchapter E of chapter 64 of the Code will take effect on January 1, 1985.●

TRIBUTE TO THE VERMONT MEDICAL SOCIETY**HON. JAMES M. JEFFORDS**

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. JEFFORDS. Mr. Speaker, I rise today to pay tribute to the Vermont Medical Society which this year is celebrating its 200th anniversary.

At a time when we are grappling with the thorny issues of controlling medical costs, it is fitting that we should remember the extraordinary contributions of physicians to our society and standard of living. Medicine has gone through not one but several revolutions since Jonas Fay and Lewis Beebe petitioned the General Assembly of the Republic of Vermont and were granted a charter as the First Medical Society of Vermont.

The profession then was far removed from that today. As Benjamin Lincoln, professor of anatomy and surgery at the University of Vermont wrote some years later, "Of all the methods of gaining livelihood invented by Yankee ingenuity, no one secures its object so effectively and with so little expense of mental labour as 'turning doctor'."

Mr. Speaker, no doubt my friends who are physicians would argue that Professor Lincoln overlooked the method of "turning politician." That aside, I would like to heartily com-

mend the members of the Vermont Medical Society for their proud history, and look forward to working with them on the problems of the future.

I would like to now quote to my colleagues the text of the general assembly's resolution.

AN ACT TO ESTABLISH A SOCIETY BY THE NAME OF THE FIRST MEDICAL SOCIETY OF VERMONT

October 25th 1784

Whereas it is a matter of the greatest importance to the Inhabitants of this State, that the professors of the Medical Art, should receive all proper encouragement, to excite them to improve and to acquire a thorough acquaintance with a Science so interesting to those who may be in distress through indisposition of body and Limbs;

And Whereas it appears by a Petition Signed Jonas Fay and Lewis Beebe in behalf of themselves and a number of Gentlemen Physicians and Surgeons in the Counties of Bennington and Rutland and parts Adjacent, to wit: Nathaniel Dickinson, Seth Alden, Samuel Huntington, Elisha Baker, Lemuel Chipman, William Johnston, William Gould, Aaron Hastings, Zina Hitchcock, Silas Holbrook, William Woolcott, Ezra Baker, Ebenezer Tolman, Ezekiel Porter and Jacob Roebuck, that they did on the nineteenth day of August 1784 form themselves into a Medical Association, and framed a Constitution for the Government thereof, and by their Petition dated the tenth day of September following pray'd the Legislature of this State to patronize & Establish the same: Therefore,

I. Be it enacted and it is hereby enacted by the Representatives of the freemen of the State of Vermont in General Assembly met & by the Authority of the same, that the following Physicians and Surgeons in the Counties of Bennington and Rutland and parts Adjacent to wit: Jonas Fay, Lewis Beebe, Nathaniel Dickinson, Seth Alden, Samuel Huntington, Elisha Baker, Lemuel Chipman, William Johnston, William Gould, Aaron Hastings, Zina Hitchcock, Silas Holbrook, William Woolcott, Ezra Baker, Ebenezer Tolman, Ezekiel Porter and Jacob Roebuck be, and they are hereby incorporated and Constituted a body Corporate and Politic in Law, by the Name of the first Medical Society in Vermont, Capable of Suing and Defending by their Agent or Attorney, in any Court of Law or Equity for the recovery and defence of their Common Rights and Interests. And they shall be Capable of taking by gift, Grant or Devise for the purpose of procuring and Maintaining a Library, and Such Instruments and Apparatus as shall by said Society be thought best, for making Experiments in their Art, and for any other purposes that shall be found Conducive to the encouragement and improvement of the healing Art.

II. And be it further enacted by the Authority aforesaid that the said Society be, and is hereby vested with full power to elect annually (by Ballot) a President, Secretary, and Two or more Censors; and the said Society is hereby further Authorized and empowered to call any of its Members to account for any Dishonorable Conduct relative to the Medical Profession, and punish the same (if necessary) by Suspension, Admonition or Expulsion; and to make Laws, Rules, and Regulations for the Governing the said Society and its several Members.

III. And be it further Enacted by the Authority aforesaid, that the said Society be, and is hereby vested with power to Judge

and determine with regard to the Qualifications of such person or persons, as shall offer themselves for Examination, and any person or persons who shall hereafter be Admitted as Members of said Society shall be intitled to all and Singular the benefits and privileges that those enjoy whose names are mentioned in this Act.

IV. And be it further enacted by the Authority aforesaid that said Society be Authorized and impowered to appoint and determine the times and places of their Stated or Adjourned Meetings as to them shall appear necessary for the purposes mentioned in this Act. ●

STATE LAW DEVELOPMENTS ON SUPERFUND LIABILITY

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. FLORIO. Mr. Speaker, as we consider legislation to reauthorize the Federal Superfund program, I think we must keep in mind the fast-paced developments under State laws which parallel the Federal law in the area of liability for cleanup costs. A recent article in the New York Times, for example, described a Minnesota court award of \$1.5 million in damages to the Onan Corp. Onan had sued the Boise Cascade Corp., the Burlington Northern Railway Co., and the Soo Line Railroad Co. for damages caused by hazardous chemical wastes which are contaminating portions of its property in a Minneapolis suburb. The jury concluded that the three defendant companies were responsible for the escape of hazardous chemicals at the sites. Their decision was made under the 9-month-old Minnesota Environmental Response and Liability Act, which imposes strict and retroactive liability on waste generators, transporters, and disposers.

The Minnesota law, and court decisions, should serve as a reminder to all involved in the Superfund reauthorization debate that State courts are in the process of assuming a very aggressive role in the pursuit of those responsible for environmental pollution. In my own State of New Jersey, the courts are developing strict liability standards even in the absence of specific statutory provisions, under their common law authority. Those who deplore strong Federal standards should be aware that the absence of such standards will not stop, and may even encourage, the development of stronger State laws in this area.

The New York Times article follows.

PLANT IS AWARDED \$1.5 MILLION FOR TOXIC DAMAGE

MINNEAPOLIS, April 9.—The Onan Corporation has been awarded \$1.5 million for damage suffered by hazardous chemical wastes that are contaminating part of its property in a suburb of Minneapolis.

In the first court test of Minnesota's hazardous waste cleanup statute, 90 percent of

the award, or \$1.35-million, is to be paid by the Boise Cascade Corporation, according to a verdict announced Saturday by a jury in State District Court in Anoka County. The remaining 10 percent, or \$150,000, is to be paid by the Burlington Northern Railway Company and the Soo Line Railroad Company.

The six-member jury held the three companies were responsible for the escape of hazardous chemicals at an industrial site in Fidelity, a Minneapolis suburb, before the tract was bought by Onan in 1967. Part of the tract had been occupied for more than 40 years by a plant that used creosote, which contains toxic compounds, to treat wood products, primarily railroad ties and utility poles.

Onan, which makes electric generator and diesel engines, had claimed losses of \$6.4 million.

The jurors also decided that under the nine-month-old Minnesota Environmental Response and Liability Act, Boise Cascade was solely responsible for reimbursing Onan and state agencies for "response costs." Those expenses resulted from site investigations and the preparation of cleanup plans and could total more than \$750,000. Onan.

The railroads were brought into the case because Onan charged that they had supplied creosote used in the wood-treating plant.

The jurors did not decide who was responsible for the final site cleanup, expected to cost at least \$4 million. Judge Daniel Kammeyer said he would continue hearing evidence before deciding who should pay for the cleanup.

David Gadda, a spokesman for Boise Cascade, said Boise would not comment until after Judge Kammeyer has decided the remaining issues.

The Minnesota environment law imposes strict and retroactive liability on companies that generated, transported or disposed of hazardous wastes after Jan. 1, 1960. ●

CBO STUDY SHOWS THE UNFAIRNESS OF THE ADMINISTRATION'S TAX AND BUDGET CHANGES

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. KILDEE. Mr. Speaker, the study by the Congressional Budget Office on this administration's tax and budget changes concluded that these changes were brought about at the expense of those who could least afford it—America's low-income households.

The administration's defense is that the Congress also is to blame because it approved many of the changes. This is regrettably true insofar as it goes, although it should be pointed out that the administration had effective control of the Congress during this period through its supporters in both the House and Senate. Thus, it is this administration, directly as well as indirectly, which is ultimately responsible for the unfairness of these policy changes.

This study reinforces an earlier study conducted at my request by the

CBO in 1981. That early study revealed that low-income and middle-income families would lose more money under college student aid cuts than they would make up in savings from the income tax cuts if a child opted for a college education.

Again and again, Mr. Speaker, we see that the results of this administration's domestic policies are of benefit primarily to the wealthy.

Though this President is fond of quoting the late Franklin Delano Roosevelt, his actions are the antithesis of President Roosevelt's vision of the future. In his second inaugural address, President Roosevelt observed that: "The test of our progress is not whether we add more to the abundance of those who have much; it is whether we provide enough for those who have too little."

This administration believes instead that it is the wealthy who need their intercession, or at least it would seem so by a reading of the results of the latest CBO study. An account of that study is reprinted here from the Flint Journal of Flint, Mich., for the benefit of my colleagues:

[From the Flint (Mich.) Journal, Apr. 4, 1984]

TAX, BUDGET CHANGES HURT POOR, HELPED RICH

(By Robert Pear)

WASHINGTON.—the Congressional Budget Office, analyzing the cumulative effect of budget and tax changes adopted since January 1981, said Tuesday that low-income families have lost the most money and high-income families have gained the most.

While the findings were not unexpected, the report is the first detailed study showing the effects of the recent tax and budget cuts on households at different income levels.

For example, it says, households with annual incomes of less than \$10,000 have lost, on the average, \$390 a year. Households with incomes of \$40,000 to \$80,000 have gained an average of \$2,900 a year, it says, and families with more than \$80,000 of income have gained, on the average, \$8,270 a year.

The study by the nonpartisan agency, done at the request of Sen. Lawton Chiles of Florida, the ranking Democrat on the Senate Budget Committee, estimates the combined effects of all the changes in tax and spending policy since President Reagan took office.

Reagan administration officials said the results were to be expected because Congress in 1981, at Reagan's request, cut tax rates across the board, and such cuts are inherently worth more to people in high-income brackets, who typically pay more in taxes than low-income households.

The data in the new report are likely to be used in the election-year debate over the equity and fairness of Reagan's policies. The tax cuts, in particular, were designed by the administration to increase incentives for people to work, save and invest.

Edwin L. Dale Jr., a spokesman for the Office of Management and Budget, an executive branch agency, said Tuesday that he had not seen the latest report.

However, Dale said it was unfair for Democrats to criticize the president because many of the biggest tax and budget changes were adopted with bipartisan support. The Office of Management and Budget has not done its own studies to determine how the changes affected people at different income levels, he said.

In its new study, the CBO said, it tried to take account of prior criticism by the administration. The study shows that the federal government lost far more money from tax cuts (\$93.6 billion this year) than it saved from all the changes in cash and non-cash benefit programs (\$23.1 billion). The disparity was a major factor contributing to the federal deficit, which is expected to exceed \$180 billion this year.

According to the study, the average household gained \$1,090 this year as a result of the tax cuts, but lost \$170 in federal cash benefits and \$100 in noncash benefits, for a net gain of \$820. Noncash benefits include food stamps, housing subsidies and Medicaid and Medicare, the health programs for the poor and elderly.

Families that pay little or nothing in taxes, however, get little or no benefit from a tax cut. Thus, the tax cuts were worth, on the average, only \$20 a year to families with incomes less than \$10,000. They were worth an average of \$330 a year to households with income from \$10,000 to \$20,000; \$1,200 a year for families in the \$20,000-to-\$40,000 bracket, and \$3,080 a year for families in the \$40,000-to-\$80,000 bracket. The tax cuts were worth an average of \$8,390 a year to families with incomes of more than \$80,000, the study said.

Higher-income families, predictably, received smaller benefits from the government's social welfare programs and were therefore less affected by the budget cutbacks of the last three years. The cutbacks, according to the report, took an average of \$410 a year from families with incomes of less than \$10,000. They took an average of \$300 from families with incomes of \$10,000 to \$20,000. For households with higher incomes, the cutbacks took less. Thus, for example, they took an average of \$130 a year from families with incomes of more than \$80,000. ●

INFLATION WATCH

HON. GILLIS W. LONG

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. LONG of Louisiana. Mr. Speaker, the staff of the Joint Economic Committee has undertaken an Inflation Watch project. They will monitor recent key developments affecting prices and review the outlook for inflation.

On April 9, Dr. Geoffrey Moore, director of the Center for International Business Cycle Research at Columbia University and former commissioner of the Bureau of Labor Statistics, issued the latest report on the leading index of inflation he has developed.

In the past, upturns in Dr. Moore's index have anticipated a speedup in inflation in consumer prices by an average of 7 months. The latest news indicates that inflation will accelerate in the months ahead.

Dr. Moore's index is based on three components:

First, the change in industrial materials prices, a measure of commodity market pressures. These prices rose at an annual rate of 17 percent in March, and increased at rates in excess of 20 percent in each of the last 6 months of 1983.

Second, the annual rate of change in total debt, reflecting borrowing by businesses, consumers, and the Federal Government. This is a measure of financial market pressures. In both January and February total debt grew at an 11 percent rate, reflecting rising private credit demands and continued heavy borrowing by the Federal Government. Dr. Moore believes that this trend poses an inflationary threat, because it represents "too much money chasing too few goods," even with real GNP rising at a 7 percent rate. He notes that total debt is rising faster than at the same stage of any of the

previous five business cycle expansions in the United States since 1954.

Third, employed workers as a percentage of the total population of working age, a measure of labor market pressures. In March this indicator stood at 59.6 percent, just below the all-time high reached in 1979.

A copy of the April 9 release regarding this report and the inflation index for the past 2 years follows:

INFLATION INDICATOR EDGES UPWARD

The leading index of inflation rose slightly last month, according to the Center for International Business Cycle Research at Columbia Business School.

Figures compiled by the Center show an increase to 115.6 (1967-100) in March, up from 115.5 in February. The index has risen by 17 percent since its cyclical low of 98.5, reached in November 1982.

In the past, upturns in the index have anticipated a speedup in inflation in consumer prices by an average of 7 months. These upturns have usually occurred during recoveries from recession.

The index is a composite of three series: The annual rate of change in industrial materials prices, the annual rate of change in total debt outstanding, and the percentage of employed workers in the total population of working age. These components of the index reflect commodity market pressures, financial market pressures, and labor market pressures on inflation, respectively. In February the percentage employed and the change in industrial prices moved up, and the growth in total debt stayed the same.

In March the percentage employed rose and the increase in materials prices declined. March data for debt are not available.

Dr. Geoffrey H. Moore director of the Columbia Center, said that the rapid and widespread growth in debt, at 11 percent in January and February, posed an inflationary threat. The February growth rates of 17 percent in Federal debt and 9 percent in business and consumer debt, Moore stated, clearly represent "too much money chasing too few goods," even with real GNP rising at a 7 percent rate. Total debt is rising faster than at the same stage of any of the previous five business cycle expansions in the U.S. since 1954, he noted.

MEASURES OF INFLATION: CONSUMER PRICE INDEX LEADING INDEX OF INFLATION

	Consumer Price Index rate of change (percent)	Leading index of inflation (1967=100)	Percentage employed	Growth in debt			Industrial materials price index rate of change (percent)
				Business and consumer (percent)	Federal (percent)	Total (percent)	
1982:							
January	7.4	104.5	58.6	6.5	11.5	7.7	-13.8
February	6.6	104.8	58.6	6.7	11.8	8.0	-14.1
March	5.1	103.3	58.5	5.8	11.8	7.3	-17.9
April	4.7	102.9	58.4	5.6	12.6	7.3	-19.0
May	5.6	103.3	58.6	5.4	12.4	7.2	-18.9
June	6.6	101.7	58.3	4.8	13.6	6.9	-23.0
July	6.5	101.1	58.1	3.8	14.1	6.4	-19.5
August	6.0	101.0	58.1	3.0	17.2	6.5	-20.7
September	5.1	101.1	58.0	2.4	19.3	6.6	-18.8
October	5.1	98.7	57.8	1.0	16.8	4.9	-18.9
November	4.3	98.5	57.6	0.3	20.1	5.2	-19.5
December	3.0	98.5	57.6	-1.0	21.9	4.8	-15.2
1983:							
January	3.0	100.0	57.6	-0.3r	21.0r	5.1r	-4.8
February	2.2	101.6	57.6	.0	20.9	5.4	6.4
March	1.8	103.4	57.6	-0.3	22.4	5.6	19.2
April	2.6	103.5	57.7	-0.1	20.5	5.3	21.0
May	2.8	104.0	57.8	-0.9	24.1	5.7	18.9
June	2.7	106.9	58.3	.0	26.7	7.2	18.1
July	3.0	108.6	58.5	1.8	24.2	7.9	20.7

MEASURES OF INFLATION: CONSUMER PRICE INDEX LEADING INDEX OF INFLATION—Continued

	Consumer Price Index rate of change (percent)	Leading index of inflation (1967=100)	Percentage employed	Growth in debt			Industrial materials price index rate of change (percent)
				Business and consumer (percent)	Federal (percent)	Total (percent)	
August	3.3	110.7	58.6	3.3	24.0	9.0	24.8
September	3.6	110.5	58.7	3.1	22.7	8.7	23.7
October	3.9	111.1	58.7	4.3	21.6	9.3	22.8
November	4.1	112.0	59.0	5.5	18.8	9.3	22.8
December	4.1	112.4	59.2	7.2	14.5	9.4	20.8
1984:							
January	4.7	114.6	59.2	8.4	18.4	11.4	18.3
February	4.7	115.5	59.5	8.8	17.5	11.4	18.6
March		115.6P	59.6				16.8

Compiled by the Center for International Business Cycle Research from the following sources:

Percent employed: Bureau of Labor Statistics, total employed including armed forces as percent of population 16 and over.

Debt outstanding: Federal Reserve Board, Treasury Department, Federal Home Loan Bank Board.

Industrial materials price index: Journal of Commerce.

The rates of change in debt and prices are annual rates based on ratio of current month's level to average level over the preceding 12 months. All data are adjusted for seasonal variations.

P=Preliminary, based on two of the three components.●

TRIBUTE TO THE LATE HONORABLE JOE L. EVINS

HON. ED JONES

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 11, 1984

● Mr. JONES of Tennessee. Mr. Speaker, it is with deep regret that I join in this special order requested by my colleague, Mr. GORE, in tribute to our departed friend and former colleague, Joe L. Evins. His death this past weekend was unexpected and a shock to all of us who knew him.

I am sure that there are many Members among us who do not remember Mr. Evins. However, his service in the House can stand as an example to all of us who seek each day to serve our districts and our constituents. In his 30 years in the House, Mr. Evins never forgot his roots. While assuming the powerful position of a full committee chairman and a subcommittee chairman, he did not forget the reasons for those committees or this great institution.

His service as chairman of the Committee on Small Business was devoted to the small businesses who have traditionally been the backbone of our Nation's economy. Furthermore, as chairman of the Appropriations Subcommittee on Public Works, he recognized and acted upon the Government's role in developing our Nation's resources. Many of the ports, highways, recreational facilities, and other public works projects that exist today can be attributed to Joe L. Evins.

Most importantly, Joe L. Evins was a man who shared his experience with those around him. He provided those of us who arrived here after him with the guidance we all need as new Members. He was truly a great American leader. I want to express my deepest sympathies to his daughters at this sorrowful time.●

THE INTRODUCTION OF THE TAXPAYERS' PROCEDURAL SAFEGUARD ACT

HON. DONALD JOSEPH ALBOSTA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. ALBOSTA. Mr. Speaker, I rise today to introduce legislation designed to protect taxpayers, particularly small business owners, against harassment by the Government. As we approach the April 15 tax deadline, it is appropriate that Congress consider the rights of those who pay the bills in this country—our many hardworking taxpayers. This legislation, the Taxpayers' Procedural Safeguard Act, amends the Internal Revenue Code of 1954 to do just that—safeguard taxpayers' rights.

For some time now, my district offices have received numerous complaints from 10th district constituents about the Internal Revenue Service's abuse of authority by imposing liens on property, seizing assets, and the collection of delinquent taxes, even when the taxpayer was repaying these taxes on a pre-arranged installment plan. In an attempt to protect the honest taxpayers of this country against Government harassment and abuse of power, I am introducing this bill in the House so that we can carefully review the practices and procedures used by the IRS and insure that they are both effective and fair to the American taxpayer.

A similar bill has been introduced in the Senate, S. 2400, by Senator CHARLES GRASSLEY and hearings were held in March by the Senate Finance Subcommittee on Oversight of the Internal Revenue Service. It is my hope that the House of Representatives will also move quickly in the consideration of this legislation.

The Taxpayers' Procedural Safeguard Act encompasses numerous reforms such as:

1. Lengthens the period during which a taxpayer must pay a deficiency after "notice and demand" by the IRS from 10 days to 30 days, and requires a more detailed explanation of the "notice and demand" provision.

2. Provides better protection for taxpayers who have installment agreements with the IRS.

3. Provides that all written advice furnished by any employee of the IRS acting in an official capacity would be binding upon the IRS, if the information were in response to a specific request by the taxpayer. If inaccurate written advice is given to the taxpayer from the IRS, the portion of the deficiency which is based on incorrect information is abated.

4. Establishes new rules governing all interviews with taxpayers conducted by the IRS. For example, the IRS would be required to conduct interviews at "a reasonable time and place convenient to the taxpayer" and to allow the taxpayer to make a recording of the interview.

5. Increases the amount of a taxpayer's wages and salary that is exempt from levy and prohibits the IRS from levying if the cost of selling the asset exceeds the asset's fair market value or the liability the IRS is attempting to satisfy.

6. Enables a taxpayer to appeal an administrative lien and provides a taxpayer with a cause of action against the IRS for wrongful lien or levy.

7. Provides for review of jeopardy levies and assessments.●

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. LANTOS. Mr. Speaker, we have reached a critical phase in our Nation's economic recovery. The decisions we make in this Congress will be a major factor in determining whether we now move on to a period of sustained economic growth or return to the inflation-stagnation cycles that have hampered our economy in the past.

In this context, it is critical that we act—and act decisively—to reduce the deficit that is projected in the administration's proposed budget. We cannot sit idly while a ballooning deficit threatens the economic health of our country and mortgages the future of our children and our children's children.

Mr. Speaker, the tax bill that has been approved in the House yesterday—which I support—represents a step in the right direction. The bill is not perfect, nor is it enough by itself to resolve the critical deficit problem we face. Substantial spending cuts will be required as well. It is a proper and necessary beginning, however.●

NATIONAL LIBRARY WEEK

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. YOUNG of Florida. Mr. Speaker, our Nation's libraries are an extremely important, yet unheralded, part of our educational system and I am proud to pay tribute this week to the thousands of dedicated librarians who open the world of learning to all of us.

Libraries, regardless of their size, serve a multitude of roles. They provide a means by which Americans can broaden their scope of learning in history, the arts, music, religion, and culture. Libraries also provide a source of enjoyment where we can explore the past, present, and future.

Librarians take the time to help us understand all our libraries have to offer. And as new technologies have evolved, libraries have kept pace by providing large type and talking books for the visually impaired and a variety of other services for the handicapped. In addition, libraries have taken advantage of electronic advances to link various branches and improve the exchange and sharing of materials to further broaden library resources.

By saluting National Library Week it is my hope that we are able to make more Americans aware of these serv-

EXTENSIONS OF REMARKS

ices and to encourage them to take time to explore a local library and see first hand all they have to offer.●

UNITED STATES MUST PAY MORE ATTENTION TO DEBT AND DEMOCRACY IN SOUTH AMERICA

HON. MICHAEL D. BARNES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. BARNES. Mr. Speaker, Dr. Riordan Roett, director of Latin American studies at the School of Advanced International Studies, recently published an important article in the latest issue of the journal, *Foreign Affairs*. The article, entitled "Democracy and Debt in South America: A Continent's Dilemma," appeared in the journal's issue entitled, "America and the World 1983."

In the article, Dr. Roett makes the case that South America's debt problem is more serious than most of us know, that South America's ability to manage its debt crisis is intimately related to its ability to sustain and strengthen stable democratic political structures, and that, because of our fundamental interest in nurturing democracy in our region, the United States must adopt much more of a leadership role with respect to this crisis.

The article is much too long to put in the RECORD. Fortunately, however, *Business Latin America*, a publication of *Business International*, recently published a summary of the article, which I include at the end of my remarks. I hope my colleagues will study the summary and will order the entire article for their careful consideration.

The summary follows:

[From *Business Latin America*, Mar. 7, 1984]

SOUTH AMERICAN POLICY MUST GIVE MORE ATTENTION TO DEBT AND DEMOCRACY

The United States must assume a leadership role in South America during 1984 and strive to reduce the social burdens exacted there by the current economic crisis. Otherwise, the U.S. risks the possibility that the hard-pressed middle and lower sectors will turn to radical political solutions, which would threaten repayment of the enormous foreign debt, the growth of democracy and regional stability. Failure to meet these challenges could also spawn sharp anti-American sentiment and chill the business climate for U.S. firms in Latin America.

Such is the conclusion of Dr. Riordan Roett, writing in *Foreign Affairs*'s year-end wrap-up for 1983. He warns that U.S. foreign policy during 1984 must not concentrate overly on the imbroglio in Central America, but must grapple with urgent sociopolitical, socioeconomic and financial issues in South America.

MORE PRAGMATISM, LESS IDEOLOGY

Roett calls for a more flexible, less ideological U.S. policy to reduce the continent's

social and economic distress brought on global economic downturn. To continue the 1983 policy of "absentminded neglect"—which was characterized by an incapacity to anticipate new pressures and needs—bodes ill for the future.

Roett emphasizes that the socioeconomic situation in South America is caught in a downward spiral: Import cuts plus austere public spending reduce production and job creation. Moreover, the working class and poor bear the brunt of the decline. Worse yet, the recent rise in middle class expectations, borne of the economic dynamism of the recent past, in coinciding with the entry of Latin America's baby-boom generation into the labor market. It also coincides with growing middle class disenchantment with authoritarian regimes, which has spawned a democratic awakening. A continuation of the economic trend could, however, crush the socioeconomic expectations of South America's middle class, and so weaken their democratic fervor that they might turn to authoritarian saviors who promise short-term relief. In the absence of positive U.S. initiatives to blunt the impact of the crisis, such a scenario is quite possible.

COUNTRY BY COUNTRY

Roett, keying in on debt and democracy as the critical issues facing U.S. policy in South America, suggests some ways the U.S. can nurture the delicate process of political institutionalization and give incipient participatory governments room to grow (see the box below). He cites the examples of both Ecuador and Colombia, which proved last year that democracies can withstand the pressures of economic downturn; he warns, however, that the U.S. should not take such success for granted.

Consolidation of the democratic process ought to be the first priority for U.S. policy in Argentina. To this end, the Reagan Administration must relax its opposition to some policies—notably trade relations with the U.S.S.R. and development of nuclear power—to avoid "an escalation of misunderstanding." The U.S. must also view the Alfonsín victory in the context of a worldwide surge in social democracy. Roett stresses that clear U.S. support of the new regime would tip the region that the U.S. can redefine its foreign policy to meet new—and positive—realities.

RECOMMENDATIONS FOR U.S. POLICY

Dr. Riordan Roett, professor of political science at the Johns Hopkins School of Advanced International Studies, believes that the U.S. must make a concerted leadership effort before the next set of crises appears, as emphasized in the accompanying article at left. Washington must anticipate new pressures and situations, rather than the usual practice of responding after the fact. Below, Roett outlines some policy directions open to the Reagan administration.

Politicize the debt issue. The U.S. must look beyond the narrow financial aspects of the economic crisis and define the region's foreign debt as "a foreign policy priority of potential political volatility." This means coordinating and leading the major actors in the drama—the IMF, the debtor countries, the Federal Reserve and the world's private commercial bankers—to devise procedures for the orderly evaluation of each country's debt, its ability to repay and future credit needs.

Jawbone the commercial lending sector to lower spreads on new and restructured credit, in concert with efforts by the bor-

rowing governments to take appropriate internal adjustment measures.

Give more than lip service to free trade. Exports are crucial to the recovery of South America, and the administration should strongly avoid protectionism. The U.S. should also devise a scheme with other industrialized nations to expand imports from the region.

Bring down the U.S. budget deficit, a major cause of high interest rates that cripple the region's ability to service or repay any of the debt (and a lousy example for Latin American governments that are repeatedly forced to restructure their economies).

Provide emergency assistance to the region, particularly humanitarian and food aid, to ease social pressures.

A similar attitude with regard to Brazil would demonstrate U.S. desire to support the surging democratic process there. A U.S.-led reorganization of the entire foreign debt is crucial to slow deterioration of the social situation. The U.S. must accept that democracy cannot flourish while the current military regime remains under insistent social pressure.

While Venezuela's new Lusinchi government needs the same political space, Peru's "government under siege as much from without as from within" needs support to begin a modest economic recovery. The Belaunde administration is trapped by rising social and political discontent and needs U.S. leadership in debt renegotiations to pass on the democratic baton in elections scheduled for 1985.

Elsewhere in the Southern Cone, Roett believes that the U.S. should use the Alfonsín victory to endorse an embryonic democratic process in Chile and Uruguay (where elections are scheduled for November). U.S. economic assistance is essential to bolster the tottering Bolivian democracy of Hernan Siles Suazo, while Argentina's democratic flowering will increase pressure for liberalization on the Paraguayan dictator Alfredo Stroessner. ●

TRIBUTE TO FRANK V. VALENTINO

HON. MARTY RUSSO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. RUSSO. Mr. Speaker, I am pleased to note that a friend and most deserving man has been chosen Knight of the Year for 1984. Frank V. Valentino is a fellow member of Genoa Council No. 1639 of Dolton, Ill., and on April 30 he will receive his honor.

This will be a surprise event for Frank—but those of us who know him are not surprised. Conscientious, dedicated, and a good citizen and friend, he richly merits this recognition. His unselfish service to others is a reflection of the ideals of the Knights of Columbus.

Too often we become enveloped in the struggles and problems here and we may forget the strength that is always a part of this great Nation—the countless people who in their own communities, in their own way, exemplify what is best about the spirit of

America. Frank Valentino is such a man and I know my colleagues join with me in congratulating him on this award. ●

PROPOSAL FOR AN UNDER SECRETARY FOR HEALTH

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. WAXMAN. Mr. Speaker, I have today introduced a bill, H.R. 5438, which is designed to increase the visibility and focus of the Department of HHS on health care programs. I am pleased to be joined in this effort by my colleague, Mr. MADIGAN, ranking minority member of the Subcommittee on Health and the Environment. This bill recognizes the vast health care expenditures and resources of the Department of Health and Human Services and attempts rationally to separate the widely diverse health and social welfare programs.

The bill would reorganize the Department, creating a new Deputy Secretary and establishing the functions of an Under Secretary for Health and an Under Secretary for Human Services.

The Department simply has grown too large and unwieldy to manage effectively without separating its two major functions. Currently, its proposed budget of \$324 billion makes it the third largest budget in the world after that of the United States and the U.S.S.R. With more than 140,000 employees, it is far bigger than most other Cabinet-level departments. In addition, the health industry accounts for more than 7 million private-sector jobs.

The Department is responsible for administering the health and income security programs which are the foundation of our domestic social system. But in terms of public policy there are great differences between health programs, including medicare and medicaid, and such programs as social security or aid to families with dependent children.

We believe that the creation of Under Secretaries for Health and Human Services would provide a coherent management structure that would lead to overall improvement in the Department's efficiency and responsiveness to the needs of the public. Further, it would provide a strong emphasis and focus on health care concerns, and bring all health programs—financing, research, public health, and prevention—under a unified control.

In fiscal year 1983, the Department spent \$80 billion on health and \$197 billion on income security and human services programs. Spending for

health alone is far greater than the total budgets of many Cabinet-level departments. Health dollars now account for more than 10 percent of the gross national product.

Health care is a fundamental concern of all Americans. The time has come to elevate the senior HHS health official to a position that would provide a practical and visible focus for complex health issues facing America now and in the future. Sound policy decisions require close coordination of the different health components in HHS.

At the same time, the Under Secretary for Human Services will be able to devote more time and attention to the functions of administering our income security programs efficiently and effectively to insure their continued economic viability. This Under Secretary for Human Services would be responsible for the functions of the Social Security Administration, the Office of Human Development Services, and the Office of Community Services.

This reorganization plan would provide a new priority focus for the largest and most rapidly growing segments of the Federal budget and the national economy. It will tell the American people that we are concerned, both with their health and welfare. A text of the bill I am introducing today follows.

H.R. 5438

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

(1) the Department of Health and Human Services is an immense organization with diverse functions which fall into the categories of health care programs and income security programs (including human development services);

(2) in terms of public policy there are great differences between health programs, including the programs under titles XVIII and XIX of the Social Security Act, and the income security programs under the Social Security Act;

(3) the programs under titles XVIII and XIX of the Social Security Act are increasingly influencing medical care in this country;

(4) given the diversity of Federal health programs, which range from research conducted by or through the National Institutes of Health to the administration of the programs under titles XVIII and XIX of the Social Security Act by the Health Care Financing Administration, there is a need for an Under Secretary for Health to serve as a single management focus;

(5) Federal health programs are a major force in the Nation's overall health care system and thus it is important to elevate the importance of these programs to the Nation; and

(6) the creation of an Under Secretary of Health and an Under Secretary for Human Services would lead to an overall improvement in the Department's responsiveness to the needs of the public.

SEC. 2. (a) The office of Under Secretary of Health and Human Services in the Department of Health and Human Services is redesignated as the office of the Deputy Secretary of Health and Human Services.

(b)(1) Section 5313 of title 5, United States Code, is amended by adding at the end the following: "Deputy Secretary of Health and Human Services."

(2) Section 5314 of such title is amended by striking out "Under Secretary of Health and Human Services".

SEC. 3. (a) There shall be in the Department of Health and Human Services, in addition to the offices now provided for by law, an Under Secretary for Health and an Under Secretary for Human Services. Each Under Secretary shall be appointed by the President, by and with the advice and consent of the Senate. During the absence of disability of the Secretary of Health and Human Services and the Deputy Secretary for Health and Human Services, an Under Secretary, determined according to such order as the Secretary shall prescribe, shall act as Secretary.

(b)(1) The Under Secretary for Health shall be a doctor of medicine or a doctor of osteopathy and shall—

(A) have responsibility for the Public Health Service, the Health Care Financing Administration, and the Office of Assistant Secretary for Health; and

(B) perform such additional functions as the Secretary of Health and Human Services may prescribe.

(2) The Under Secretary for Human Services shall—

(A) be responsible for the Social Security Administration, the Office of Human Development Services, and the Office of Community Services; and

(B) shall perform such functions as the Secretary of Health and Human Services may prescribe.

(c) Section 5314 of title 5, United States Code, is amended by adding at the end the following:

"Under Secretary for Health.

"Under Secretary for Human Services."●

ENERGY CONSERVATION AND RAILROAD SAFETY

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. CONTE. Mr. Speaker, as my colleagues know, I have long been an advocate of strengthening America's railroads. They are a critical part of our Nation's transportation infrastructure. They move some 37 percent of all intercity freight in the United States. With the advent of deregulation, and the new and innovative marketing strategies that deregulation allows, I expect that the amount of freight traveling by rail will increase in the future.

As we look to a stronger, growing and more competitive rail industry, there are two areas that I believe the Federal Government should pay particular attention to—fuel efficiency and safety.

I am pleased to note that Secretary Dole has put a strong emphasis on

safety in every mode of transportation, and her leadership in this area is already evident at every level of the Department of Transportation. She is to be commended for her efforts in this regard.

I have also noted with interest the work that the senior Senator from Virginia, Senator WARNER, is undertaking with regard to fuel conservation techniques in the railroad industry, particularly concerning the use of coal. He likewise is to be commended for his work in this important area.

The efforts of Secretary Dole and Senator WARNER notwithstanding, I am struck by the lack of any significant body of technical study in these two areas. The Department of Energy devotes almost all of its efforts in the fuel conservation area to automobiles. The Department of Transportation has undertaken very little study in the fuel conservation area. While DOT has, as I indicated, made safety a priority, it is proceeding with an extremely limited body of current research on the subject.

This observation was recently brought home to me by information I have received about research underway at the Massachusetts Institute of Technology in this area. A New York based rail grinding company, Speno Rail Services, has sponsored some preliminary studies at MIT on the energy conservation and safety effects of track and rail surface geometry. The engineers at Speno and their colleagues at MIT have indicated not only how limited the literature is, but how little it has been utilized from an energy conservation and safety point of view. Yet, their preliminary findings are yielding exciting results. Those results show that there may well be significant fuel and safety benefits to be derived by the right combination of rail and track surface maintenance. For instance, in the fuel area, they estimate that an average size railroad could save as much as 5,000 gallons of fuel per mile per year given the right combination of rail and track surface maintenance. Likewise, they believe that the possibility of wheel lift on high speed trains moving over corrugated track could increase the incidence of derailment. These preliminary findings merit a more intense look by the Federal Government.

Energy conservation and safety are important subjects as we view our railroad industry today. They take on added significance as we look to the future. It seems clear that high speed passenger operations are coming under increasing scrutiny in this country. The United States-Japan Rail Congress has traveled to Japan to study that country's high speed Bullet Train. A similar trip has been taken to Europe to study the French TGV high speed train. The American High Speed Rail Corp. has spent a considerable

amount of money studying a possible California high speed system, and is putting together a group of investors to finance it. The Federal Government has recently provided grants to Florida and Nevada to study the feasibility of a high speed rail passenger system in these States.

If high speed passenger operations become a reality in this country, then fuel conservation, and most certainly safety considerations, take on additional dimension of importance.

As we consider how our transportation dollars can best be spent, we should consider directing some of those dollars to these high priority areas. For a very modest investment I believe we can add significantly to our knowledge and understanding of energy conservation and safety in this important mode of transportation, and translate that knowledge and understanding into some very tangible benefits for the American people. I hope my colleagues will be prepared to join me in that effort.●

LOUISVILLE TEACHER RECEIVES U.S. TEACHER OF THE YEAR AWARD

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. MAZZOLI. Mr. Speaker, this past Monday I had the distinguished dean of the Kentucky delegation and the chairman of the House Education and Labor Committee, CARL PERKINS, as my guest on my television show.

On the show, Mr. PERKINS and I discussed the need for a continued strong Federal role to assure that a quality education is available to all Americans. We also discussed several bills before the House—including the American Defense Education Act, H.R. 881, which we have both sponsored—to help maintain our standard of excellence in American education.

Nowhere is that standard of excellence more evident than in room 211 in Ballard High School in Jefferson County, Ky., where Sherleen Strong Sisney teaches economics and history. Sherleen has just been designated the U.S. Teacher of the Year by Encyclopaedia Britannica, the Chief State School Officers Organization, and Good Housekeeping magazine.

I have had the pleasure and honor of speaking before Shirleen's classes at Ballard on several occasions. The questions her students ask, and the observations they deliver about the political process evidence a depth and breadth of knowledge that attests to the quality of their instructional leader.

I had the pleasure of meeting with Sherleen, her husband, Lee, her proud parents, Mr. and Mrs. Louis Strong, as

well as three of her students from Ballard High School—who were all here to participate in ceremonies in her honor at the White House. Sherleen has brought credit and honor to the Commonwealth of Kentucky. We are all proud to have her kind in our midst.

I commend to the attention of my colleagues the following article which appeared in the April 1 Louisville Courier-Journal about the exceptional work Mrs. Sisney is doing in the classroom.

The article follows:

[From the Louisville Courier-Journal, Apr. 1, 1984]

LOUISVILLIAN HONORED AS U.S. TEACHER OF THE YEAR

(By Leslie Ellis)

One of the country's highest education honors has come to Kentucky with the naming of Sherleen Sisney, economics and history teacher at Ballard High School, as the national Teacher of the Year.

She will receive the award from President Reagan in a ceremony in the White House Rose Garden on April 11.

Thirty of her students, local school officials and her immediate family are invited to join her for the ceremony.

During a five-day stay in Washington, she will be featured in television appearances, interviews with the national media, meetings with top education officials and presentations to teacher associations.

She will continue in the national spotlight for the next year—her predecessor had at least three speaking engagements a week.

The award is expected to give Kentucky education some positive publicity—a departure from the usual dour reports that rank Kentucky among the bottom states in teacher salaries, literacy rates, dropout rates and spending per pupil.

"I'm still really in shock," Mrs. Sisney said Friday afternoon. "I've been trying to be a teacher and also work on press releases," she said, chuckling over having to juggle the demands of her new role.

Her students had left for the afternoon; her classroom—room 211, at the end of the hall—was abnormally quiet. Visitors usually find students operating mock corporations, debating political issues, acting as historical figures, or writing new constitutions.

Named Kentucky's Teacher of the Year last fall, Mrs. Sisney is already a nationally recognized leader in involving the business community in the classroom. She created a "learn-by-doing" economics curriculum that has earned her an avid following among students.

The philosophy behind her teaching is to give students a reason to learn, to excite them about learning, and to encourage them to analyze and to ask good questions, instead of simply memorizing facts.

"She forces us to strive to find information on your own. She just doesn't spoon-feed us," a student in one of her economics classes said earlier this year.

A sign over her chalkboard says "Be More Specific," an admonition she uses to encourage students to speak and write clearly. Quizzes often follow reading assignments to test students' understanding of the material, and she may ask students to redo written work several times.

The National Teacher of the Year award has three sponsors: Encyclopedia Britannica,

the Chief State School Officers organization, and Good Housekeeping magazine.

Decisions were based on written essays about teaching methods and philosophies, and on interviews.

A representative from Good Housekeeping shadowed her for two days in Louisville, talked with students, observed classes, interviewed parents and conducted a 25-minute videotaped interview.

In February, she became one of our finalists. That was when she began to feel as though she were "carrying the school system's banner" and helping to bring recognition to a "state that's not given a lot of credit for its students or personnel."

On March 2, she was told she had won the national title.

She was grading papers in her classroom and was summoned to the office—State Superintendent of Public Instruction Alice McDonald was on the phone to say "congratulations."

Mrs. Sisney laughed, remembering the call. "I said, 'For what?'"

"She told me she wanted to line my room with roses, but to wipe the smile off my face and get back (to class) and act like nothing had happened."

So far, only her immediate family and a few close friends and school officials have known of the award.

Award officials had planned no public announcement until a press conference April 10 in Washington. But after contest officials said they wanted 30 students to attend the ceremonies, local school officials realized there would be no way to keep it quiet.

A school system spokeswoman, Rande Swann, said the district is "elated" about the honor for Mrs. Sisney. "We feel Sherleen certainly does exemplify the quality teacher that the Jefferson County Public Schools have come to know and enjoy."

The students will be told of the Washington trip tomorrow.

The students haven't been selected yet; transportation and other costs for their trip are still being discussed.

Ironically, in the same month that Kentucky is honored for having the nation's outstanding teacher, the state legislature rejected a proposal for more taxes to finance an education-improvement package. Mrs. Sisney said she expects interviewers to be curious about Kentucky's attitudes toward education.

She hopes the award will help break some stereotypes about education in Kentucky. She said she's delighted that her students and local school officials will share the limelight with her in Washington because they will present a positive image.

"There's a great deal for this state to be proud of, and we'll showcase that," she said.

As Mrs. Sisney speaks extensively about education during the next year, she said she hopes to convey these messages:

"I think it's time to get on a positive note about education," she said. The schools have come through a decade in which education was expected to solve everything, "from drug problems to venereal disease to social and emotional problems."

Schools need to deal with these problems, but shouldn't be expected to solve them single-handedly, she said. Their focus should be on education issues such as reducing the dropout rate and finding ways to develop top-quality teachers.

The existing negativism in education can lead to "real opportunities" for change, she said, "but the door for opportunity won't stay open too long."

Educators must exert leadership more than ever before, she said. They need to talk to policy-makers and legislators about what can and can't be accomplished, and about what they can do to work with teachers, she said.

An economic-education program such as the one in her classroom, which includes "hands-on" projects and draws business leaders into the classroom, can help improve students' "opportunities for a better quality of life," she said.

Making economics relevant helps students be better consumers, wiser voters and better prepared for the job market, she said. ●

TAX CUTS: BEYOND THE RHETORIC

HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. FIELDS. Mr. Speaker, those of us who supported the Economic Recovery Tax Act of 1981 have frequently been vociferously attacked as "Robin Hoods-in-reverse." Critics rage that the 1981-passed tax reductions benefited the rich at the expense of the poor.

Consequently, I found quite interesting a recent Treasury Department analysis of actual 1982 tax returns. Contrary to bellicose political rhetoric, the Treasury analysis revealed that under the first year of the tax cut, the share of taxes paid by upper-income individuals and families actually rose while the share of taxes paid by lower- and middle-income individuals and families fell.

I commend the following article from the Washington Times to the attention of my colleagues on both sides of the aisle.

[From the Washington Times, Apr. 5, 1984]

NOW MORE TAXES FROM RICH

(By Warren Brookes)

For three years, Democrats have argued that President Reagan's tax-cut program "favors the rich at the expense of the lower-income groups," and they have successfully sold this idea to the public. Now, an analysis of actual 1982 tax returns by the Treasury Department shows exactly the opposite.

Under the first year of the Reagan tax cut, the share of taxes paid by the rich (those with incomes over \$50,000) rose dramatically, while the tax burden of those under \$50,000 fell sharply.

In 1982, the year individual tax rates were cut an average of 7.5 percent on all salaries and wages, and the top tax rates on unearned income were cut (29 percent) from 70 to 50 percent, taxes actually paid by the rich (over \$100,000 in income) increased 13 percent, and by those over \$50,000, 6 percent. At the same time, taxes paid by those with incomes below \$20,000 declined 12 percent, while those with incomes between \$20,000 and \$50,000 actually paid 4 percent less.

Although total income tax collections declined 2 percent in 1982, those with incomes above \$50,000 paid 40-percent more tax revenues in 1982 than in 1981. One of the

primary reasons for this huge increase was a 55-percent rise in the number of returns filed by those reporting \$1 million or more in adjusted gross income, from 5,283 returns in 1981 to 8,203 in 1982. As a result, the distribution of the federal tax burden shifted sharply to the upper income levels, exactly contrary to the claims of presidential candidates Walter Mondale and Gary Hart.

In 1981, those with incomes under \$20,000 paid 17.1 percent of the total income-tax collections. In 1982, that share dropped to 15.5 percent, the largest such drop in a single year since 1965 (under the Kennedy-Johnson across-the-board tax reduction). At the same time, the share paid by those with incomes above \$50,000 rose sharply from 32.9 percent in 1981 to 35.4 percent in 1982—an 8 percent shift of the tax burden toward the rich.

The shift was even more dramatic among those with incomes above \$100,000 whose share of the federal income taxes rose from 15 to 17.3 percent, a 15-percent rise, while the share paid by millionaires rose 41 percent in 1982.

Rep. Jack Kemp, R-N.Y., co-author of the Kemp-Roth, three-year, 25 percent tax rate cut, told this column: "These figures prove what we have argued all along. If you really want to soak the rich, as some of my liberal colleagues are always proposing, the best way to do it is to lower all tax rates, and make it more profitable for them to invest. (Incidentally, many Democrats, including Mr. Hart, have endorsed his idea in the Bradley-Gephardt tax plan to cut top marginal rates to 30 percent, a plan that has since been upstaged by a 25 percent top-rate proposal by Rep. Kemp and Sen. Robert Kasten, R-Wisc.)

Mr. Kemp noted that "this same upward shift in the tax burden took place under the Kennedy-Johnson tax cuts of 1963-65, when tax rates were cut by about 25 percent across-the-board."

"As I recall," he continued, "between 1983 and 1966, the share of taxes paid by the under-\$10,000 group fell by 23 percent, while the share of taxes paid by those over \$50,000 increased by 36 percent, while total revenues grew.

"We see the same effect, here," he says. "Even though 1982 was a recession year, and even though tax rates were cut an average of about 10 percent, while collections from the upper-income groups actually rose by a very solid 13 percent. Had it not been for the Federal Reserve's chokehold on credit, which produced the recession long before the first tax cuts could take effect, I am convinced we would have seen total 1982 revenues rise as they did in 1965."

Although tax returns for 1983 are still coming in, and it is too early for an analysis of them, the preliminary indications are that the same effect is taking place, as receipts from those filing estimated taxes (typically the upper-income groups) are running substantially ahead of those from payroll withholding.

"This means," Mr. Kemp reminded us, "that my friend, former Congressman Bill Broadhead [D] of Michigan of 1981 when he, with Tip O'Neill's blessing, offered to give us an immediate reduction in 70-percent unearned-income rate down to 50 percent, instead of phasing it in over three years as the president was proposing.

"He told me then," Mr. Kemp remembers, "that he knew this 'wouldn't cost anything,' because it would lure so much wealthy income out of shelter back into the productive economy."

The trouble was, the "price" the Democrats asked of Mr. Kemp and President Reagan for this concession was the elimination of the third year tax cut and indexing, which primarily benefits middle incomes.

"This show the hypocrisy of the liberals," Mr. Kemp said. "They were willing to trade an immediate reduction of tax rates on the rich, which they knew wouldn't be costly, in order NOT to give a 10-percent third-year reduction or indexing to the middle-class. Now, they turn around and assault us for favoring the rich.

The new Treasury analysis should put a lie to that whole argument, but with the extreme liberal bias of the press, don't count on it. The "big lie" has been well sold.●

CHILE STILL DENIES HUMAN RIGHTS

HON. TOM HARKIN

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. HARKIN. Mr. Speaker, since 1973 when the Pinochet regime forcefully took over the country of Chile, it has been the subject of much controversy within our own Government, particularly as we consider recertification of aid to that government.

Clearly, the human rights situation has not improved in Chile. In fact the situation is getting to be much worse. Just over a week ago, on March 23, a new state of emergency was reimposed. In the last day of national protest on March 27, 400 were arrested and at least 5 killed. Journalists and editors are being detained; magazines are being taken off the streets; and censorship has gotten much harsher. A case in point here, Juan Pablo Cardenas, the editor of the monthly publication *Analisis* was arrested on April 10, and I am calling this to the attention of our State Department and the Chilean Embassy. Earlier this year he was similarly arrested and held for 23 days.

The Chile Committee for Human Rights reported that in 1982 there were 85 reports of torture to citizens by the security forces of the Chilean Government. In 1983, that number increased to 437 reported incidents of torture.

With your permission, Mr. Speaker, I would like to insert into the RECORD an article by Isabel Letelier entitled, "Chile Has Not Cleaned Up Its Act." I believe that it very clearly illustrates the injustice that continues in Chile.

[From the Washington Post, Mar. 31, 1984]

CHILE HAS NOT CLEANED UP ITS ACT

(By Isabel Letelier)

Rep. G. V. Montgomery seems puzzled by an "unremittingly hostile attitude" toward Chile [For the Record, March 18], despite what he and U.N. Ambassador Jeane Kirkpatrick see as a "hopeful process of liberalization moving toward democratization" by the military regime of Gen. Augusto Pinochet. The congressman assumes that the Chilean regime has cleaned up its act in the

human rights arena, and has cooperated in the U.S. investigation into the September 1976 terrorist assassination of Orlando Letelier and Ronni K. Moffitt in Washington. He assumes too much.

The March 27 national day of protest in Chile against continued military rule, and the ensuing troop violence, left a toll of five deaths, dozens of injuries and hundreds of arrests. This is evidence enough that the Pinochet regime remains a repressive dictatorship with no intention of moving toward a return to democracy in Chile. And far from cooperating in the U.S. investigation into their carbombing murders, as Montgomery alleges, Pinochet and his military government, in the words of the Justice Department official in charge of the case, E. Lawrence Barcella, "haven't done spit. In fact, they have been dilatory and obstructive."

Yes, the Pinochet regime did turn Michael Townley, an American expatriate working as an international assassin for the Chilean secret police, DINA, over to the United States, but not "voluntarily" as Montgomery states. Rather, for more than a month after Townley was identified as a key suspect in the case, the Pinochet regime stalled, lying to U.S. Justice Department officials—they were told that Townley's whereabouts were unknown when in fact he was under secret police protection at his own home—and even producing another man in his place. Only after U.S. Ambassador George Landau threatened "serious repercussions" in U.S. relations with Chile, and the Justice Department signed an agreement limiting the use of Townley's testimony to the Letelier case, was he finally turned over to American authorities.

And yes, Gen. Hector Orozco did relieve Townley of his oath of secrecy; the Chileans then secretly agreed to pay up to \$250,000 for his legal expenses and support for his family in Chile as an incentive for him not to reveal his other assassination missions—in Argentina and Italy—undertaken on behalf of Pinochet.

Nevertheless, Townley is a smokescreen that Montgomery is using to divert attention from the real issue—the Pinochet regime's abject failure to bring three indicted Chilean co-conspirators, including the former head of DINA, Gen. Manuel Contreras, to justice. Congressional legislation passed in 1981 prohibits sending U.S. military aid to Chile until the military regime takes "appropriate steps to cooperate" to extradite these intelligence officials to the United States to stand trial, or bring them to trial there.

Contrary to what Montgomery would have us believe, the applicability of plea-bargained evidence has nothing to do with the Pinochet regime's refusal to prosecute Contreras and his subordinates. Evidence of their guilt exists independently of Townley's testimony; thus the military regime has blocked attempts by lawyers of the Letelier family to pursue their own investigation. As Townley himself wrote to a colleague in the Chilean intelligence service: "You know the truth. I know it, the [Chilean] court knows it, perhaps 80 percent of the country knows it. If they really wanted to prosecute him [Contreras] they have more than 100 witnesses that could do it there."

Perhaps the truth—that officials at the highest levels of the Chilean government carried out and attempted to cover up a vicious act of international terrorism on the streets of this nation's capital, and continue

to insult the U.S. system of justice—was not told to Montgomery during the briefing he received in Chile. Otherwise, how does one explain why he seeks to reward the Pinochet regime by restoring U.S. military aid while human rights violations continue and while the men who murdered Ronni Moffitt, Orlando Letelier and thousands of other innocent victims walk free.

I am in total agreement with Rep. Montgomery's conclusion: "After 7½ years it is time to move forward." It is time to move forward—by supporting the forces of democracy in Chile, and by demanding justice in the Letelier-Moffitt case.●

DRAFT STATEMENT TO ACCOMPANY THE HOLTZMAN ARTICLE

HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. WEISS. Mr. Speaker, public support and understanding of the need for the equal rights amendment has never been stronger. However, last November this House defeated the amendment in a vote that fell six short of the two-thirds majority needed for passage. This was a blow to the women's movement and to the advances women have made since 1970, when the House first passed the ERA.

During the debate, opponents voiced concerns which were irrelevant to the ERA. I believe it is important that these concerns be laid to rest to insure the future passage of the ERA. The arguments against the ERA expressed in November have been skillfully analyzed and refuted in an article by a former colleague from New York, Elizabeth Holtzman. I would like to recommend that article to my colleagues. It provides an historic perspective on the amendment and the need for its passage.

The article, from *Newsday*, follows:

[From *Newsday*, Nov. 30, 1983]

FEARFUL MEN BEAT THE ERA

(By Elizabeth Holtzman)

The women's movement suffered a major setback in the House of Representatives earlier this month, when the Equal Rights Amendment fell six votes short of the two-thirds majority needed for passage.

This defeat appeared surprising given the substantial advances made by women since 1970, when the House first passed the ERA. Fifteen million more women have entered the work force. New opportunities have been opened to women, from space flight to police work. The Supreme Court has struck down discrimination against women in pay, pensions and jury service, and has, in a decision of far-reaching importance, legalized abortion.

But a closer analysis suggests that these very advances may have prompted the ERA defeat.

Those voting against ERA argued that they were not antagonistic to women's equality per se, but simply opposed the procedures for considering the amendment which restricted debate time and barred amendments.

Their claims are not credible. Nearly identical procedural objections were rejected overwhelmingly in the 1970 vote. Raised again in 1983, they are laughable.

Consider, for example, the absurd claim of House Minority leader Robert Michel (R-Ill.) as he reversed his 1970 pro-ERA vote: "You are not giving us time to think."

The ERA, a simple 24-word amendment, was first introduced in Congress in 1923. Further, most members of the House dealt with ERA during the 1982 campaign. The plea for "more time to think" was just a ruse.

ERA foes complained that they were not allowed to offer amendments. But in 1970, the House passed the ERA under a parliamentary procedure that effectively precluded amendments.

It seems clear that the ERA was defeated not by concern over procedural issues but by deeply entrenched hostility to women's demands for equality.

What has happened since 1970 to raise this hostility to a level where more than a third of the Congress would refuse to endorse the simple concept of women's equality? A comparison of the House debates offers some answers.

In 1970, the opponents of ERA (all 15 of them) concentrated on the claim that men and women were so profoundly different that equality under the law made no sense. As the then-Chair of the House Judiciary Committee, Emanuel Celler, put it: "[T]here is as much difference between a male and a female as between a horse chestnut and a chestnut horse."

In 1983, opponents reacted against the entry of large numbers of women into the workforce. In 1970, ERA opponents voiced fears that ERA would wipe out "protective" measures for women workers, measures that actually maintained their second-class status.

Since 1970, women have been demanding pay equity, equal access to nontraditional jobs, greater job-training opportunities and an end to discrimination in insurance and pension benefits. It is not surprising then that in 1983, ERA opponents expressed a new fear that women's economic advancement would take jobs from men.

They expressed this fear by arguing that ERA would nullify the veteran's preference, which ensures priority for veterans in hiring, pay and promotion in federal and state civil service. Because an overwhelming majority of veterans are men, the veterans' preference seriously limits women's employment options. Concern that ERA would eliminate veterans' preference suggests not only a fear of women's economic competition but an attitude that jobs, higher pay and promotional opportunities are more important for men than for women.

The debate also reflected a second major change that took place in the 1970s—the Supreme Court's legalization of abortion. Coupled with the legalization of birth control, this decision enabled women to control childbearing decisions and pursue careers.

The Supreme Court's abortion decision was based not on the ERA, but on the constitutional right to privacy. ERA opposed opponents' argument that "a pro-ERA vote is a pro-abortion vote" was false. In fact, 88 anti-abortion legislators voted in favor of the ERA.

Plainly, raising the unrelated abortion issue in the ERA debate was just another way of saying that women's primary role is a reproductive one and that women should stay in their place.

The other arguments against ERA in this year's debate—that ERA would require woman to fight in wars and that it would prohibit separate schools for men and women—were soundly rejected by the House of Representatives in 1970. Even without ERA, Congress has the power to draft women and place them in combat, just as it has the power to prohibit discrimination against women in education.

This new opposition to ERA suggests that women's advances have produced a backlash. Women face a new and disturbing challenge: The more successful they are, the greater the risk of hostility.

Women must therefore become major actors in the American political system. Women must register and vote. Women make up more than half the population of this country; by voting women can compel the government to do what it is unwilling to do on its own. Public officials must be taught that women won't watch silently while their political rights are scorned.

Women must also seek elective office in larger numbers. Only 22 members of the House of Representatives are women. In this month's vote, 20 of them (91 per cent) voted for ERA. Clearly, if the numbers had been reversed and 423 women and 22 men had voted on the ERA, its passage would now be history.

America's women have still not achieved equality. Rep. Michel said: "We [the opponents of ERA] are in no hurry." But America's women have waited long enough.●

ADMINISTRATIVE SITE DECLARED EXCESS BY FOREST SERVICE

HON. E de la GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. DE LA GARZA. Mr. Speaker, pursuant to section 314 of the 1984 Interior and Related Agencies Appropriations Act (Public Law 98-146), the Forest Service has advised the Committee on Agriculture of its intention to declare excess an administrative site in Concrete, Wash.

In accordance with that act, I am inserting the letter of transmittal I received from the Chief of the Forest Service, together with the accompanying explanatory material, in the RECORD at this point so that our colleagues might be aware of this decision and have an opportunity to comment to the Forest Service should they be so inclined:

U.S. DEPARTMENT OF AGRICULTURE,
FOREST SERVICE,
Washington, D.C., March 29, 1984.

Hon. E (KIKI) DE LA GARZA,
Chairman, Committee on Agriculture,
House of Representatives, Washington,
D.C.

DEAR MR. CHAIRMAN: Section 314 of the 1984 Interior and Related Agencies Appropriations Act (Pub. L. 98-146) requires funded Agencies to take the following actions before disposing of any lands, except by exchange or under certain specified authorities:

1. Determine that the tract is no longer needed by the Federal Government and inventory the tract as to its public value.

2. Provide opportunity for public review and comment.

3. Provide 30 days advance notice to the Congressional delegation of the State or States in which the tract proposed for sale is located and the plan for carrying out such disposal.

4. Notify the appropriate Congressional committees for immediate publication in the Congressional Record.

We are proposing to declare excess an administrative site in Concrete, Washington. It is a 0.51-acre parcel with two 3-bedroom residences. The legal description is: T.35N., R.8E., Section 10, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W.M., Lots 1, 2, 3, 4, of Block 1, Everett's second addition to Concrete.

Notice was given to the Washington Congressional Delegation on September 28, 1983. (See enclosed copy of letters.)

Information on the proposed disposal was published in eight local newspapers to provide the opportunity for public review and comment. (See enclosed copy of legal notice and list of newspapers.) We have received no comments from the general public nor from local Government officials. The final decision on the proposed disposal will be made after 30 days.

Sincerely,

R. MAX PETERSON, *Chief.*

Enclosure.

MOUNT BAKER-SNOQUALMIE
NATIONAL FOREST,
Seattle, Wash., Sept. 28, 1983.

Hon. AL SWIFT,

U.S. Congressman, Everett, Wash.

DEAR CONGRESSMAN SWIFT:

As required by Section 316 of the 1983 Interior and Related Agencies Appropriation Act (Pub. L. 394), please be advised that the following listed administrative site has been determined to be excess to the needs of the Mt. Baker-Snoqualmie National Forest and the Forest Service. We will not report the property as excess until you have had 30 days for review as specified in Section 316.

FOREST SERVICE ADMINISTRATIVE SITE

DETERMINED EXCESS IN WASHINGTON

Site name: Two 3-bedroom residences, with land, Concrete, Wash., Mt. Baker Ranger District.

Description: T. 35N., R.8E., Section 10 SW $\frac{1}{4}$ NW $\frac{1}{4}$, W.M. Lots 1, 2, 3, 4 of Block 1 110'x202.7'. Everett's second addition to Concrete.

Size: .51 acres.

If you wish additional information, please write or call my office at (206) 442-0307.

Sincerely,

J. D. MacWILLIAMS,
Forest Supervisor.

[From the Bellingham Herald, Nov. 14, 1983]

NEWSPAPER LEGAL NOTICE FOR PROPOSED DISPOSITION OF ADMINISTRATIVE SITES AND LAND UTILIZATION PROJECTS, U.S. DEPARTMENT OF AGRICULTURE, FOREST SERVICE, MOUNT BAKER-SNOQUALMIE NATIONAL FOREST

NOTICE OF PROPOSED DISPOSITION OF LAND

Notice is hereby given that the Forest Service, U.S. Department of Agriculture proposes to dispose of a parcel of improved land under the jurisdiction of Mt. Baker-Snoqualmie National Forests by authority of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 486(c)). This

notice is to comply with Section 316 of Public Law 97-394.

The land is an administrative site outside the boundary of the Mt. Baker-Snoqualmie National Forest and is not National Forest land.

The land with improvements being proposed for disposal is commonly known as two, 3-bedroom residences with land and is located in Skagit County, Washington in Concrete, and is more particularly described as:

Legal description: T.35N., R.8E., Section 10, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W.M., Lots 1, 2, 3, 4 of Block 1, 110' x 202.7' .51 acres. Everett's second addition to Concrete.

Persons claiming such properties or having valid objection to this proposed disposition must file their claims or objections with the Forest Supervisor, Forest Service, U.S.D.A., 1022 1st Avenue, Seattle, Wash. 98104 within 10 days after date of the last publication of this notice.

Concrete Herald, P.O. Box 407, Concrete, Wash. 98237.

Bellingham Herald, P.O. Box 1277, Bellingham, Wash. 98227.

Courier Times, 807 Metcalf Street, Sedro Woolley, Wash. 98284.

Skagit Valley Herald, P.O. Box 578, Mt. Vernon, Wash. 98273.

Everett Herald, P.O. Box 930, Everett, Wash. 98206.

Seattle Times, P.O. Box 70, Seattle, Wash. 98111.

Argus, P.O. Box 739, Mt. Vernon, Wash. 98273.

Outlook, P.O. Box 455, Sedro Woolley, Wash. 98284.

Seattle P.I., 6th Wall Classified Dept., Seattle, Wash. 98121.●

**CONGRESSMAN JIM COURTER
ON MILITARY REFORM**

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. GINGRICH. Mr. Speaker, I commend to my colleagues' attention a speech entitled "Military Reform," which was recently delivered to the Defense Strategy Forum by our colleague JIM COURTER, House chairman of the Military Reform Caucus. In this articulate speech, JIM COURTER explains the value of military reform to our Nation's defense, and tells of some recent and prospective military reform initiatives in Congress. The speech is a clear explanation of an often misunderstood movement, and I commend it to the attention of anyone interested in the cause of an improved national defense.

MILITARY REFORM

(By Congressman JIM COURTER)

I'm very pleased to have the opportunity to address this distinguished group on one of the most misunderstood subjects in our national security debate: military reform.

In fact, if you haven't heard of the military reform movement or the Congressional Military Reform Caucus, so much the better—because that will make it easier to explain military reform to you and try to dispel some of the misconceptions that surround it.

The Military Reform Caucus consists of more than eighty Members of Congress who are dedicated to improving our nation's defense by exploring what some consider to be unorthodox solutions to defense problems. We concentrate almost exclusively on conventional warfare and spend little time on nuclear issues. We tend to believe that people, strategy and tactics—and not just weapons and hardware—are the components of defense which are most vital to winning conflicts.

The Caucus is an ideologically diverse group. We have everything from conservatives to nuclear freeze proponents like Tom Downey. Our Senate members cover the whole spectrum too—from Carl Levin to Chuck Grassley to Jeremiah Denton.

For those of us who work inside the Caucus, this diversity is a positive trait. For those outside the Caucus, it is often confusing and frustrating. For our adversaries, it is a trait which makes the Caucus a difficult target for criticism.

What we all share is a desire to set aside time to study military issues, to seek out alternative points of view, and look for ways to solve problems which cause us to get less defense than we should for all the money we put into the Pentagon's budget.

As I said, the misconceptions about the Military Reform Caucus are many.

If you think that all members of the Caucus oppose construction of large aircraft carriers, the answer is "no," we do not.

If you think we share a common position on the M-X missile, the F-18 fighter, the B-1 or any other weapon, the answer is "no," we do not.

If you've heard that we all oppose the use of high technology, and want to replace our current arsenal with larger quantities of inferior weapons, the answer is "no," we don't take this position.

And if you have been told that we have formulated a common military reform defense budget, or that the Caucus wants to cut defense spending, then you've been misinformed again, because we don't take those positions.

In fact, while our members obviously take their own positions on all these issues, the Caucus has taken only a few well chosen positions on legislative matters.

If there's one message I can get across tonight, I would like it to be this: that the views of any one Congressman speaking in the name of military reform don't necessarily apply to the entire membership of the Military Reform Caucus.

So, tonight I'll be speaking for myself, and I'll be offering you my personal view of military reform, its value to our nation's defense, and the role the Caucus plays in Congress.

I am now serving my sixth year as a member of the Armed Services Committee, and my second year as a member of the Military Reform Caucus.

The House Armed Services Committee is composed of fine, dedicated members, and it employs what I believe to be the most able, hardworking, intelligent and underpaid staff on Capitol Hill. The Committee is by no means a rubber stamp for the Pentagon—witness the work of our Investigations Subcommittee on the Marines in Lebanon, or the many actions we have taken to reduce or alter the Pentagon's annual budget requests.

But the Armed Services Committee does have a serious shortcoming, which is that, unlike other congressional committees, it fails to seek out and hear the views of those

who dissent from the consensus opinion on defense. This is probably due to the fact that the Committee is preoccupied with reviewing the innumerable line items in the Pentagon's budget.

This lack of alternative opinion before the Armed Services Committee creates a void which the Military Reform Caucus attempts to fill. We host all types of defense analysts at our meetings, often in a debate format.

I feel that this function of the Caucus is absolutely necessary. If I am going to run on a platform of economy in government, and if I'm going to stand for sound management practices and efficiency, then I owe it to my constituents to look at the entire federal bureaucracy—including Defense—with the same critical eye.

If we can't end poverty just by spending more money on social programs, then it only stands to reason that we can't buy absolute security by giving a blank check to the Pentagon. My constituents know this. They want a well-managed and effective Defense Department that is careful with their money.

It is clear to me that the consensus we so desperately need for a strong military deterrent will not be sustained unless it is demonstrated that government is making careful use of the defense dollar. In this sense, military reform is more than good policy—it is good politics as well, because it can generate popular support for the difficult and expensive work of building our nation's military strength.

In sum, military reformers are pro-defense. We may question the Pentagon and differ with some of the ways it does business, but the fact that we want to change current practices shouldn't lead to the conclusion that we don't want a strong military.

Now, let's discuss some of the military reform ideas which have caused so much consternation at the Pentagon.

One good example is the creation of a new office of Operational Test and Evaluation, which was mandated by law in the 1984 defense authorization bill. I'm proud of the role I played in this, and pleased to note that the legislation which was signed into law was substantially of my authorship.

We wanted to guarantee that weapons procured and fielded had been properly and realistically tested. In World War II, U.S. Navy submarines filed reports of direct torpedo hits on enemy ships in which the torpedoes repeatedly failed to explode. This problem persisted for twenty months, until tests revealed a relatively simple defect in the firing mechanism that was easily corrected. Until the problem was corrected, our submarines missed countless opportunities for kills and endangered themselves by revealing their presence through the thuds of dud torpedoes.

A more recent example is the Army's DIVAD system, a division air defense system that protects troops from close-in air attack, using a radar-guided gun. The radar first tracks a target and analyzes its trajectory. When it fires, it aims by electronically predicting where the target will be in the five to eight seconds it takes for the gun to fire and reach the target.

What if the targeted aircraft executes a turn while the DIVAD is in the process of firing? The evidence isn't all in, but much has suggested that DIVAD can only hit targets on a constant trajectory—not a common characteristic of attack aircraft. In one recent test, DIVAD missed the drone it was supposed to hit, and instead zeroed in and scored a perfect hit on the exhaust fan

of a nearby latrine. The latrine didn't survive, I am told.

The jury is still out on DIVAD. What is clear is that Congress must focus on operational testing, the most crucial part of the weapons development process.

The problem is a lack of realism in operational tests. Tests should simulate as accurately as possible realistic battlefield conditions.

Weapons and systems that are intended to work in all weather and on all types of terrain are often tested in environments that minimize or eliminate the difficulties of bad weather or tricky landscape.

Probable enemy countermeasures, such as evasion, counterattack, stealth or electronic jamming, are not realistically simulated.

Test personnel are often too well trained and rehearsed, ensuring better performance than that of the average soldier.

Sadly, Congress at times has been informed of test results which have discounted unsuccessful test outcomes.

To solve this problem, we first drafted a bill which created a new independent organization in the Pentagon empowered to conduct all operational testing just before weapons entered full-scale production. The idea was to remove the testing function from the developers, who have a vested interest in the success of programs.

In response to constructive suggestions from the Pentagon, we changed our legislation to create an independent office which reviews, rather than performs, the tests, then issues independent reports to the Secretary of Defense and Congress before full production begins. We made an important concession by reducing the office's function to a review role. The Congress would have the burden and responsibility to digest the reports on testing in major weapons systems, and decide for itself whether a program should be stopped due to inadequate testing.

Through consultation with the Pentagon, we were persuaded that it wasn't necessary to create an adversarial relationship between those who develop weapons and those who test them. What was really needed was an independent judgement on the quality and intellectual honesty of weapons tests.

That judgement will be provided by the office we have created—an office modelled after the Inspector General which reports on matters of financial management. The reports this testing office will provide will be useful to Congress and the Secretary of Defense when a decision must be made as to whether a system should enter full-scale production.

Far from adding a new layer to the bureaucracy, I believe that this new office will make a major contribution to the acquisition process. In the long run, it should save us money by giving us the information which will prevent us from buying new systems which don't perform their assigned task.

If all this results in more money being spent on testing, so be it. Testing is expensive and time-consuming, but it's a process that is absolutely necessary if we are to give our troops the quality weapons they deserve to have when they risk their lives in combat.

Unfortunately, the Pentagon has not been enthusiastic about the legislation and little has been done to implement the law in the six months since passage. First, it appeared that the Defense Department would redefine "operational testing" so as to limit its scope. I understand that the latest plan is to

give the Operational Testing office a staff of six people to do all the work assigned to it. No charter for the office has been written, and no Director was named.

This initiative passed the Senate by a 91-5 margin, and passed the House by acclamation. I can assure you that we won't let a reasonable requirement of the law be ignored by the agency of government charged with the responsibility of implementing it.

A second issue which merits discussion is the need to increase the degree of economic competition for Defense contracts.

When I think of reforming procurement practices, I'm often reminded of a cartoon I saw in the paper several months ago. A general was explaining why the nation would be put at risk by large cuts in the military budget. "Just remember," he said, "that for every billion dollars you cut from the defense budget, that means we'll have twelve less nuts and bolts with which to defend America."

The cartoon is unfair, but it characterizes a real public perception. What I seek is a reform that will affect all types of purchases—from spare parts and supplies to fighter planes and missiles, including contracts for both production and research and development.

What I would like to see is greater competition—and by "competition" I mean formal advertising for competitive bids. This is an open process in which all qualified companies may submit bids for advertised contract proposals.

Right now, about a third of our defense budget is spent on procurement, and only six percent of procurement is performed through this competitive process. I have joined Senator Grassley in introducing legislation which will increase this percentage to seventy percent, in gradual, five percent annual increments.

Most procurement is done either through the sole source method, or through a process called "competitive negotiation," in which selected companies are invited to submit proposals, and awards are made in a closed process which isn't open to outside scrutiny.

The problem is the lack of incentive for the buyer and seller to achieve cost reduction. It doesn't take a detailed economic analysis to see why this is so: contractors profit from high prices, and if Congress provides full funding for programs, there is little incentive for the Pentagon to press for cost reductions.

The Pentagon is the sole buyer in a huge market that sustains hundreds of companies across this country. This status confers power on the Pentagon, and I would like to see it use that power to the greatest degree possible.

I want competition not just for the sake of efficiency, but also to allow the Pentagon to buy greater quantities of the weapons it needs. Competition reduces unit costs—it has a proven track record, not just in defense but in the economy as a whole. One of the greatest problems in the defense budget is the fact that unit costs for weapons and equipment are rising faster than the budget as a whole, and as a result we are forced to procure fewer items in scores of programs than we had originally planned. Competitive procurement can play a major role in solving this chronic problem, which reduces the size of our arsenal.

Prices should be determined by market competition between defense contractors, not by negotiation, government cost esti-

mates or levels of Congressional appropriations.

Take the case of the thirty millimeter anti-tank round that we use aboard the A-10 aircraft. Since 1975, two companies have been in constant competition for the production contract for this round, and this has provided incentive for cost reduction. The government is paying one-half to two-thirds the price it originally estimated for this ammunition, and has saved \$500 million as a result.

The beauty of this program is that the Air Force has not specified a design for the round. The contractors are told to meet specific criteria for the round's accuracy, reliability and ability to penetrate armor. As long as these performance standards are met, the contractors can design the round to their liking.

The two producers, Honeywell and Aerojet, have indeed made design modifications to reduce cost. Their incentive comes from the fact that bids are re-submitted every two or three years, and the low bidder gets a greater share of production.

Still, both producers are kept in business, and the Air Force gets the benefit of a larger base of production that can surge to meet wartime needs.

There are other examples. I have read one study of twenty cases in which sole-source contracts were converted to a competitive procurement basis, and the results were astounding. This study covered a diverse set of items, and the average cost reduction resulting from competition was over fifty percent. In one case, General Dynamics was awarded a sole-source contract to produce a missile—the sole source price was \$128 thousand. When subjected to competition, General Dynamics won the contract, but only after reducing the price to \$53 thousand. The following year, they had the price down to \$27 thousand—that's twenty-one percent of the original sole source price. Such is the power of incentive.

The Pentagon has made some progress toward increased competition. But still, for reasons that don't persuade me, it opposes legislation to increase the use of formal advertising for competitive bids.

It is argued that competition delays procurement, and is unsuitable for high-technology items, but it has been used in wartime and in peacetime to procure both simple and complex items.

The Pentagon objects on the grounds that formal advertising implies that contract awards must be made on the basis of price only, but there is nothing in the law to substantiate this.

The Pentagon views competitive bidding as a strict and inflexible procedure. In my opinion, this is based on a misconception of the ways in which competition can be used to stretch the defense dollar, expand the defense industrial base and increase innovation in the design and acquisition of weapons. In my view, we should allow competition to bring to our nation's defense the same benefits which it has brought to our economy as a whole.

I have described two major military reform initiatives relating to procurement. What they have in common is that they focus on reforming systems, instead of changing individual weapons programs. By focusing on broad reforms such as these, we avoid politically divisive battles over individual weapons systems, and we take actions which will have a lasting, pervasive effect in the future.

My goal in supporting procurement reform is not to cut the defense budget, al-

though I'll be the first to admit that I would be pleased to be able to buy an adequate strength with a smaller military budget.

My goal is to see that our defense dollars are spent well, and in a controlled manner. This will do more than improve the political consensus for a strong defense. If the reforms I have discussed can begin to solve the Pentagon's chronic underfunding problem, then they will contribute to increased military strength.

By "underfunding" I am referring to the fact that the Pentagon has consistently underestimated the funding it will need to meet its goals. This underestimation occurs in individual programs, and it shows up in analyses of the budget as a whole.

When this thesis was first aired a few years ago by a maverick analyst at the Pentagon named Chuck Spinney, it raised eyebrows. The Pentagon tried to refute his case by discrediting his methodology. But Spinney's view has been corroborated by other independent studies.

The underfunding problem was confirmed in 1983 by a major Heritage Foundation study.

It was confirmed this past February by Rudy Penner, the new Republican Director of the Congressional Budget Office, who estimated that the current five-year defense plan understates weapons costs by nearly \$100 billion.

Then, just last month, the General Accounting Office studied the same plan and concluded that it will require an additional \$200 to \$300 billion over the same five-year period to meet the plan's goals.

Suddenly, Chuck Spinney no longer looks like a maverick.

What is going on here? Basically, all the studies look at past and present budget practices and reach the same conclusions. They are that the Pentagon consistently underestimates: inflation in the economy; the need for costly midstream program modifications, and the effect of inflation on these added costs; and the costs of maintenance of high-technology equipment and other associated readiness costs.

There are two major problems resulting from this pattern of underestimated costs.

First, there's a political problem. When weapons cost overruns occur, people are led to the conclusion that programs, sometime vitally necessary ones, should be scrapped entirely because they appear to be out of control.

Second, there's the problem that rising unit costs cause us to get insufficient quantities of weapons, and to have less strength than we need.

In my opinion, this should lead us to examine a critical question: Is our equipment too exotic and is high technology too expensive? When military reformers raise this question, we are often accused of wanting to replace good weapons with greater quantities of inferior weapons. This is nothing but a straw man.

In the interest of building a strong defense, and because of the chronic underfunding problem, we need to make a cost-benefit analysis on all weapons systems to see if high technology is always worth the price.

Even if technological advances increase combat effectiveness—and not every application of new technology achieves this—we must calculate whether we are stronger with fewer numbers of high-technology weapons or with greater numbers of less advanced weapons. This is a tradeoff that is

imposed by the laws of economics, and it poses choices that we can't afford to avoid.

Finally, I would like to turn to another area that has been examined by the military reform movement: issues of strategy, tactics and training.

While the ideological diversity of the Caucus has not allowed it to take a unified position on grand strategy, the precise nature of the Soviet threat, or a clear definition of American interests globally, it has studied operational strategy, tactics and training.

Our military must decide upon the most effective way to fight. The more effective our conventional forces, the less chance that anyone will test us. If deterrence fails, our forces must be capable of succeeding militarily, ending conflict on the lowest possible level, on terms favorable to the U.S.

We must choose between two different kinds of warfare—attrition or maneuver.

Attrition emphasizes wearing down the opponent's forces by overwhelming the opponent with superior and overwhelming firepower. Success in battle goes to the side with the most materiel and soldiers. The Union won the Civil War with firepower and attrition, overwhelming the Confederacy with more men and more guns, more supplies and more firepower. We used the same tactics when we rolled over the Germans in 1918 and the Axis powers in World War II.

The attrition style of warfare is badly outdated, however. A different style of warfare is needed—"maneuver warfare." The object is to destroy the enemy's cohesion, and the opposing commander's ability to think clearly. You create dangerous situations that catch him off guard, because you are acting and reacting more rapidly. The commander loses the ability to cope with these new situations, and the battle is lost. As the strategist Clausewitz has said, the object in war must be to break the opponent's will. When the will is broken, victory results. The kind of warfare that does this is maneuver.

This coming Thursday, the Military Reform Caucus will look at the lessons of the Grenada, Lebanon and Falklands conflicts. Our goal is to learn from past conflicts in order to better prepare our forces for future contingencies. The Caucus has received some reports that while the Marines very effectively employed a maneuver strategy in Grenada (moving rapidly, and pulling off unpredictable moves), the Army did not try to collapse the enemy, and was very predictable. According to some reports, it tried to wipe out every small pocket of resistance before advancing. The operation took longer than necessary, and required greater numbers than would have been needed with more of a maneuver strategy.

While the operation was, of course, ultimately successful, I believe it important to examine critically conflict for the sake of improving our performance in future battles. 'Lessons learned' are worth more than their weight in gold, because they are bought not with gold, but with blood.

Maneuver requires experimentation in exercises and training. There are some encouraging signs. The 2nd Marine Division at Camp Lejeune has been successful in implementing maneuver warfare. And last week I met with the commanding officer at Fort Lewis, Washington State, General Riskassi. Ft. Lewis is the home of the Army's 9th Infantry Division. I was impressed with some of the experimentation and innovation that is going on there. We need more of it. Two-sided field exercises are far too few, and

there is always a need for more 'free-play' exercises.

A strategy of maneuver, above all, requires strong and innovative leadership. We need changes in our military education and incentive systems to get such leaders. We need to give more freedom of action to our 2nd Lieutenants. Former Chief of Staff General Edward C. Myer's "COHORT" experiment, designed to enhance unit cohesion, is a good change in the Army's personnel system.

We must institutionalize maneuver in operational strategy. It's encouraging that the Army's Field Manual 100-5 has approved the doctrine of maneuver. But the doctrine can't only be a guide; it must also be used and institutionalized. The Military Reform Caucus will continue to scrutinize training, operational strategy, and tactics. Anything that the Military Reform Caucus can do to encourage debate and experimentation to find what is most effective to prepare our forces for battle, is a positive contribution.

Tonight I have given you an overview of military reform, showing you some of the issues we have examined and the initiatives we have taken.

We don't pretend to have all the answers, and we don't seek to manage the Defense Department. But I know that we are on perfectly solid ground in asserting that the Pentagon, like any other modern bureaucracy, needs to be challenged, needs to have people question its assumption and its ways of doing business. I know that the debate we have started will be beneficial—if this were not the case, I would have no part of it.

When we speak of bureaucracies that need to be shaken up, we shouldn't forget Congress. There is no doubt in my mind that Congress poses unnecessary burdens and expense on the Pentagon through its highly disorganized budget, appropriation and oversight practices. I want the Military Reform Caucus to take the initiative in this area, so Congress can get its own house in order.

In conclusion, I hope I have demonstrated to you that the military reform effort is a serious pro-defense effort, not just a legislative Trojan horse which seeks to cut the defense budget.

Military reform can improve our nation's military capability, but it is not a cure-all. In a small way, it can help build a political consensus for defense, but it can't substitute for a sustained effort on the part of government and other institutions to educate American and world opinion as to the nature of the Soviet threat, of Soviet strategy, and the moral purpose of American foreign policy and military power.

Nor can the idea of military reform be construed as having any foreign policy implications. While others may disagree, I believe that American interests are widely dispersed across the globe, and that the threats to our friends and interests are many. These threats require us to maintain a strong military that is capable of deterring or defeating aggression in a variety of settings, and in many parts of the globe.

Whether or not we use military force should be decided according to the degree to which our interests are threatened, not by a foreign policy based on isolation, withdrawal and a diminished view of our global interests and responsibilities.

As much as anyone else, I hope for peaceful diplomatic solutions to conflicts. The presence of a strong and capable military helps us avoid conflict, and it will help us prevail when conflict can't be averted.

It is for these reasons that I am involved in military reform—because I want to see America defended by the best military that it can possibly have.●

LEGISLATION INTRODUCED TO STUDY INTERGOVERNMENTAL VIDEOCONFERENCING

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. WOLF. Mr. Speaker, I am introducing legislation today to study the feasibility of establishing secure videoconferencing between the United States and our NATO allies. I believe that more direct face-to-face communication at high levels of government could augment and improve upon our existing diplomatic communications.

The business world is increasingly utilizing videoconferencing to improve communications and decrease business travel. Business persons are becoming more effective, efficient decision-makers using this technology as their need to travel to participate in quality, face-to-face meetings is decreased.

In sensitive international communications, the ability to talk face to face is equally, if not more, important. With a secure videoconference system, the President and other high level officials would have ready access to their counterparts throughout the NATO alliance. If successful, similar systems could be used to improve the level of communications with any country with whom we have diplomatic relations. Perhaps, at some time in the future, a similar system could even be used to augment the hotline we now have with the Soviet Union.

My bill, a copy of which follows this statement, would authorize the National Telecommunications and Information Administration of the Department of Commerce to conduct a study regarding the establishment and use of videoconferencing for intergovernmental communications and report to Congress on its findings and recommendations within 1 year. The study would be conducted in consultation with the Department of State particularly with respect to the impact that a videoconferencing system might have on the conduct of foreign relations.

As modern communications bring the world closer together, I believe we need to take a serious look at new technologies for the advantages they may embody. Videoconferencing is one area that I hope will be explored and I believe this legislation provides that opportunity.

H.R. 5498

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

SHORT TITLE

SECTION 1. This Act may be cited as the "Intergovernmental Videoconferencing Act of 1984".

STUDY

SEC. 2. (a) The National Telecommunications and Information Administration of the Department of Commerce shall conduct a study regarding the establishment and use of videoconferencing for intergovernmental communications—

(1) which are between the United States and countries which are members of the North Atlantic Treaty Organization, and
(2) which need to be secure from interception.

(b) The study under this section shall—

(1) evaluate the technical feasibility and impacts of using videoconferences for diplomatic negotiations and discussions between the President (or his representatives) and the heads of state of the various countries participating (or their representatives);

(2) investigate the various means of obtaining such capability, and evaluate each such means, particularly with regard to its communication security, cost, and technical compatibility with any systems already in use;

(3) consider which of such countries would be likely to use such a videoconferencing system, and the likely nature of such use;

(4) determine the various means of allocating and sharing the costs of such a system; and

(5) consider the long term prospects for extending a system of videoconferencing to all countries with which the United States maintains diplomatic relations.

REPORT

SEC. 3. Not later than 1 year after the date of the enactment of this Act, the National Telecommunications and Information Administration shall complete the study under section 2 and prepare and transmit to the Congress a report on such study, together with its recommendations.

CONSULTATION

SEC. 4. The National Telecommunications and Information Administration shall consult with the Secretary of State in conducting the study under section 2, particularly with respect to the impacts that a videoconferencing system might have on the conduct of foreign relations.

AUTHORIZATION OF APPROPRIATIONS

SEC. 5. There is authorized to be appropriated to the National Telecommunications and Information Administration for the fiscal year 1985 \$150,000.00 to carry out this Act.●

STRENGTHENING THE FEDERAL ROLE IN LIBRARIES

HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 11, 1984

● Mr. WEISS. Mr. Speaker, I commend my colleague from New York, Congressman MAJOR OWENS, for arranging a special order to commemorate National Library Week—April 8-14.

I am taking this opportunity to recognize the valiant efforts of our Na-

tion's libraries as they struggle not only to maintain services in the midst of shrinking budgets but also to keep pace with technological change and massive increases in the volume and complexity of information.

I am also taking this opportunity to strongly protest the Reagan administration's proposal to wipe out funding for libraries in fiscal year 1985 under the Library Services and Construction Act (LSCA) and the Higher Education Act. This is the fourth consecutive year that Congress has had to fend off irrational, disproportionate, and damaging cuts in Federal funding to libraries.

These efforts are another move to restrict access to information in our society, one more budget blow aimed at the poor, the elderly, and the handicapped, one more attack on the programs that make a difference in people's daily lives.

The Library Services and Construction Act, for example, has been absolutely vital in reaching underserved areas and populations. Since it was enacted in 1956, the proportion of Americans having access to a local public library has increased from less than 20 percent to approximately 95 percent. Library services are no longer confined to library buildings but have expanded into facilities where they are desperately needed—prisons, hospitals, and nursing homes.

Library services under LSCA are not only essential for rural areas but also in densely populated districts like the one I represent in New York City. Under programs funded by LSCA, volunteers tutor school dropouts and the functionally illiterate, and new immigrants receive free language training and referrals for job placement or training and education. Through the Library for the Blind, nearly 20,000 eligible individuals in New York City are receiving braille and recorded books and magazines by postage-free mail.

In addition, title II of the LSCA, which provides for construction and renovation, is of utmost importance to New York's libraries, which are deteriorating at an alarming rate. Maintaining library buildings and their contents is as significant to the Nation as rebuilding our roads and bridges. I strongly support funding of this title at the authorized level of \$50 million and maintaining current levels in the other LSCA programs.

LSCA is not the only Federal effort that helps sustain our libraries. The National Endowment for the Humanities provides matching funds for research libraries across the country. And title IIC of the Higher Education Act helps research libraries catalog and preserve their collections and record them in computer networks; I support the expansion of this program, called the "strengthening research library resources program."

One additional area of concern for libraries is the Federal Communications Commission's proposed increases of up to 75 percent in telecommunications fees. These increases would be devastating to libraries, which rely heavily on telecommunications to cooperate with other libraries and to transmit information. I believe that we must explore possibilities for providing libraries with special exemptions.

The programs being threatened by the Reagan administration are the vehicles that we at the Federal level could use to strengthen libraries. It is in our national interest to do so. The cornerstone of a free and open democracy is citizen participation, based on access to accurate, objective information. The primary storehouse of this information is the public library. A well-informed public is vital to the survival of our democratic society. ●

NATIONAL LIBRARY WEEK

HON. EDWARD R. MADIGAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 11, 1984

● Mr. MADIGAN. Mr. Speaker, I am pleased to rise today in recognition of National Library Week.

Libraries are an important resource in all of our communities, providing the information we need to vote responsibly, maintain our jobs, and cope with our increasingly complex environment. Our children learn about the history, literature and culture of the United States and other countries through libraries.

Libraries have grown to meet the challenges of recent years, providing increased services for the physically handicapped and the blind.

Libraries offer a variety of services to the community, ranging from use of computers and Xerox equipment to story-telling sessions and art exhibits. And this resource is available equally to all citizens, rural or urban, rich or poor, literate or illiterate, young or old.

National Library Week appropriately commemorates the invaluable services provided by our Nation's libraries. ●

WE NEED TO CONTINUE TO REGULATE THE BROADCAST INDUSTRY

HON. TIMOTHY E. WIRTH

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. WIRTH. Mr. Speaker, last night Dr. Everett Parker was honored for his outstanding commitment over the last 20 years to protecting the needs and interests of the public in the area

of broadcast regulation. I think my colleagues will find Dr. Parker's speech, which he delivered last night, to be an impassioned plea for the need to continue to regulate the broadcast industry in the public interest.

Address of Dr. Parker follows:

ADDRESS OF THE REVEREND DR. EVERETT C. PARKER, ADJUNCT PROFESSOR OF COMMUNICATIONS, FORDHAM UNIVERSITY, NEW YORK CITY, BEFORE THE PUBLIC INTEREST TELECOMMUNICATIONS DINNER, CAPITAL HILTON HOTEL, WASHINGTON, D.C.

WHO WILL BENEFIT FROM THE NEW TECHNOLOGIES?

The citizen movement in broadcasting seems to be a popular subject for speculation these days, partly because of the anniversary of the start of the WLBT case, partly because of recent developments. I have been interviewed recently by several young academics and reporters, all of whom are prepared to write to the same formula: how the citizen movement exploded in the WLBT case, flourished for a while, then was quickly done to death by an inevitable, overpowering counterattack by the Federal Communications Commission and industry. They cite the deregulation engineered by the Ferris and Fowler FCCs so far, soon, they say, to be rubber stamped by Congressional legislation. It is futile, they tell me, for people like me to speak out against the will of the deregulators.

I have a stock reply to that argument: "Tell it to Lech Walensa."

Exerting influence on communications policy has always been an uphill battle. I have been dealing with the FCC since 1935. Only in rare instances, as when Clifford Durr and Frieda Henock were commissioners, have we had a commission majority that was not indifferent or downright hostile to assertions of rights of the public. Congress has legislated at the behest of commercial interests, largely to enhance their ability to make a profit. The Communications Act basically codified what was already a fact—the commercial control of radio. It has no consumer protection elements, other than the guarantee of fairness.

Nevertheless, the Communications Act is flexible enough to deal with new technologies as they come along, as long as everybody plays by the rules. And that includes government. Admittedly, the new communication technologies and the systems they are spawning are having markedly disturbing influences on us that will increase as time goes on. Technological change exacts a price. It has both good and bad effects. But as long as change takes place within a framework that puts the public interest above narrow private interests, new technologies pose no great threat to our basic values and institutions. Under the Communications Act and fifty years of court decisions, the FCC has broad scope to keep our electronic means of communication free of either public or private abuses of power. Sensitive regulators of integrity can direct new technologies into constructive channels to help make our lives rich and fulfilling; to provide ample capacity for imparting and receiving information and exchanging ideas; to entertain young and old; to take some of the drudgery out of daily chores. Unfortunately, we are not headed that way.

Faced with the enormous complexities and uncertainties of this new age of television married to satellites and controlled by computers, our regulators and many politi-

cians have instead embraced a single, simplistic, technical solution to all of technology's challenges—deregulation.

Deregulation and its corollary dogma, "Let the marketplace decide," are truly radical concepts. Together, they are the most revolutionary elements in what we are calling the communications revolution. They pose a diabolical threat to our individual and societal liberties.

No advanced industrial nation in the world has a genuine free market economy. Since the Great Depression, American corporate capitalism has recognized this fact and has accepted a modicum of economic planning and checks on monopoly that are not compatible with pure market freedom. A significant segment has also supported social policies to soften the burden on the most vulnerable parts of the population. Electronic communication uniquely requires such restrictions. Every FCC assignment provides for monopoly use of a portion of the electronic spectrum. Cable systems are economically viable only if there is but one set of wires strung in a community. All such operations need to be regulated if only to assure good service and fair prices, but far more so to protect the free flow of information and to balance the interests of monopoly businesses created by licensing with the interests of the whole citizenry, who are the grantors of the licenses. Surely, those of us outside government or industry who follow communication policy have a responsibility to call the attention of our friends and neighbors to what they stand to lose from wholesale deregulation of communication and to try to initiate widespread debate of the issue before it is too late.

A second area where we should be acting decisively, using every legal device we have, is in making the FCC play by the rules. Rules exist for a reason, to let rational people make rational decisions. They must be adhered to scrupulously by their administrators to give all parties a fair shake. The current FCC majority seems to reject that responsibility. That stance raises enormous ethical questions about the agency. If the entire country knew what is going on, what kind of moral and practical judgments would it make about a government body that created a whole new policy—totally illegal—called "unregulation" to hide behind and close its eyes to violations of its rules while it sets about getting rid of them?

How will people react if they find out that an agency that, by its own voluntary policy, is committed to fostering minority ownership of broadcasting stations is about to bar minorities forever from any significant share in such ownership by repealing the 7-7-7 rule that limits concentration of station ownership? The public needs to know about this scheme before it is faced by a wild scramble by a few of the richest broadcasters to gobble up most of the existing stations and to gain domination over the bulk of viewers and listeners.

The FCC is moving to put control of broadcasting into fewer hands and less responsible hands. "Get as much as you want and we don't care what kind of character you have," the FCC majority is saying. It seems incredible that anyone would think of abandoning honesty and integrity as prerequisites for running any business, much less a broadcasting station. You would expect even Edward Fritts to jump up and cry, "Mark! Hold! Enough!" Since he isn't, it is incumbent on churches and other public groups that value ethics in government and businesses to blow the whistle. Otherwise,

most people will not learn about these radical FCC activities until an unscrupulous station operator appears in their home town or a single entity gets control of all or most of their communications outlets.

The FCC, its industry clients and their political supporters are counting heavily on public ignorance and apathy to leave them a free hand to deregulate television and leave other technologies virtually unregulated. Even under a Democratic administration, the Ferris commission rather easily rammed through radio deregulation and the postcard renewal form and seriously undermined enforcement of the public trusteeship obligations of broadcast licensees. Right now, opposition to repeal of the 7-7-7 rule is being mounted by only a handful of knowledgeable citizen groups. When Congress slipped through the five and seven year renewal periods for television and radio stations and reduced the FCC to five members, there was little public reaction. So, the road ahead looks clear for total deregulation.

Or does it? Remember, we have never lived with unregulated broadcasting or cable or telephones or the systems that are over the horizon. People have been conned into thinking that deregulation is only getting the government off people's backs. Nothing has changed radically yet about broadcasting, although people might ask themselves when they last heard a children's program on radio, or a program for the blind, or historical drama. It is logical to assume that at least the quality of service we have now under the public trusteeship concept will continue after deregulation. It will not.

The marketplace theories that the deregulators have substituted for public interest values assume that if A carries one kind of program, B will counter with a wholly different one and people will choose. That is not so with advertisers wanting only specialized audiences and everybody in lock step for rating points. There is no way under deregulation to get network affiliates to carry children's programs. After warming up adults with "Good Morning America," they will not clear the air of them to serve preschool children, then spend precious saleable time to entice adults back to watch the Donahue commercials. Nor will they serve what might be a majority of all set owners in prime time when advertisers want only the minority from 18-45. That would defeat their whole business scheme.

In the same vein, deregulation will sweep away generally accepted program restraints and can bring about First Amendment problems that will have negative effects on all of us. For example, scores of studies show that people quickly become enured to depictions of violence. Once we have been exposed long enough to the stepped-up violence that is creeping into television programming, it will be necessary to crank it up still further to keep the impact high. First the movies did it. Those pictures are now on cable, and over-the-air television is into the act. The same progression is true for sex. Soon television will be arguing that exploitative sex is the new morality and they are really two steps behind in exposing it to public view. The marketplace will follow the poorest taste. Whoever takes the low road sets the pace. Rupert Murdoch knows that and profits from it.

I predict that we are at the threshold in communication that the environmental movement crossed when people began to realize that unraveling of the regulatory systems was not what political leaders claimed

it to be: simplification of procedures for business and lower costs to consumers. People have retaliated quickly as water and air have gotten dirtier, automobile and workplace safety have declined, carcinogens have built up in the food chain and caveat emptor has again been made consumer doctrine.

The same stirrings are taking place with respect to communication. There is mounting anxiety and resentment over telephone costs and services. Parents and teachers are outraged at the FCC's mighty blow for deregulation and the free market smashed down on our nation's children, the crowd it found easiest to lick. It is rapidly dawning on people, just watching what they see now, that the new age of television is ushering in values and practices that undercut accepted standards of decency, moral values, the political process and basic freedoms of expression. As new systems, such as direct broadcasting from satellites, come into use, doing the same thing, this recognition will broaden and become more compelling. Monopoly control of communication by a few large corporations aided and abetted by the government, will catapult television into a political issue comparable to the environment and nuclear power. And the more the regulators cast off regulations, the sooner will there come stringent demands for stringent controls. Such demands will not be made just by the Jerry Falwells and the Donald Wildmons but by millions of people who are committed to constitutional government and the rights it guarantees, but who will not abide the abandoning of the tolerance, the insistence on diversity and the standards of justice, fairness and equality that underlie American democracy. I would rue the day that the Federal government was given direct oversight of programming, sleazy as the content might be. I fervently hope that the communication industries and the government will heed the stirrings of discontent, will realize that the deregulatory road they are travelling points straight to chaos. I have little hope that they will do so without stern discipline from their parent public. The FCC has maneuvered the public into the situation of a permissive parent forced to deal with the arguments of a spoiled child. The FCC and its client industries, like the child, wheedle and coax, test now this tactic, now that one—all for the purpose of convincing the parent of something that is not true. The perplexed parent, once hoodwinked into acquiescence, loses control of the child. The public, should it accept the FCC's premise of constitutional freedom, will lose control over communication and thus risk losing its own freedom.

In the FCC majority, we are dealing with people who, really as a religious crusade, are dedicated to taking away from the public the right to access to radio, television and cable-TV that has been a basic tenet of public policy for more than fifty years. The concept that all citizens have the right to use and receive service from channels of communication that are held as monopolies by licensees of the Federal government is firmly grounded in the First Amendment. The framers of the First Amendment based its provisions on a democratic policy, rooted in local communication. They provided Constitutional protection for people to speak freely and to circulate their ideas widely; so all might debate issues, ferret out the truth and thus govern themselves wisely.

James Madison pointed out in the Virginia Report of 1799 that the success of a popularly elected government depends upon how

much knowledge the electorate has of public affairs and on its ability to make decisions. The right to know is the key to democracy. This fundamental right, embodied in the First Amendment, provides the legal and moral bases for the government to lay down rules, such as the Fairness Doctrine and the FCC's personal attack rules, that will promote free speech and prevent its restriction.

The Fairness Doctrine concept and the concomitant right to access are amply supported by the historical development of First Amendment applications and interpretations. The Amendment's framers understood that the right to speak, at its most basic level, means that the government may not restrict an individual's speech, nor may it block any form of publication by applying prior restraint. But the framers did not contemplate a private monopoly on the means of exchanging information and ideas.

With the advent of mass media, a new type of private-owned public forum has come into being which frequently applies restraints on free speech that are forbidden to the government. The primary source of thought and information directed at the public has shifted from the streets and easily circulated print to highly sophisticated, privately controlled electronic communications that are all-pervasive in the intimacy of our homes. The self-operated marketplace of ideas envisioned by Justice Oliver Wendell Holmes has long ago ceased to function—if it ever did.

I share the skepticism of the late Itheil de Sola Poole that cable, or by projection any other electronic medium, is no different from the press and will maintain an open forum. He points out that newspapers come from a tradition of political combativeness and First Amendment principles; cablecasters and broadcasters from the tradition of show business. For the latter to show sensitivity to the First Amendment interests of the public is probably too much to expect. Unregulated, therefore, they pose a serious threat to freedom of expression, to desirable diversity of program content and to access to information.

We can preserve our basic rights of freedom of religion, of speech, of opinion and of political choice; our right to privacy; our commitment to universal education, only if we have the widest possible access to both the electronic and print means of communication and to the growing body of computer stored information. Yet the trend is all the other way. What the Fowler FCC and others like them really want is to replace government policy making in communications with corporate policy making. Government policy making has been haphazard at best. But a determined effort, such as the United Church of Christ made in the WLBT case, can force change when the public is being deprived or discriminated against. There will be no checkrein we can apply to corporate self interest once policy control is in corporate hands.

It is a monumental task to penetrate the Byzantine world of the new communication technologies. But we need to address that task to protect our rights to speak and be heard; to protect the privacy of our homes and our confidential communications, and to make sure that through deregulation government control is not masked and hidden, rather than open to review.

Private restraints on free expression have made our vision of a marketplace where ideas can compete on their merits wholly unrealistic. Private monopoly control of our

means of communication is a nightmare that the public and governmental sectors of our society must face up to. For our very survival as a democracy, we cannot let the government wash its hands of rational policy making in telecommunications. The government is responsible for protecting the welfare of individuals and the integrity of our common life. No other country has allowed its communications policies to be shaped wholly by private entrepreneurs out to make maximum profits.

It is well within Constitutional bounds for Congress to outlaw private censorship on the same basis that government censorship is forbidden by the First Amendment; and to mandate that any form of communication that uses the limited electronic spectrum shall provide access to its systems and Fairness Doctrine protection to the general public.

Between now and November we have ample time to apply the enormous influence of our membership of churches, unions, educational, civic and cultural organizations to get firm pledges that the next Congress will address communications issues from the standpoint of the whole citizenry, not just that of industry trade associations. Congress needs to be persuaded to return the FCC to its proper sphere as a subordinate body to the Congress, and to order that the public interest standards and public trusteeship status that now govern broadcasting be applied to cable-TV and to the new communications technologies that are about to burst upon us. Above all, Congress should assure that First Amendment protection is provided universally on the principle laid down by the Supreme Court in Virginia State Board of Pharmacy, "to the communication, to its source and to its recipient both."

Unless we move quickly to stop the drive for deregulation and to deprive us of access to the media of communication, the communications revolution will take place in our country with the American people as its victims, rather than its masters. Remember, it is never fruitless to speak out for fairness and freedom. ●

WIDOWED PERSONS

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. WOLF. Mr. Speaker, the loss of a spouse is one of the most tragic events which an individual will encounter in a lifetime. There are countless social and emotional barriers which a person must overcome when widowed and I believe that we as responsible legislators should be committed to removing the unnecessary statutory barriers which stand in the way of an individual's successful transition to a life without a spouse.

I am encouraged by legislation which has been introduced in the House which seeks to remove one of these statutory barriers and will insure that a certain group of widows whose spouses served this country in the military will not be left financially destitute after the death of their spouse. Both H.R. 2296 and H.R. 3682 would provide survivor annuities to

widows who were forgotten in the transition of survivor annuity provisions in the retirement plan for military personnel.

My support for this legislation comes as a result of contact by many constituents who described the problems they faced upon losing a spouse and their uncertainty regarding survivor benefit provisions. The importance of such measures was underscored by a conversation I recently had with a woman in my congressional district who has established an association providing services to recently widowed men and women. The services and consultation provided by her association's volunteers to the grief-stricken newly widowed have proven to be of immeasurable benefit during the first weeks and months of suffering the loss of a loved one.

Many Members may not realize that in America today, over 12 million people are widowed. Their average age is 56. Fifty percent of women over 65 are widowed. In this country we have support groups, church groups, organizations, and even some Federal programs for drug addicts, family counseling, single and divorced individuals, but little in the way of support for the Nation's widowed person.

In my district, many of the residents have relocated to this area. The loneliness and frustration of suddenly becoming widowed is particularly acute for them and further compounded by the lack of nearby family support. During this time of adjustment, the newly widowed are faced with an unprecedented number of decisions on new topics regarding estate taxes, wills, property, and often confront problems never faced before such as cooking their own meals, cleaning the house, or just dealing with the lack of companionship.

For these reasons, I was interested in the services being offered by this group known as the Widowed Persons Association. Not only is there a very valid need for this type of service, but I was also encouraged by this group's willingness to volunteer this type of aid to the Nation's widowed. Of particular note, they do not seek Federal funding. Instead they have relied on private contributions for mailing and administrative costs.

At a time when more private sector involvement is so important in providing services to the Nation, I believe we should do everything possible to assist those private citizens who are leading that effort. Mrs. Audrey Markham is responsible for leading this group in northern Virginia.

Mrs. Markham's story is particularly interesting. Her first husband died unexpectedly in a plane crash. The nightmare which followed was one which convinced her that someday she would try to help others through the

difficulties of readjusting after the loss of a loved one.

If Members or organizations and churches in your congressional district are interested in further information on this topic, I would urge you to contact Mrs. Markham at 620-4516 or 560-1111. The Widowed Persons Association can be contacted by writing to: The American Association of Retired Persons, 1909 K Street NW., Washington, D.C. 20049. I would also encourage my colleagues to support legislative initiatives which seek to provide equitable treatment for widowed spouses in survivors benefit and pension plans. ●

U.S. INVOLVEMENT IN SALVADORAN DEATH SQUADS

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. CONYERS. Mr. Speaker, the May 1984 issue of the Progressive magazine features a remarkable report on the U.S. role in creating and sustaining the death squads that have been operating freely in El Salvador for a great many years. The report lays out for the first time CIA involvement in setting up two official security organizations in that country that evolved into the Salvadoran death squads.

The author, Allan Nairn, has spent much of his time during the last 4 years covering Central America as a journalist. His reporting has been carried by the New York Times, the Washington Post, the New Republic, and others.

I believe the following excerpts from the article warrant a close and careful reading.

BEHIND THE DEATH SQUADS

(By Allan Nairn)

Early in the 1960s, during the Kennedy Administration, agents of the U.S. Government in El Salvador set up two official security organizations that killed thousands of peasants and suspected leftists over the next fifteen years. These organizations, guided by American operatives, developed into the paramilitary apparatus that came to be known as the Salvadoran Death Squads.

Today, even as the Reagan Administration publicly condemns the Death Squads, the CIA—in violation of U.S. law—continues to provide training, support, and intelligence to security forces directly involved in Death Squad activity.

Interviews with dozens of current and former Salvadoran officers, civilians, and official American sources disclose a pattern of sustained U.S. participation in building and managing the Salvadoran security apparatus that relies on Death Squad assassinations as its principal means of enforcement.

Evidence of U.S. involvement covers a broad spectrum of activity. Over the past twenty years, officials of the State Depart-

ment, the Central Intelligence Agency, and the U.S. armed forces have:

Conceived and organized ORDEN, the rural paramilitary and intelligence network described by Amnesty International as a movement designed "to use clandestine terror against government opponents." Out of ORDEN grew the notorious Mano Blanco, the White Hand, which a former U.S. ambassador to El Salvador, Raul H. Castro, has called "nothing less than the birth of the Death Squads";

Conceived and organized ANSESAL, the elite presidential intelligence service that gathered files on Salvadoran dissidents and, in the words of one U.S. official, relied on Death Squads as "the operative arm of intelligence gathering";

Enlisted General Jose Alberto "Chele" Medrano, the founder of ORDEN and ANSESAL, as a CIA agent;

Trained leaders of ORDEN in surveillance techniques and use of automatic weapons, and carried some of these leaders on the CIA payroll;

Provided American technical and intelligence advisers who often worked directly with ANSESAL at its headquarters in the Casa Presidencial;

Supplied ANSESAL, the security forces, and the general staff with electronic, photographic, and personal surveillance of individuals who were later assassinated by Death Squads. According to Colonel Nicolas Carranza, director of the Salvadoran Treasury Police, such intelligence sharing by U.S. agencies continues to this day;

Kept key security officials—including Carranza, Medrano, and others—on the CIA payroll. Though the evidence is less conclusive about Major Roberto D'Aubuisson, presidential candidate of the right-wing ARENA party, some of his close associates describe him as a former recipient of CIA funding;

Furnished intelligence files that D'Aubuisson used for a series of 1980 television broadcasts in which he denounced dozens of academics, trade unionists, peasant leaders, Christian Democrats, and members of the clergy as communists or guerrilla collaborators. Many of the individuals D'Aubuisson named in his television speeches were subsequently assassinated. The broadcasts launched D'Aubuisson's political career and marked the emergence of the paramilitary from which later became ARENA;

Instructed Salvadoran intelligence operatives in the use of investigative techniques, combat weapons, explosives, and interrogation methods that included, according to a former Treasury Police agent, "instruction in methods of physical and psychological torture."

And, in the last decade, violated the Foreign Assistance Act of 1974, which prohibits spending U.S. funds "to provide training or advice or provide any financial support for police, prisons, or other law enforcement forces for any foreign government or any program of internal intelligence or surveillance on behalf of any foreign government."

Up to the early 1960s, El Salvador's security forces had been little more than loosely coordinated barracks units in the service of local land owners and political *caudillos*. "They had very, very limited political orientation, if any," says Robert Eugene Whedbee, who served as CIA station chief in El Salvador from 1962 to 1964. That began to change with the Kennedy Administration's Alliance for Progress, founded on the assumption that national security systems working side by side with capitalist develop-

ment would preempt communist revolution in Latin America.

In El Salvador, the U.S. State Department, the CIA, the Green Berets, and the Agency for International Development (AID) all participated in the effort to suppress dissent.

The United States was "developing within the civil security forces . . . an investigative capability for detecting criminal and/or subversive individuals and organizations and neutralizing their activities," wrote Byron Engle, director of the AID Public Safety Program, in a 1967 memo to his staff. "This requires a carefully integrated effort between the investigative element and the regular police, paramilitary (r military force, operating separately or in conjunction with each other." Engle, himself a former CIA official, referred to thirty-three countries, including El Salvador, in which the Public Safety Program was operating.

The landmark event in the formation of the national security apparatus in El Salvador and the rest of Central America was the Declaration of San Jose, issued on March 19, 1963, at the conclusion of a meeting of six Central American presidents. "Communism is the chief obstacle to economic development in the Central American region," proclaimed President Kennedy, who had chaired the meeting.

The Declaration of San Jose triggered a series of follow-up meetings among Central American ministers of the interior, who held jurisdiction over police and internal security. These meetings—organized and run by the U.S. State Department with assistance from the CIA, AID, the Customs Bureau, the Immigration Service, and the Justice Department—"were designed to develop ways of dealing with subversion," recalls William Bowdler, who represented the State Department at the sessions.

For El Salvador, Washington assigned a central role to General Medrano, then a senior officer of the National Guard and the army general staff.

Medrano is something of a legend in Salvadoran politics. Rank-and-file National Guardsmen still revere him as a fearsome *jefe* and the hero of the 1969 war with Honduras. To his supporters, he is "the founder of Salvadoran nationalism." But to Christian Democrat Jose Napoleon Duarte, Medrano is something else—"the father of the Death Squads, the chief assassin of them all."

Medrano, now retired, prides himself on moving about El Salvador unaccompanied by bodyguards. He drives through the countryside armed only with a .45-caliber pistol and a glove compartment stocked with hand grenades. In a recent series of interviews spanning some twelve hours, he spoke freely about the origins and growth of the security system.

"ORDEN and ANSESAL—the Salvadoran National Security Agency—grew out of the State Department, the CIA, and the Green Berets during the time of Kennedy," Medrano told me. "We created these specialized agencies to fight the plans and actions of international communism. We organized ORDEN, ANSESAL, and counterinsurgency courses, and we bought special arms—G3 automatic rifles—to detain the communist movement. We were preparing the team to stop communism."

The meetings of the interior ministers resulted in the formation of ANSESAL and parallel domestic security agencies in Guatemala, Nicaragua, Panama, Honduras, and Costa Rica. These forces "would meet every

three months under the supervision of the State Department and exchange information and methods of operation," says Medrano. "They had direct radio teletypes from office to office."

According to a U.S. adviser who helped install the teletype system, known as the Central American Communications Network, it was part of a broader plan "to reorganize the intelligence effort and get Central Americans to work together against subversion. At the meetings, you'd say to them, 'Well, if I had this sort of equipment, I'd do this and this,'—sort of ease them along."

The State Department and AID's Public Safety office in El Salvador had administrative responsibility for establishing the ANSESAL network, Medrano says, but the substantive day-to-day intelligence work was coordinated by the CIA: "The CIA was already participating in connections with us. The CIA would work with us and give us reports."

"Medrano was the CIA's boy," says one current State Department official. Indeed, Medrano himself says he was on the CIA payroll, a fact confirmed by ORDEN colleagues. "He came to my house regularly. He was a close friend," recalls Raul Castro, U.S. ambassador to El Salvador from 1964 to 1968. "And he was a good friend of the United States."

Medrano flew frequently to Washington for consultations at CIA headquarters. In July 1968, he received a silver Presidential medal from Lyndon Johnson "in recognition of exceptionally meritorious service." Medrano refuses to discuss the particular service he performed, though he recalls Johnson's words as the President presented him with the medal: "I know all about you, Medrano. You're doing good work. I know your pedigree—like I was a bull!"

The U.S. Government also sent Medrano on a three-month tour of Vietnam, where he traveled with Army units, the Green Berets, and CIA operatives. As he recalls it, Medrano "studied every aspect of warfare from primitive jungle fighting to psychological civic action to strategic bombing."

Medrano gave Washington ample return on its investment. In El Salvador, he organized an intricate, many-tiered intelligence and paramilitary network that extended from the remotest mountain hamlets to the presidential palace. The rural component of this network was ORDEN (Spanish for "Order"), a group founded, in Medrano's words, to "indoctrinate the peasants regarding the advantages of the democratic system and the disadvantages of the communist system."

Green Beret Colonel Arthur Simons was instrumental in the development of ORDEN, says Medrano. In 1963, Simons, then commander of the 8th Special Forces Group in Panama, dispatched a team of counterinsurgency trainers to El Salvador. (According to his service record, Simons had recently completed a stint as commander of the White Star Mobile Training Team, a Green Beret unit that had been sent to Laos to work with indigenous troops. Previously, he had served as chief of staff at the Army Special Warfare Center in Fort Bragg, North Carolina, which was originally called the Psychological Warfare Center and was later renamed the John F. Kennedy Center for Military Assistance.)

"Colonel Simons sent me ten men to begin training us," recalls Medrano. After "talking among ourselves and with Simons, the idea occurred to us to catechize the people. We talked about how we had to indoctrinate the

people, because he who has the population wins the war.

"The army can easily annihilate guerrillas in the urban zone," says Medrano, "but the peasants are tough. They are good in the mountains. They can walk at night, see in the dark, see among the trees. We couldn't let them be deceived by the guerrillas."

Medrano says the Green Berets helped him plan the structure and ideology of ORDEN, and then stayed on to train a team of Salvadoran soldiers—among them Colonel Carranza, who now heads the Treasury Police, and Colonel Domingo Monterrosa, currently chief of the Third Brigade and El Salvador's star combat commander. The soldiers went to the countryside to instruct civilian ORDEN leaders, who in turn established the organization's local chapters. At its peak, ORDEN membership reached an estimated 100,000. "It was almost like a religion," Medrano recalls.

ORDEN had the dual mission of teaching anticommunism and gathering information on individuals deemed suspicious. "You discover the communist by the way he talks," says Medrano. "Generally, he speaks against Yankee imperialism, he speaks against the oligarchy, he speaks against military men. We can spot them easily." Once identified, they would be reported to ORDEN's central office, where a staff of eighty would record the information and relay it to ANSESAL. There, "we would study it and pass it on to the president, who would take appropriate action," says Medrano.

"In this revolutionary war, the enemy comes from our people," Medrano says. "They don't have the rights of Geneva. They are traitors to the country. What can the troops do? When they find them, they kill them."

Sometimes the killings were carried out by ORDEN itself, other times by the army, the National Guard, or the Mano Blanco Death Squad. Former Ambassador Castro says Mano Blanco "was an offshoot of ORDEN, and the same people in ORDEN were to some extent the same people in the Mano Blanco. Even today, some of the same people are in the Death Squads. That was the origin."

According to U.S. and Salvadoran officials, the close relationship between the security forces and the U.S. Government was sustained over the next twenty years.

Edgar Artiga, a civilian leader of ORDEN, says he and eighty other ORDEN officials participated in a two-month CIA course in 1969. The course, held at the headquarters of the Salvadoran National Guard, was taught jointly by General Medrano and three CIA instructors from the U.S. embassy, who brought along movies about life in the Soviet Union. The curriculum, says Artiga, included "anti-communism, democracy, detection and identification, and self-defense." Trainees were instructed in the use of 9-millimeter revolvers and such weapons as the M-16 rifle, which was not yet generally available. All the students were paid daily in cash, according to Artiga. A number of Artiga's classmates continued on the CIA payroll after the course was completed, he says.

Training was also conducted in the United States. Among those who received such schooling was Carlos Sosa Santos, the leading explosives expert for the Salvadoran armed forces, who was instructed by the AID Public Safety Program. Sosa has trained dozens of army and security force members in "techniques for secretly placing

bombs in houses, cars, and individuals' personal belongings," according to a National Police intelligence officer who studied under Sosa.

The U.S. contribution extends far beyond training. American intelligence services have actually furnished the names, photographs, and whereabouts of suspected dissidents, say Salvadoran security officials.

This March, during a tour of the political intelligence archives of the National Police Center for Analysis and Investigations, I spoke with Captain Refael Lopez Davila, who displayed files on leftist political leaders. The dossiers included entries reporting on their travels to foreign cities, specifying what flights they took, whom they visited, and where they stayed. The CIA provided such information, Lopez says.

According to General Medrano, the CIA regularly kept ANSESAL posted on the activities of Salvadorans working or studying abroad. In important cases, the CIA supplied photographs and tapes of conversations.

A Salvadoran who served as an aide to a senior intelligence official in the 1970s says he was shown CIA photographic and electronic surveillance reports on many dissidents. "With this information, we knew exactly what we were doing, who was who," he says, adding that many of the subjects were later assassinated by Death Squads.

A former staff member of the Casa Presidencial reports that an American CIA officer told him the CIA and the Salvadoran security forces kept Rutilio Grande, a prominent Jesuit priest, under surveillance before his March 1977 assassination. The CIA agent claimed to have seen the dossier on Father Grande, which reportedly included photos and accounts of his visits to other Central American countries as well as his activities in his home parish of Aguilares. A former Treasury Police officer who goes by the name of Rene Hurtado (see Page 22) says he was told by ANSESAL members that their agency was responsible for killing Grande. ●

TRIBUTE TO THE LATE HONORABLE JOE L. EVINS

HON. TOM BEVILL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 11, 1984

● Mr. BEVILL. Mr. Speaker, The Nation has lost one of its most effective leaders with the passing of our good friend, Joe Evins.

Joe was a true builder of America. He fulfilled his duties in the House of Representatives with a sense of pride and accomplishment, realizing that his work would bring relief to many citizens throughout America who had been victims of ravaging flooding and devastating drought.

His leadership in directing the country's water resource development established a valuable lesson for all the Members of this body.

It was my great honor to take over the chairmanship of the old Public Works Appropriations Subcommittee after Joe retired from the Congress. And in so doing, I began to realize the

tremendous role he played in continuing the development of America.

Joe Evins was a positive thinker who could see beyond parochial interests. He had no regionalism to his actions—only patriotism. He knew that projects which benefited any area of America benefited the Nation as a whole.

Joe Evins left Congress with the love and admiration of all of us whose pleasure it was to serve with him. And, because of his selfless efforts, he left this country a living legacy of public works projects which continue to serve its citizens. But even more, Joe Evins gave to America his integrity and enormous good will.

I join with all the Members of the House in expressing our deep sense of loss and in praising this good man. Joe Evins was, indeed, a good American. ●

FOREIGN INTELLIGENCE SURVEILLANCE ACT

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. BOLAND. Mr. Speaker, on page 7275 of the CONGRESSIONAL RECORD of March 30, 1984, there appeared an article from the Progressive magazine on the subject of the Foreign Intelligence Surveillance Act. The article contained several errors in its description of both the Foreign Intelligence Surveillance Act and the Foreign Intelligence Surveillance Court.

I have brought these errors to the attention of the Progressive through a letter to its editor and ask that a copy of that letter be inserted in the RECORD.

HOUSE OF REPRESENTATIVES, PERMANENT SELECT COMMITTEE ON INTELLIGENCE,

Washington, D.C., April 10, 1984.

THE PROGRESSIVE MAGAZINE,
Madison, Wis.

To the EDITOR: The April issue included an article on the Foreign Intelligence Surveillance Act containing several inaccuracies which, if allowed to stand, can lead to an unnecessary diminution of public confidence in this important statute.

First, to obtain a court order for electronic surveillance of an American citizen or a permanent resident alien, the Justice Department must do much more than "merely demonstrate that the target has foreign connections and that the premises to be targeted are used by the target." In fact, the government, among other things, must show probable cause to believe that the target "knowingly engages in clandestine intelligence gathering activities for or on behalf of a foreign power, which activities involve or may involve a violation of the criminal laws of the United States," or that the target "pursuant to the direction of an intelligence service or network of a foreign power, knowingly engages in any other clan-

destine intelligence activities for or on behalf of such foreign power, which activities involve or are about to involve a violation of the criminal statutes of the United States. . . ."

Second, the "clearly erroneous" standard, to which the article refers disparagingly, pertains only to the Court's review of a document which must be filed with each application to surveil a U.S. person and in which the Secretary of Defense, the Director of the FBI, or the Assistant to the President for National Security Affairs must certify that the purpose of the surveillance is to obtain foreign intelligence information and that he or she in fact deems the information sought to be such information. The "clearly erroneous" standard does not apply to the probable cause finding referred to above.

Third, the Foreign Intelligence Surveillance Court has never issued an order approving "physical break-ins—black bag jobs." Rather, on two occasions, the Court approved the search of the personal property of agents of foreign powers. The Court later concluded, properly, in my view, that its jurisdiction only extended to electronic surveillance.

Fourth, the statement that "the NSA does not need Court approval to monitor messages that leave or enter the United States" is incorrect. Court approval is required in such circumstances where a wire or radio communication is sent or received by a "particular, known United States person who is in the United States" and that person is intentionally targeted, or where any wire communication to or from a person in the United States is intercepted in the United States.

Fifth, Mr. Bamford's surmise, to which the article refers, as to electronic surveillance within the United States by the British government, is without foundation. Section 2511 of Title 18 of the United States Code makes it a crime for anyone, including a foreign government, to engage in a non-consensual electronic surveillance within the United States except as authorized by Title 18 or the Foreign Intelligence Surveillance Act. Further, a request by the NSA to a foreign government to acquire information that it would be illegal for NSA to acquire would be a violation of section 2.12 of Executive Order 12333 which states: "Indirect Participation: No agency of the Intelligence Community shall participate in or request any person to undertake activities forbidden by this Order."

The Foreign Intelligence Surveillance Act was thoroughly examined by four congressional committees, supported by two successive Administrations of differing political parties, and passed by an overwhelming majority of both Houses of Congress. It remains the only statutory limitation on the conduct of intelligence activities to be enacted in the past-Watergate era. It is, of course, not immune from criticism. However, because of the importance of the civil liberties issues involved, care should be taken to state its provisions accurately.

With every good wish, I am,

Sincerely yours,

EDWARD P. BOLAND,
Chairman. ●

TRIBUTE TO RAPHAEL L.
CORTADA, PH.D.

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. DYMALLY. Mr. Speaker, it is with great pleasure that I call my fellow Members' attention to the gracious hospitality of Dr. Raphael L. Cortada, superintendent/president of El Camino Community College in Torrance, Calif. On February 17, 1984, Dr. Cortada hosted at El Camino College, a day-long conference of the Congressional Caucus for Science and Technology to study how industry and technology must work with academia in developing human resources.

Dr. Cortada is El Camino's third president and the South Bay college is his third presidency. A graduate of Fordham University with a doctorate in Latin American and Iberian History and a bachelor's degree in American History and Philosophy, he has also received a masters degree from Columbia University in Education and Modern European History and a certificate from the Institute for Educational Management, Graduate School of Business, Howard University.

Raphael L. Cortada is an active educator. He has served on advisory committees to such groups as the United Nations, the State Department and various offices of the Federal Government and has also been on the faculties of Federal City College, Washington, D.C.; Smith College, Northampton, Mass.; Howard University, Washington, D.C., and the University of Dayton, Dayton, Ohio.

Dr. Cortada brings his vast experience as president of the Community College of Baltimore, Md., and of the Metropolitan Community College, Minneapolis, Minn. to the El Camino campus, one of the largest community colleges in the United States.

His philosophy of education is one that deals with students who are seeking access to the economy, as well as citizens who are seeking to upgrade themselves within the economy in a modern, flexible manner. He has introduced to California and to El Camino a deep understanding of California's economic problems and how they relate to education. Raphael's belief that education is an investment that leads to increased earning power with concurrent return to the Government fourfold of the cost is a philosophy that is realistic in this day of reduced budgets.

In short, Mr. Speaker, Raphael L. Cortada is a man of the times with the experience, motivation and heart to bring education to the people of Torrance.

I would like to thank him for his hospitality and professionalism in the assistance given to the Congressional Caucus for Science and Technology. ●

BEHIND THE DEATH SQUADS

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. CONYERS. Mr. Speaker, the Allan Nairn article in the May 1984 issue of the Progressive, provides an extraordinary report on U.S. involvement in the creation and maintenance of the Salvadoran death squads. The following are further excerpts from that report, which I commend to the attention of my colleagues:

When a reformist junta briefly came to power in El Salvador in 1979, it abolished ORDEN and ANSESAL and condemned the organizations for committing human rights abuses. Since then, the Salvadoran military have continued to maintain and expand their surveillance and record-keeping activities. And as in the 1960s and 1970s, when U.S. agents and technicians invented and oiled the intelligence machine, U.S. personnel remain at the center of the system.

According to a Salvadoran colonel involved in the process, the United States routinely receives copies of all major political surveillance reports compiled by Salvadoran security officers. In turn, U.S. officials provide the security forces with information. Colonel Carranza confirmed this relationship.

"The Americans would directly receive all the information on a case even before we had developed the activity, before we had decided how we would terminate a case," Carranza says, referring to the procedure in effect before 1983. "Now we give everything—in relation to captures that the Treasury Police have made—to the general staff and they give it to the embassy."

U.S. intelligence officials "have collaborated with us in a certain technical manner, providing us with advice," says Carranza. "They receive information from everywhere in the world, and they have sophisticated equipment that enables them to have better information or at least confirm the information we have. It's very helpful." Carranza says he processes the information with "a small computer, and we also work with the general staff's computer for developing a workable inventory and index."

Colonel Adolfo Blandon, the armed forces chief of staff, says "six or seven" U.S. military advisers—several of them specialists in intelligence and psychological warfare—are currently working with the general staff.

The National Guard now concentrates on monitoring "unions and strikes and the penetration of the education system, where they are brainwashing our students," says Colonel Aristedes Napoleon Montes, director of the National Guard. Reynaldo Lopez Nuilla, director of the National Police, says he has an intelligence staff of 200, including a thirty-man "operations group." He, too, cites unions as an area of concentration, but also mentions the Salvadoran Human Rights Commission (the nongovernmental one, that is; the government maintains its own "human rights commission," of which Lopez Nuilla is a member). And the Catholic

organization, Socorro Juridico (legal assistance), "we know to be organized precisely by the guerrillas," says Lopez Nuilla. "It's evident in the things they say."

In the National Police political intelligence archive originally organized by U.S. AID Public Safety advisers, Captain Rafael Lopez Davila, the investigations chief, showed me a special section on unions and their members. The three-story filing room also contained a "library of subversive literature," which, along with Karl Marx's *Das Kapital* and Lenin's collected works, held the publications of UCA, El Salvador's Catholic University.

According to the Salvadoran armed forces Guide to Normal Operative Procedures, a confidential policy manual, each army and security force outpost is required to maintain a "Special Archive of S-2 Intelligence." The file covers "the disposition of the subversive delinquents (their location . . . styles of action and mobilization)," lists "militants and sympathizers," and carries a miscellaneous "register of personalities of the enemy."

Names enter the archive through surveillance reports from officers and informants or through reports from troops who have detained an individual for questioning. To qualify for a place in the files, an individual may commit such diverse offenses as "carrying or moving subversive propaganda of whatever type . . . insulting authority . . . carrying notebooks, papers, or symbols related to subversive organizations, [or] traveling in cars destined for points of concentration of the subversive delinquents—unauthorized demonstrations and rallies, etc., especially if the attitude is suspicious."

Surveillance reports compiled by local intelligence units are retained for their own files while a copy is forwarded to the central archives of the service involved. Individual subjects are interrogated, says Colonel Montes, first at the local post and then, if the case warrants it, at the intelligence section of the security force. "All of this information is then turned over to the general staff, with whom we retain a very close coordination," Montes says.

This intelligence system serves as the nerve center of Death Squad operations. "We worked with written orders," recalls one former National Guardsman, a fifteen-year veteran who says he went on Death Squad missions while stationed in the province of La Libertad. "We got names and addresses and were told to pick a them up, get information, and kill them later." In important cases, he adds, special troops or security force agents would come from San Salvador with the lists.

"Every garrison of any size had Death Squads. It's that simple," says a U.S. official in San Salvador who studied the Death Squads last year. "All this comes out of a military intelligence function."

When the Reagan Administration launched a publicity campaign against the Death Squads last December, it pointed a finger at individual officers, leaking their names to the press and demanding their removal. Three of those officers were the directors of the intelligence departments of the Treasury Police, the National Guard, and the National Police.

Asked why the Administration chose to blame those specific individuals while leaving the institutions untouched, the U.S. official in San Salvador responded: "Things generated in Washington create certain necessities that don't necessarily reflect the true problems here, but are done for political purposes up there, and this is a good ex-

ample." The official, heavily involved in the publicity campaign, considered it a success.

"These men were done an injustice," says Colonel Blandon, the chief of staff. "We kept asking the embassy for proof against them but they never gave it. The Americans sacrificed them to avoid their own problems."

The use of the term "Death Squad" has, in some respects, fostered a profound misunderstanding of El Salvador's official terror apparatus. It conjures up images of discrete bands of gangsters randomly cruising the countryside in search of opportunities to kill. In fact, the term more meaningfully applies to a system that can dispatch a soldier at any time to kill a selected victim.

Another misunderstanding about the Death Squads arises from the fact that they came to public notice in the United States in connection with the spectacular emergence of Roberto D'Aubuisson as a powerful political figure. U.S. officials who want to shield the Salvadoran government from culpability in the Death Squads, as well as some liberals who want to undermine D'Aubuisson's electoral prospects, have promoted the mistaken notion that the Death Squad phenomenon—this sprawling institution with a twenty-year history and tens of thousands of victims—is the personal instrument of one diabolical man.

In March, Roberto Eulalio Santivanez, a former colonel who had been paid \$50,000 by critics of U.S. policy in El Salvador, began circulating to the mass media a detailed account of Death Squad operations. Speaking as an unnamed source from "the highest level of the security police," Santivanez told *The New York Times* that D'Aubuisson was "the man who organized and continues to direct the Death Squads."

Santivanez charged that former Defense Minister General Jose Guillermo Garcia and Colonel Carranza, director of the Treasury Police, helped organize and operate D'Aubuisson's Death Squad network. In a CBS News interview with Walter Cronkite, Santivanez said Carranza had been on the CIA payroll. The *New York Times* confirmed the CIA connection, citing U.S. intelligence sources. They reported that Carranza had received \$90,000 per year for the past five or six years. (Two colleagues of Carranza had said he was a CIA agent weeks before Santivanez did.)

According to Santivanez's version as reported in *The Times*, the Death Squads did not exist before D'Aubuisson rose to prominence in the wake of the 1979 reformist coup. Because of a commitment to protect Santivanez's anonymity, the story identified him as a source with "personal knowledge of these crimes because his government post had put him in direct contact with top military leaders." In fact, Santivanez was the director of ANSESAL and D'Aubuisson's immediate superior from 1977 to 1979, a period of mounting government repression that culminated in the fall of the Carlos Humberto Romero government and the abolition of ANSESAL for its role in the Death Squad killings.

Santivanez was "Romero's black man," says the U.S. embassy official who studied the Death Squads. "He kept the files and took care of people when there was dirty work to be done. His hands are as bloody as anybody's." The official nonetheless confirms that Santivanez's account of involvement in the Death Squads by Carranza and the high command was "substantially correct," though he says it exaggerated D'Aubuisson's personal role.

The story of the relationship between the U.S. Government and the D'Aubuisson branch of the contemporary Death Squads is complex, paradoxical, and far from complete.

D'Aubuisson, a Medrano protege whom the General remembers as "a fine officer who was loved by the people," made his mark in the ORDEN-ANSESAL network, organizing ORDEN chapters as a National Guard officer and rising to second in command of ANSESAL under Santivanez.

"Roberto was an officer of ANSESAL, which is affiliated with the CIA," says Major Oscar Serrato, one of a small group of Salvadorans who began secretly collaborating with D'Aubuisson soon after the reformist junta came to power in October 1979. Two years later, Serrato helped found ARENA, the rightist political party D'Aubuisson heads. "He worked with the CIA for years, and that's how he was able to learn all the machinations, the people, national as well as international, that were working to establish the communist scheme."

Two of D'Aubuisson's former associates from the National Guard and ANSESAL claim he received U.S. Government money, one saying it came from the CIA, the other from either the CIA or the Defense Intelligence Agency. State Department officials in El Salvador during the 1970s say that although D'Aubuisson had "a disturbingly close relationship" with one U.S. military attache (who could not be reached for comment), they did not know whether he had received payments.

When D'Aubuisson officially left the army after the 1979 coup, he launched his political movement with a series of television speeches. He assailed the junta for abolishing ORDEN—"born in the bosom of the armed forces," D'Aubuisson declared. ORDEN has ceased to function with that name," he said, "but its principles live and are newly serving the fatherland with the *Frente Democratica Nacionalista [Democratic Nationalist Front, D'Aubuisson's new political organization]*."

D'Aubuisson openly defended the security forces for their role in the spate of disappearances and assassinations in late 1979 and early 1980. "In no moment should you feel capable for fighting these terrorists," he said. "If our commanders have captured people like this, they are committing no fault." And he quoted from Napoleon: "Nothing done to defend your country is against the law."

Having established the principle, D'Aubuisson got down to specifics, marshaling charts, photos, videotapes, and computer graphics for an intricately detailed, name-by-name, face-by-face tirade against "El Salvador's terrorist conspiracy."

D'Aubuisson denounced union leaders, priests, academics, peasant organizers, students, professionals, government officials, and Christian Democrats. Among those he named was Archbishop Oscar Romero, whom he told, "You still have time to change your ways." He also attacked Mario Zamora, a leading Christian Democrat and member of the government, who—like others identified in the broadcasts—was assassinated in a matter of weeks.

"Unfortunately, when we mentioned a person, poom, they'd shoot them," says Alberto Bondanza, a D'Aubuisson intimate and one of the founders of ARENA. "Then they started linking us with the Death Squads. If by chance the army arrived and happened to shoot one of these people in a battle, then everybody threw the blame on us."

D'Aubuisson was pointing out the communists so the troops could kill them," Medrano says. "He had good information. He was speaking the truth."

"He had everything—photos and complete personal histories—direct from the ANSESAL files," says Major Serrato, who participated in the planning meetings out of which the broadcasts grew. He said D'Aubuisson made copies of the ANSESAL material shortly before the agency was dissolved and its archives transferred to the general staff. "The proofs he presented were concrete and irrefutable: photos and documents from the archives of the CIA. All of the material was passed back and forth constantly."

D'Aubuisson maintained CIA contacts in 1980 and 1981, according to Jimmy Nixon, an American citizen and ARENA activist who ferried visitors and private messages to D'Aubuisson while he was staying in Guatemala during that period. Nixon says he is uncertain of the current relationship.

Another American closely associated with D'Aubuisson, Billy Murphy, complains of the treatment ARENA received at the hands of the U.S. embassy under the Carter Administration and its last ambassador, Robert White. "Those — were doing everything they could against us," he says.

But Murphy adds that ARENA enjoyed amiable relations with one political officer at the embassy who "would always let us know in advance what was going to happen in the junta." He and other D'Aubuisson aides met regularly with "good friends" from the U.S. Military Group and the embassy's military attache, he says. "You had a wonderful man here" in the Military Group, says Murphy. "He did his best, but he couldn't do anything."

Clandestine U.S. ties with the Salvadoran security apparatus remain firm, and appear to have been strengthened in the 1980s. National Guardsman Luis Alonso Bonilla claims that U.S. military and civilian personnel helped train members of the security forces as bodyguards in 1980. Bonilla, who says he took a similar course in 1975, says it included instruction in combat and ambush techniques. A National Police detective and member of the elite explosives unit established by AID's Public Safety Program says four of his associates visited the United States for an explosives course in November 1983.

"I've been visited by some members of the embassy with whom I've always maintained good relations," Carranza told me last September, "and I have the promise that they are going to help us train our personnel." He said he also needed investigation and interrogation equipment, and was unruffled by the fact that U.S. law prohibits such aid.

"Yes," he remarked, "but by means of other ways, by let's say friendship with some members of the American embassy, I think I can get not only equipment but training." He said he would obtain them through "outside channels," adding, "I don't know whether it would be wise to put this out for the knowledge of the American people."

Once the Treasury Police received the lie detection, fingerprinting, and ballistic equipment he requested, "we would have a better way of doing an investigation than putting pressure on the victim," Carranza said. "Now when you have a prisoner, you have to put pressure on him, questioning him again and again, day and night."

This March, Francis Stanley Martinez, a corporal in the National Police intelligence department, said he and nine colleagues in

the security forces—three from the Treasury Police, three from the National Guard, and three from the National Police—were about to depart for an in-depth CIA training course in the United States. He subsequently said the departure date had been postponed until some time in April. The course would cover investigation, surveillance, weapons, and interrogation, Martinez said.

"You have to know all aspects to work in intelligence here," he said. "It's very different from the United States. Here, intelligence is hard to get, and the delinquent is very different. Here, the first thing you have to do is grab them by the neck."

In the 1960's, when the United States was building a Salvadoran security system based on surveillance and assassination, the enterprise enjoyed unified support within the U.S. Government. With State Department officials and CIA operatives presiding, General Medrano and his counterparts from Anastasio Somoza's Nicaragua and Peralta Azurdia's Guatemala would gather around a table and give speeches about "who the communists were," as Medrano puts it, "what they were up to, and what we should do about them."

Over time, changing political conditions opened something of a rift between the State Department professionals and their Pentagon and CIA colleagues. During the Carter Administration, their disagreements were often clear and pronounced. Under Reagan, the State Department has been brought back into line. Public and Congressional pressures, however, have compelled the Administration to voice public criticism of the Death Squads even as it secretly funnels aid and intelligence to the military and security forces that run them.

U.S. complicity in the dark and brutal work of El Salvador's Death Squads is not an aberration. Rather, it represents a basic, bipartisan, institutional commitment on the part of six American Administrations—a commitment to guard the Salvadoran regime against the prospect that its people might organize in ways unfriendly to that regime or to the United States. ●

NATIONAL LIBRARY WEEK

HON. TOM BEVILL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. BEVILL. Mr. Speaker, it is a pleasure, during National Library Week, to join in recognizing the many benefits America's libraries offer our citizens.

In cities and rural communities across America, these centers for learning have matured into far more than the traditional collections of books we remember libraries as being from our childhood days. Today they have grown into high-tech resource centers serving every facet of our communities.

In addition to written volumes on every topic known to man, they also contain audiovisual materials in every format, geneologic centers, art museums, civic meeting centers, and cultural meccas for every socioeconomic

group in our society. A library serves as a motivator for a community.

I am proud of the outstanding job being done by the many fine libraries in the fourth district of Alabama. The needs which they fulfill for our citizens can be accommodated at no other location in most of our communities.

I am especially proud of the many rural libraries serving this country. And the man who made these rural libraries possible was the former Representative from Jasper, Ala., Carl Elliott. Because of his pioneering efforts in authoring legislation creating rural libraries, many remote parts of America today enjoy and make good use of these facilities.

The appropriations legislation we passed this last spring, the jobs bill, is today making possible construction projects at libraries in Double Springs, Fort Payne, Gadsden, and Reform, Ala., in the district I am proud to serve. The growth made possible through the jobs bill will long serve the needs of the citizens of these communities.

The resources provided at these learning centers are available to everyone in our communities. And by making this vast wealth of information available, we are enabling the citizens of America to grow to their fullest capabilities.

National Library Week is, indeed, a time to recognize the importance which libraries hold for our society.●

NATIONAL BLOOD PRESSURE
AWARENESS WEEK

HON. BOB WHITTAKER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. WHITTAKER. Mr. Speaker, I am pleased to introduce with my colleague Mr. SIKORSKI, a resolution designating the week of November 11 through 17, 1984, as "National Blood Pressure Awareness Week." A similar Senate resolution has been introduced in the Senate by Senator DAN QUAYLE.

As a member of the Subcommittee on Health and the Environment I am deeply concerned about the health of the American public. The preventing of disease and the promoting of good health should be a major priority and component in our national health care strategy.

It is clear that high blood pressure, often referred to as the "silent killer" because it has no symptoms, is a major health problem in the United States. An estimated 60 million Americans have high blood pressure. Of these, 37 million are afflicted with definite essential hypertension which is of unknown cause and which accounts for 95 percent of all cases of hypertension. The American Heart Association esti-

mates that as many as 17 million of these 37 million people are unaware that they have high blood pressure and that only 15 percent of them receive adequate treatment. Each year as many as 30,000 people die as a result of elevated blood pressure.

In October 1983, the Department of Health and Human Services published the "Implementation Plans for Attaining the Objectives for the Nation" as they relate to the Federal Government's disease prevention and health promotion strategies. High blood pressure is listed as one of the 15 priority areas designated by the Department. Among the priority objectives for high blood pressure is the goal of increasing public awareness of the disease so that:

By 1990, at least 50 percent of adults should be able to state the principle risk factors of coronary heart disease and stroke, that is high blood pressure, cigarette smoking, elevated blood cholesterol levels, diabetes.

By 1990 at least 90 percent of adults should be able to state whether their current blood pressure is normal (below 140/90) or elevated based on a reading taken at the most recent visit to a medical or dental professional or other trained reader.

The implementation plan for high blood pressure control goes on to state that a pluralistic process involving public and private participants from many sectors and backgrounds is necessary if the objectives are to be achieved by 1990. The role of the Federal Government in this process is to lead, catalyze, and provide strategic support. I believe that the Congress of the United States has a role in that effort and that this resolution will give congressional recognition to this major health problem.

The week of November 11 has been chosen as "High Blood Pressure Awareness Week" because it will coincide with the annual meeting of the American Heart Association, to be held in Miami, Fla. This meeting will involve over 15,000 health professionals and volunteers all working toward the same goal—the reduction of deaths and disabilities from cardiovascular disease in the United States. I hope that during the week of November 11 millions of Americans will make an effort to have their blood pressure checked and to seek the essential followup care if necessary. The test is simple and painless and may one day save their lives.

I therefore, invite all of my colleagues to join me and my colleague from Minnesota, Mr. SIKORSKI, in cosponsoring this resolution.●

THE PEACE CHILD STORY

HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. FAUNTROY. Mr. Speaker, I wish to bring to the attention of my colleagues today an initiative put together by the Peace Child Foundation of which David Woollcombe is president. Mr. Woollcombe is a playwright who has put together a dramatic production called "Peace Child".

"Peace Child" as a children's musical celebration for peace came to life in London's Royal Albert Hall in October 1981. It was the brainchild of a number of people who wished to proclaim a positive message for peace instead of another protest against nuclear weapons and the governments that procure them. It premiered in America a year later at the Kennedy Center for the Performing Arts in Washington, D.C.

I submit for the RECORD a summary of this dramatic presentation with its urgent message for our times.

"PEACE CHILD"

(By David Woollcombe, Playwright)

ACT ONE

"Peace child" is set on Peace Day in the year 2025. Peace Day is a summer festival which commemorates the day, back in the 1980s, when peace 'broke out' between the USA and the USSR. The children of a small market town gather to watch a troupe of travelling players re-enact the story of the Peace child which tells how Peace Day came about.

They begin by telling the history of weapons development—from stone-age cudgel, to spear, to bow and arrow, musket, cannon, machine gun, tank and finally, nuclear missile. The song "FIREBALL" reminds of the horror of a nuclear explosion; the children, listening to the story can hardly comprehend why anyone would want to make such a weapon. "But you're a child!" reminds the story-teller (who fills in between the scenes with pieces of narration), "It took the mind of a child to bring the world to its senses. * * *

The scene changes—we're in Washington, D.C. in the mid-nineteen eighties; an embassy garden on a summer evening; there is the hum of diplomatic chatter from the terraces; two children drift away, bored. They notice each other, strike up a conversation, enjoy each other's company until * * * they find out that one is American, one is Soviet. Horror!! They shouldn't be talking to each other, particularly as their parents do work related to the military. "Why?" says the Soviet girl, "Do you think there's going to be a war between us?!"—they start to discuss the possibility of a nuclear war. A touching song reveals their shared hopes and anxiety: it's called "I Want to Live". Following the song, the American boy encourages the girl to 'do something' about the problem: "If we can be friends, why can't our presidents be friends?—if they were friends, they wouldn't need any nuclear weapons at all * * *" (The children are about 11/12 years old.)

They decide to get on a TV Show and reveal to the world that the USA and the

USSR can be friends. By chance they get on a Johnny Carson style of show. Conquering nerves, they make a powerful appeal to the TV audience on their fears about nuclear weapons, and their desire for their two presidents to get to know each other. The next morning, their pictures are in all the newspapers. They are media sensations! The boy becomes more intelligent and articulate on the subject. Finally, the press engineer a scoop: the president will interview the boy and put his head straight on the problems of national security. (Before this, the girl has gone back to Moscow.)

The boy's interview with the president is perhaps the heart of the show. It begins with the president making wise, if portentous, remarks about the security provided by deterrence. The boy makes this difficult for him by asking naive but searching questions: "Do you mean if we have the bomb, we won't use it; but if we don't have it—we will?" The press fall about laughing, and finally the president dismisses them. Alone with the child, he opens his heart to him about his very real fears of the Soviet Union, his central belief in the value of American Freedoms. The child is touched—but he cannot square his own belief in freedom with catastrophic weapons which threaten everyone's freedom just to be alive. Reflective suddenly, he asks the president what he will do when the nuclear war comes; "If—if a nuclear war comes. . . ." the president cries. "Would you call up your grandchildren to say good-bye?" asks the boy. "Look at the other side: imagine how popular you would be if you persuaded all the leaders of the world to unite for peace!—you would be the greatest man the world has ever seen!—the man who brought the world peace!" The president tries to explain that one man cannot do it on his own—he sings the song: "I'm sorry. . . ." Touched by the child's innocence, he explains that he is on the child's side, "I want to live too!" At the end of the scene, they have an idea: the boy will take a message of peace from the children of the USA to the children of the Soviet Union. At the very least, it will be a bone to throw to the press hounds who wait outside. The president makes the announcement, the photographs are taken, and the entire chorus parade out into the audience singing the celebratory anthem, "Sing!"

ACT TWO

Act Two begins with the children of the future rummaging through the props trunk finding memorabilia of the 1980s—presidential bumper stickers, redskin NFL championship T-shirts and—a Michael Jackson cassette: they have some fun reminding themselves of the crazy dances they used to do in those days—looking on them rather as we might look on Glenn Miller numbers today. This is stopped by the severe entrance of the Soviet President. Quickly they get back to the story. . . .

In what has become the show's most popular number, the children gather round to ask the president questions in the song, "Mr. President"—"Is it true what they say, you can kill all the world in less than a day?" At the end of the song, the children are ushered in for a private session with the Soviet President. This man is much harder than the US President—he doesn't open his heart to the children at all until the very end. Instead, he tries to explain how essential it is in a shrinking world to have strong national security systems—how the world is actually safer because we have nuclear weapons. "Safer!" cry the children, "How can it be safer when with them, we can de-

stroy the whole world!—without them, we couldn't, and wouldn't that be 'safer'?" "Oh if only people would love each other," says the girl, "we wouldn't need any weapons at all. . . ." The old president is touched: he thanks the children for coming to see him and reminds them that everything he does in government is intended to protect their future.

Alone in a park, waiting for the taxi to come and take the boy to the airport, the children reflect morosely. They begin to consider what a wonderful world they could create if they could spend all the money at present spent on weapons just cleaning it up—they dream of how they would end all pollution, feed all the starving people,—of the holidays they would take,—even the magnificent schools they would build! Then, they part, singing a parting song—"Reach out for your dream!"

Back in Washington, the boy is totally deflated. He takes to walking the streets where he meets a couple of old people who had seen him on TV: they congratulate him warmly, and wonder how he has got on? The boy doesn't want to talk about it: his crusade is at an end. "But it's just beginning," they cry! "Take your message to the people, not to presidents. The world is thirsting for your message!" This leads to the song, "Look at Life" and the point in the show where the children come out amongst the audience, singing an up-tempo version of "I want to live" followed by the chant: "WE WANT PEACE"—the entire theater rocks with the cry, until the presidents come out from both sides. The children call for a summit meeting. The presidents concur—they've wanted one for a long time too.

The children want to get into the meeting, but are kept out. "If they will be friends, why should it be secret?" asks the girl. The officials laugh. Top academics, military personnel, economists, representatives of industry, and business go into the meeting. They explain to the children in song about the "Military Industrial Complex". At the end, the presidents emerge, tried and depressed. There's no chance, they say, of disarmament. "Who's talking about disarmament?" cries the boy! "How can you have disarmament while you are still enemies?—you've got to be friends first. . . ." The girl explains the idea they had for the meeting: "Let us—the children,—change places now, while we are young, go to each other's schools, learn about each other's different way of life. Then, when we are your age, we will need no weapons at all—for by that time, we shall all be friends. . . ." The Presidents demur. What about the Military Industrial Complex? says one official. "Keep it" says the boy. "We're going to build a Peace Industrial Complex. . . ."

The children run away, pleased with their plan. The Presidents are alone. The meeting over, it is as though they have run into each other in an airport lounge; for the first time, they are able to talk to each other in an utterly informal, unlikely way. They discuss how it would have been fun to spend time in another country when they were young. Neither left home until they were 18—"I preferred to go fishing. . . ." muses the US President. "You are a fisherman!" cries the Soviet President; he says nothing, but he is clearly more interested in the prospect of getting to know his opposite number. They dismiss the children's plan as impractical. It would never stand a chance against the central committee or congress. . . . "I wonder what we've had done if

we were children?" asks the US President. "We would probably have been friends. . . ." says the Soviet.

"Darn it!" says the US Pres.—"why don't we go back to my hotel and talk about this thing over a few beers; I'm sure we could sort something out. . . ." The Soviet President suggests it might take rather longer than an evening over a few beers—and anyway, he doesn't like beer! He suggests a fishing trip to his dacha in the mountains. The fishing is excellent. . . They wander out of the hall, reminiscing about their prize catches—talking to each other, at last, like human beings. Friends.

The children watch them go; there is a brief scene discussing how long it took for the world to get used to being at peace. The figure of the story-teller explains to the children how it is the responsibility of everyone to be a "Peace Child"—"It's the only way our world will survive." The children who have played the leads come back; they all join in a final celebratory chorus:

"Come into my joy!
Come into my pain—
Come—you be a friend of mine,
I'll be the same!" ●

SALVADORAN DEMOCRATIC GROUPS SUPPORT POLITICAL SOLUTION

HON. MICHAEL D. BARNES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. BARNES. Mr. Speaker, I am a supporter of the electoral process in El Salvador. I hope that the elected government will be able to achieve peace. But I am convinced that the people of El Salvador recognize that this will require a political solution, and that the Contadora process offers the best mechanism available to attain the peace they so desperately long for.

The Democratic Popular Unity of El Salvador (UPD) is a political organization composed of leaders of labor unions, peasant organizations, and indigenous associations. It has consistently received support and assistance from the American Institute for Free Labor Development, the foreign assistance arm of the AFL-CIO.

In its February 1, 1984, communique, the UPD expresses its support for the Contadora group in seeking a political solution that achieves peace, democracy, and social transformations, without previous conditions and with the participation of all the social forces that seek those objectives. The UPD also calls for, among other things: An end to death squad violence; respect for human rights; the preservation of economic and social reforms; and withdrawal of foreign military presence.

The UPD communique follows:

DEMOCRATIC POPULAR UNITY (UPD)

BASIC AND DEFINED POSITION OF THE DEMOCRATIC POPULAR FRONT WITH RESPECT TO THE ELECTORAL PROCESS AND THE POLITICAL, ECONOMIC, AND SOCIAL CRISIS FROM WHICH THE COUNTRY IS SUFFERING

1—Support for the efforts of the Contadora Group for a political solution that achieves peace, democracy and social transformations, without previous conditions and with the participation of all the social forces that seek those objectives.

2—Full and immediate democratization, repealing repressive decrees and those with exceptions which affect the workers and people in general; as well as the lifting of martial law.

3—Real guarantees for eradicating the activities of the armed groups that like the Death Squadrons and others that do not respect human rights and that operate in the country, and the trying of those who turn out to be involved in such activities.

4—Full force and respect for the human rights guaranteed by the present political Constitution.

5—Concrete and effective means for social and economic order in order to decrease the high cost of living.

6—Commitment to finding in the short term the appropriate mechanisms for the opening of the University of El Salvador.

7—Withdrawal of the presence of the foreign military which supports the forces in conflict and fostering relations with friendly nations on a plane of mutual respect.

8—Commitment to guarantee social and structural economic reforms and through the form among others of Articles 105 and 106 of the current Political Constitution, so that they will tend to integrally favor the interests of the workers, and the people in general.

9—Commitment to implement a new foreign policy of nonalignment, seeking in the Contadora Group a form of a Latin nature for the restoration of peace and democracy.

10—To grant representativity to the workers of the city and the countryside through their organizations in all of those official, autonomous and semi-autonomous institutions, reforming the respective organic laws.

11—Commitment to the existence of the right to free unionization of all sectors and the respect for their practice.

12—Support for the instruments necessary for the arising of an integral humanism in which man is the center and vertex of the things created.

13—To create the mechanisms for progressively obtaining the political, economic, social and cultural union of Central America.

14—Commitment to create the effective means that will permit free transit, permanence, residence, work, study and commerce for Central Americans; and to improve and fortify the mechanisms of Central American integration, including their humanization and free circulation of capital.

We reiterate to the Salvadoran peoples that the UPD does not have political commitments with any sector, and that the positions set forth constitute our aspirations for a better future in El Salvador; and that that political party that satisfies such aspirations, will logically have the support of the Salvadoran people and ours as citizens.—San Salvador, Feb. 1, 1984

FOR FREEDOM, DEMOCRACY, SOCIAL JUSTICE,
INDEPENDENCE AND NATIONAL SOVEREIGNTY

Salvador Carazo, Fesiconstrans.

Ramon Aristides Mendoza, Unión Comunal Salvadoreña.

Juan Antonio Argueta, Sindicato de la Unión de Trabajadores de Construcción.

Alejandro Escobar Cartagena, Sindicato de Profesionales Contables de El Salvador.

Dr. Garbiel Pilona Araujo, Partido Unionista Centroamericana.

Jorge Ruiz Camacho, ACOPAI.

Adrian Esquino Lisco, Asociación Nacional de Indígenas Salvadoreños.

Mario Eduardo Espinoza, Asociación Salvadoreña de Trabajadores.

Miguel Angel Vasquez, Central de Trabajadores.

Andres Refugio Sanchez, Asociación Nacional de Indígenas Salvadoreños.

Samuel Maldonado, Unión Comunal Salvadoreña.

Note: The above organizations are types of unions, such as the one for construction workers, another for accountants, one for farm workers and another for the indigenous persons of El Salvador.

Translated by Deanna Hammond, CRS Language Services, April 4, 1984.●

THE AMERICAN CENTURY OF TECHNOLOGICAL ADVANCES

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. DYMALLY. Mr. Speaker, recently I introduced House Joint Resolution 453 establishing the first week of October 1984 as "National High Technology Week." At this time I would like to take the opportunity to thank the firm of Odetics, Inc., Anaheim, Calif., for their support and cooperation over the past year in helping us to reach our goal, which is to help the public to become more aware of American technological resources and achievements.

With Odetics' support, the Congressional Caucus for Science and Technology was able to provide the forum for a breakfast/symposium dealing with state-of-the-art robotics to the Members of Congress and their staff. Odetics assumed full financial responsibility for this presentation, feeling it was their duty to help enhance the knowledge of our legislators. They have voluntarily prepared a poster to be used as a champion of High Technology Week. Odetics feels very strongly about the need for our country to meet the challenge head on in the area of science and high technology. Therefore, I would like to express our appreciation to them today.

I also take this opportunity to recommend to the attention of my colleagues, a white paper on the "American Century of Technological Advances," prepared by Odetics, Inc., for the Congressional Caucus for Science and Technology. As we focus more and more on technology changes and their economic effects, this paper will provide us with a keen insight into the leadership role the United States has and must maintain in science and technology. I encourage my colleagues

to read this paper and reflect on its importance as we move forward into the 1980's.

The text of the paper follows:

THE AMERICAN CENTURY OF TECHNOLOGICAL ADVANCES

In the long history of technology, which begins with the first primitive tools built by ancient man, there has never been a period like the 20th Century. In fact, despite the immense achievements of technology by 1900, in the last 84 years we have seen more advance—over a wider range of activities—than the whole of previously recorded history.

With pride and satisfaction then, the people of the United States may note that the 20th Century has been credibly described as the "American Century" by scholars of technology. For while many significant breakthroughs have emerged from other nations in the world, only the United States has consistently combined social need, resources and ethos ("American Know-How") to assimilate innovations and take full advantage of them.

Technological advances originating in the United States have occurred in such fields as communications, information processing, transportation, robotics and space exploration.

American Lee De Forest's invention of the triode in 1906 paved the way for radio. Two years earlier, Sir John Ambrose Fleming of Great Britain had discovered the diode, a two-electrode electron tube by which a current could be rectified so that it could be detected by a telephone receiver. De Forest made the significant improvement of introducing a third electrode (the grid) between the filament and the plate. The outstanding feature of this refinement was its ability to amplify a signal. Its application made possible by the 1920s the widespread introduction of live-voice broadcasting in Europe and America, with a consequent boom in production of wireless and other equipment.

Vladimir Kosma Zworykin, who was Russian-born but came to live in America in 1919, is often called the "Father of Television". It was he who developed the iconoscope (the transmitting tube in the television camera) in 1923. A year later, he developed the kinescope, or "picture tube" in the television receiving set.

In terms of American inventiveness in the field of information processing, the Mark I digital computer was at work at Harvard University by 1944. The early computers, however, were large and expensive machines, and their general application was delayed until the invention of the transistor.

The product of research on the physics of solids, and especially of those materials such as germanium and silicon known as semiconductors, the transistor was invented at Bell Telephone Laboratories in the United States in 1948. The result has been the replacement of the cumbersome and fragile heat-producing thermionic valve by the small and strong transistor in a wide range of electronic equipment. In particular, this conversion made possible the construction of much more powerful computers while making them more compact and less expensive.

America's contribution to transportation technology includes the prodigious feats of production achieved with the automobile. Henry Ford led the way in the adoption of assembly-line mass production; his spectacularly successful Model T, the "Tin Lizzie," was manufactured in this way first in 1913,

and by 1923 production had risen to nearly 2 million a year.

The robotics industry is also indebted to the technical creativity of Americans. The first industrial robot, designed to automate the automobile industry's factory assembly lines, was invented by George C. Devol in 1954. General Motors Corp. became the first to implement his "Unimate" in 1962. Though the Japanese now hold the lead in the development and implementation of industrial robots, it wasn't until U.S. examples of this technology were exhibited in Japan in 1967 did that country begin to consider the possibility of automated factories.

In mobile robotics—robots designed to be used outside of the factory—Ohio State and Carnegie-Mellon Universities have been researching the problems of control algorithms, computer software and mechanical system design. Even more advanced research has been conducted by Odetics, Inc., a small California company which in March 1983 introduced "ODEX I, the First Functionoid"—a six-legged robot that could walk, climb and lift loads of nearly six times its own weight.

One of the all-time great firsts in the history of technology was provided by Americans Wilbur and Orville Wright. On Dec. 17, 1903, at Kitty Hawk, North Carolina their "Flyer I" achieved sustained, controlled, powered flight. The machine was a propeller-driven adaptation of the biplane gliders that the Wrights had built and learned to fly in previous years. They had devised a system of three-dimension control through elevator, rudder and a wing-warping that served until the introduction of ailerons.

America has kept the Wright Brothers' tradition alive with its commitment to the exploration of space. It was Americans Neil Armstrong and Edwin Aldrin who first set foot on the Moon on July 29, 1969 as part of the Apollo 11 mission. The Apollo series was made possible by the development of the enormous Saturn V rocket, which stood 353 feet high and weighed 2,725 tons at lift-off.

The United States has also led the exploration of interplanetary space. In Nov. 1980, for instance, scientists and the public marveled at spectacular pictures taken by Voyager II of Saturn, which provided information about that planet's mysterious rings and many moons. America's Space Shuttle Columbia became the first re-useable, winged spacecraft when it landed safely back on Earth Nov. 14, 1981 from its first mission.

With this backdrop of technological achievement during the last 84 years in the United States, it is appropriate that the Congressional Caucus for Science and Technology is sponsoring High Technology Week, beginning this Nov. 12. A comprehensive program for scholars, students and professionals in and out of technological disciplines is being prepared.

One of the most important goals of this effort is to increase the public's familiarity with American technological resources and achievements. Thus, public acceptance of technological innovations can be expedited, and nontechnical citizens will be better able to participate in the implementation of innovations in a way that improves the quality of life. Lastly, and most importantly, the Caucus hopes that a greater appreciation for America's technological power will make the next century every bit the "American Century" that the 20th Century has been.●

BARRY ADAMS, MANAGER OF
THE YEAR

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. CHAPPELL. Mr. Speaker, it gives me great honor to report to you that Barry Adams, of the Naval Air Rework Facility in Jacksonville, Fla., has been awarded the proud distinction of Manager of the Year by the Federal Managers Association.

Mr. Speaker, this award is one that many strive for, but few attain. I would, therefore, like to note the accomplishments of Barry Adams to you, as he has devoted 17 years of service as a career civilian employee of the Government.

Barry Adams has an outstanding record of performance on the job, consistently meeting production schedules, and credited with saving his department over 16,000 man hours. He is active in both employee and supervisory organizations, where he serves in high positions of responsibility in the Federal Managers Association and the Jacksonville Naval Air Station Association.

In addition, he has received numerous awards including four outstanding performance appraisals, with sustained superior performance awards. He has also received the Department of the Navy Award of Merit for Group Achievement, the Meritorious Civilian Service Award, and the Naval Air Facilities' Beneficial Suggestion Coordinator of the Year. He has been nominated for the annual EEO Award, and was recently one of the Naval Air Rework Facilities' nominees for the Federal Executive Institute Alumni Association's Executive of the Year Award.

As you can see, Barry Adams is a leader. He is one who willingly gets involved in projects and is a credit to those with whom he works.

Barry has also worked to develop a good rapport with Government leaders both in Jacksonville and Washington, D.C., in order to keep up to date on issues affecting his fellow workers.

He has completed the Sterling Institute training program, and is serving as an instructor. His after-hours training includes supervisory and management courses from Jacksonville University and the area chamber of commerce.

He has served as the Jacksonville Naval Air Station Association's legislative chairman for 3 years. He was elected and is presently serving as their vice president, yet still remains the chairman for legislative affairs. Barry has also been appointed both Secretary and Treasurer to the National Council of Industrial Naval Air Stations.

In addition, Barry served as the vice president of the Federal Managers Association—local chapter—for a period of 2 years before being elected president, a position he has held for the last 3 years. He strives to achieve greater cooperation between management and support staff in meeting the goals of the Naval Air Rework Facility and the Federal Government.

A veteran, Barry served in the U.S. Army for 3 years during the Vietnam war era. He was promoted to sergeant E-5 during this time and upon completion of his military obligation was honorably discharged.

As this year's Federal Managers Association Manager of the Year recipient, and in recognition of his exemplary service to the Naval Air Rework Facility in Jacksonville, Fla., and outstanding ability as a leader and manager in the Federal Government, I take this opportunity to salute Barry and offer him our congratulations for excellence in his job performance.●

THE HIGHER EDUCATION
AMENDMENTS OF 1984

HON. JOHN N. ERLNBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. ERLNBORN. Mr. Speaker, today I am introducing legislation to restructure Federal student financial assistance programs and to make other changes to the Higher Education Act. This legislation, recommended to us by the administration, seeks a return to the traditional emphasis on parent and student responsibility for financing college costs and a simplification of the administration of several other higher education programs.

The heart of this legislation is the modification of the Pell grant program into Pell self-help grants. Under the legislation, the receipt of Federal grant aid would come only after a self-help expectation had been calculated for the student. Every Pell grant applicant would be required to make a self-help contribution of \$500 or 40 percent of the cost of education. This amount could be raised by the student from a wide variety of sources, including college work-study, national direct student loans, guaranteed student loans, summer earnings, institutional aid, and family resources.

The maximum grant available to a student would be increased from \$1,900 to \$3,000, an increase of over 57 percent. This increase is designed to help all students eligible for Pell assistance to enjoy greater choice in selecting a postsecondary institution. For example, a dependent student with a family income of \$9,000 would receive a \$3,000 award at a \$9,000 institution while under current law he or

she would receive only \$1,900. A second example would be a student with a family income of \$20,000 attending the same institution. In this case the Pell award would be \$1,660 compared to \$1,065 under current law.

The proposal also calls for an expansion of the college work-study program to \$850 million for fiscal year 1985. Institutions would be permitted to transfer up to 50 percent of their institutional allotment to the supplemental educational opportunity grant program to provide assistance for students for whom college work-study is inappropriate.

In the guaranteed student loan program, a series of reforms are proposed which are designed to reduce the rising cost of this large entitlement program. The most significant of these changes is that all applicants undergo a need analysis. Under current law, only those students whose families have adjusted gross incomes above \$30,000 are subject to a need analysis.

Additional changes include requiring guarantee agencies to return all Federal advances before October 1, 1985, and to eliminate payment of the two direct administrative cost allowances to guarantee agencies in support of agency administrative activities. These funds are no longer needed.

The bill also proposes to provide only 80 percent Federal reinsurance on all new loans insured by guarantee agencies, while retaining all of the current policy requirements for 100 percent reinsurance. This change is designed to restore some responsibility to the guarantee agencies for defaults occurring in the program.

In title III, Institutional Aid, my bill proposes merging the existing parts A and B, and reducing eligibility requirements. Greater emphasis is placed on endowment building and on institutional graduation from direct Federal assistance. The bill also simplifies the existing set-aside provisions for 2-year and historically black institutions and applies them to the entirety of title III.

Finally, the legislation simplifies the TRIO programs and provides for a more equitable and effective distribution of Federal funds. The Talent Search and Educational Opportunity Centers program would be consolidated, and the staff training program would be eliminated. In addition, Upward Bound institutional participants would be required to provide 10 percent of project costs and institutional participants in Talent Search would be required to provide 25 percent of costs.

Mr. Speaker, the changes proposed in the Higher Education Amendments of 1984 appear to me to represent sound improvements over the current provisions of the Higher Education Act. I believe that these proposals merit careful consideration by the

Subcommittee on Postsecondary Education, especially with regards to the Pell grant and TRIO recommendations.

I also urge all of my colleagues who have questioned the dedication of this administration to preserving a strong Federal role in higher education to study these proposals carefully. I anticipate that the administration's proposals for the reauthorization of the Higher Education Act next year will be quite similar to the bill I am introducing today. ●

STRICTER HANDGUN LAWS ARE NEEDED

HON. ROBERT G. TORRICELLI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. TORRICELLI. Mr. Speaker, when I began my service as a Member of Congress, one of my first priorities was to help lead the fight for effective handgun control legislation. The thousands of deaths annually attributed to handguns are both senseless and tragic.

With the hope that my colleagues will sense the urgent need for stricter handgun laws, I would like to bring to their attention a USA Today editorial by N. T. "Pete" Shields. Mr. Shields, whose oldest son, Nick, was killed by a handgun 10 years ago this week, is chairman of Handgun Control, Inc.

For the past decade Mr. Shields has been diligently working to spare others the same sorrow he was forced to suffer since Nick's needless death. His work, along with that of other concerned citizens, has been instrumental in the enactment of stricter handgun laws in several major cities. And not surprisingly, they work—less people are being killed by handguns.

As my colleagues read this persuasive editorial, I strongly urge them to support handgun control legislation. We in Congress have the ability to save thousands of lives by doing so.

The editorial follows:

[From USA Today, Apr. 4, 1984]

HANDGUN LAWS WORK IF GIVEN THE CHANCE

(By N. T. "Pete" Shields)

WILMINGTON, DEL.—Ten years ago, my oldest son, Nick, was killed with a handgun. Nick was helping a friend move a rug when he was gunned down from behind by someone he never saw.

Because of our weak handgun laws, the pistol used in Nick's murder had passed through no fewer than a dozen hands, making it difficult for police to trace the handgun and apprehend the killers.

Since Nick's funeral, I have worked to pass federal legislation to keep handguns out of the wrong hands—felons, drug addicts, the mentally ill, children. Such legislation would include a waiting period, a background check and mandatory safety training for handgun purchasers, licensing

of handgun owners, and mandatory sentences for using a handgun in a crime.

America is the only western nation without strong handgun laws. The consequences: In 1980, handguns killed 8 in Great Britain, 24 in Switzerland, 8 in Canada, 23 in Israel, 18 in Sweden, 4 in Australia—and more than 20,000 in the United States.

Public surveys have long shown that Americans support licensing and registration of handguns. Blocking such a national law are the gun profiteers, led by the National Rifle Association.

The NRA spends \$55 million each year to defeat such legislation. To increase the gun makers' profit, the NRA is also working to allow mail-order gun sales and to defend the continued sale of cop-killer bullets—ammunition designed to penetrate the armored vests worn by police.

Despite the NRA's money and madness, sensible American policy is gradually being implemented. New handgun laws are on the books in Washington, D.C., Chicago, and Massachusetts and other states.

Studies have demonstrated the impact on handgun crime. In Massachusetts, handgun murder went down 50 percent. Chicago police report that handgun homicide dropped 24 percent. The District of Columbia's law reduced handgun death by nearly 30 percent.

Even in Washington, the political winds are beginning to change. More than 200 senators and congressmen now back legislation to ban cop-killer bullets. Legislation to keep handguns out of the wrong hands has more support than ever. And the NRA's efforts have met strong resistance.

More Americans are killed with handguns every week here at home than in the massacre of American Marines in Beirut. Each week, more than 500 men, women and children die in handgun fire.

The handgun killing can be stopped—but only if every American joins the campaign for handgun sanity. ●

TRIBUTE TO FATHER JOSE I. SOMOZA

HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. FAUNTROY. Mr. Speaker, I rise to commend and bring to the attention of my colleagues the fine record of service of Father Jose I. Somoza, who recently retired as director for the Division of Bilingual Education of the District of Columbia Public Schools.

Under Father Somoza's leadership, the bilingual instructional program developed into a significant educational asset providing access to educational opportunity to many of the students in our school system. During his tenure of service, 1973-84, the bilingual instructional program became an example of cultural sensitivity, and quality educational programming, gaining international recognition for the school system, its students, teachers, and administrators.

Father Somoza, through his dedication and pedagogical excellence, cre-

ated a learning environment in which native speakers of languages other than English could develop their intellectual capacities and contribute to our society.

Father Somoza deserves our recognition and appreciation.●

ARMS CONTROL IN OUTER SPACE

HON. JOE MOAKLEY

OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. MOAKLEY. Mr. Speaker, this last Tuesday, April 10, the House Foreign Affairs Subcommittee on International Security and Scientific Affairs, under the chairmanship of Representative DANTE FASCELL, made a significant contribution to arms control when it met to consider the Reagan administration's space weapons policy.

The hearing was a continuation of a series of hearings begun last November on "Arms Control in Outer Space" which includes the President's anti-satellite (Asat) weapons policy and his Strategic Defense Initiative—his "Star Wars" program. Chairman FASCELL pointed out the dangers of such a policy when he noted that its completion "would cost in the billions, result in a dangerous arms race in space, and would make U.S. satellites more vulnerable."

Mr. Kenneth Adelman, Director of the Arms Control and Disarmament Agency (ACDA), testifying before the subcommittee, discussed the President's March 31 "Report to the Congress on Asat Arms Control." He said that there are benefits to Asat arms control, but that it is very difficult to verify an Asat treaty. I, along with many of my colleagues in the Congress, fear that this administration's claim that an Asat treaty is not verifiable is but a cover for simply not wanting to find an arms control solution to the Asat program. This is a dangerous prospect which we in the Congress must protect against. The subcommittee provided a valuable forum to examine the adverse arms control and national security implications of the President's ludicrous space policy. The administration's policy not only increases the likelihood of nuclear war, but it raises the prospect of alienating our allies.

In fact, at a NATO Defense Ministers meeting last week in Turkey, NATO Defense Ministers expressed skepticism and nervousness concerning U.S. plans to prepare for war in space. Commenting on this NATO concern over the Reagan administration's space weapons programs, West German Defense Minister Manfred Woerner observed: "I can't see that it would provide greater stability." Thus,

we are all left wondering what possible U.S. interests are met by pursuing a space weapons policy that creates division within NATO, and in that respect, serves Soviet foreign policy to secure division within the United States and our European allies? The answer is we do not serve U.S. interests or those of our NATO allies in any way, by furthering this inane policy.

Representative GEORGE BROWN of California, testifying before the subcommittee, explained that "a key element in the administration's Star Wars—Strategic Defense Initiative—fantasy is the antisatellite (Asat) weapon. Asat's would destroy the satellites which serve as our eyes and ears in the sky. Satellites are used to monitor compliance with arms control agreements, are vital to military communications and early warning functions and serve to monitor military activities worldwide * * *. Since the United States is so much more dependent on satellites than the Soviet Union, it is only common sense that this weapon should be banned." Hopeful for everyone's sake, the administration will pay careful attention to the concerns of the Congress in this matter. We have more to lose in an Asat competition with the Soviets than they do. They can function without their satellites as most of their forces are close to their homeland. The United States, on the other hand, cannot function without its satellites as most of our forces are deployed overseas. It is therefore in our interest to stop this craziness now while it is still somewhat manageable.

Commenting on the March 31 report, Representative BROWN called it "an outright rejection of Asat negotiations." He went on to say that "The report may be correct in one respect: Once both countries proceed beyond the test phase, it will be much more difficult to verify a treaty." This is all the more reason to enter into negotiations now, when the Soviet system and the proposed U.S. system are limited.

It is unfortunate that we have an administration that relies only on technically impossible military efforts in space, while avoiding the pursuit of arms control because it is too difficult. What is the logic in this? There is none.

Why is this administration so intent upon forging ahead with a weapons policy in space? It seems paranoia rules the administration and paranoia only feeds paranoia. No one disputes the need for research, but the scale of research that this administration envisions is not only extremely costly—cost estimates reach more than a half a trillion dollars—but it is incredibly destabilizing. Such a program would send a clear signal to the Soviets that the United States has decided on a military course for space. What can the Soviets be expected to do in the

advent of a U.S. buildup? They undoubtedly will attempt to counter the U.S. program: the superpowers will then be enmeshed in an arms race in space—a competition for military control of space and the likelihood of nuclear war will increase.

On the matter of verification, Representative NORMAN DICKS of Washington, made the relevant point that "No arms control agreement can be 100 percent guaranteed verifiable. But we can conclude agreements under which we can detect any military significant violations * * *. Certainly the verification difficulties of a treaty banning testing and deployment of Asat systems are no greater than those for a comprehensive ban on chemical weapons which the President has only recently proposed." The administration ignores the logic of this analogy. It is not clear to many of us in the Congress why the administration maintains that a ban on testing is not verifiable. Both the United States and the Soviet Union have the means through their satellites to detect and track Asat testing by the other side. The fact that we even know of the Soviet Asat capability and their testing is proof of that.

It becomes more and more clear that this administration has little interest in arms control. The Congress, however, is taking constructive steps to halt these weapons. There are several pieces of legislation in the Congress that attempt this. One is a resolution I and some 127 cosponsors introduced, House Joint Resolution 120, which calls for immediate negotiations for a ban on all space weapons. Others include House Joint Resolution 523, introduced by Representative DICKS, et al., which seeks a mutual and verifiable ban on weapons designed to attack objects in space; and House Joint Resolution 531, introduced by Representative BROWN of California, et al., which seeks to maintain the commitment of the United States to the 1972 Anti-Ballistic Missile Treaty between the United States and the Soviet Union.

During the subcommittee hearing with ACDA Director Adelman, Chairman FASCELL captured the essence of these resolutions when he stated: "Many of us in Congress are concerned that the administration is racing toward arms in space as opposed to arms control in space." I commend the chairman's efforts to promote peace in space and look forward to more hearings from the Subcommittee on International Security and Scientific Affairs on this very important and timely concern.●

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. RODINO. Mr. Speaker, I have introduced today a bill to provide authorization for appropriations for the Department of Justice for fiscal year 1985. The Department of Justice has not yet forwarded to the Congress its proposed annual authorization. As the May 15 reporting deadline for authorizations fast approaches, I believe it is important that the committee have the opportunity to review an authorization bill. Accordingly, the committee has drafted an authorization bill based on the President's proposed budget and information derived from our subcommittees' normal oversight hearings.

The bill provides for an overall authorization of \$3.586 billion which, as I said, is based on the President's proposed budget. The committee increases total approximately \$51.3 million over the President's budget. We have added to the budget in several areas where we believed additional resources were necessary. The committee has added approximately \$20 million to the President's request for the Immigration and Naturalization Service. We believe that such additional funding is necessary in order to insure that the Service be better prepared to take on its monumental task of enforcing the immigration laws and providing prompt service to the public. We have added language to provide for the emergency relocation of drug enforcement agents and their families when their lives are threatened. The committee has added approximately \$15 million to the Federal prison system funding level to provide for technical assistance and training for State and local correctional authorities, to provide for an additional 200 correctional officers which we believe to be the bare minimum necessary to meet the need, to provide additional funding for inmate legal services, and to add 500 more beds for contract community facilities.

With respect to FBI undercover activities, section 8 of the bill provides exemptions from certain laws relating to leasing, banking and similar matters, and requires certain financial, statistical and descriptive reports to the Congress on undercover operations. The language is identical to that enacted in the fiscal year 1984 State, Justice, Commerce Appropriations Act (Public Law 98-166), with the exception of a technical change relating to FBI counterintelligence undercover operations, and the extension of the provisions to cover undercover

EXTENSIONS OF REMARKS

activities of the Drug Enforcement Administration.

Statutory reporting requirements and exemptions for FBI undercover operations have been contained in Department of Justice authorization bills since fiscal year 1978.

Mr. Speaker, the Committee on the Judiciary will fulfill its responsibilities with regard to the Department of Justice authorization for fiscal year 1985. The bill will be reported prior to the reporting deadline. ●

LOOPHOLE OF THE WEEK

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Ms. KAPTUR. Mr. Speaker, as tax day draws near, Americans across this Nation are staying up late into the night, armed only with calculators and cups of coffee, filling out their tax forms. This is a wearing, frustrating task for all of us, but for some it becomes a game of dodging the tax man. Our loophole riddled Tax Code allows and encourages this gamesmanship. Although some of the worst loopholes would be closed by the tax bill we passed yesterday, this step was only a small one. We need a system such as the Bradley/Gephardt fair tax proposal would provide: a simple, loophole-free Tax Code with progressive tax rates.

I commend to my colleagues the following article by Prof. Alan Blinder of Princeton University. He takes a humorous approach to outlining the serious problems with our country's Tax Code.

The article follows:

GIMME SHELTER

Pendleton surveyed the large manila envelopes spread before him and took a deep breath. Inside were the 768 IRS forms he would need to complete this year's tax return. "Thirty six more than last year," he thought. "I guess that means I'm doing well. Food, clothing and tax shelters—those are the necessities of modern American life."

Just then, a notice printed neatly on each envelope caught his eye: Warning: The surgeon general has determined that doing your taxes can be hazardous to your mental health. He smiled. "I'll start with the deductions. They always cheer me up."

He pulled out Schedule C and started listing his travel and entertainment expenses. Some of them brought back fond memories. "Oh, yes," he mused, "here's that lovely dinner at Le Petit Triage last spring—\$296 for two. I wonder if Ed and Martha are deducting it, too."

"And that glorious week in Hawaii at the convention of the Association for Tax Avoidance: \$3,450, and all tax deductible." He smiled as he remembered that Godfrey, his neighbor, had paid for his vacation with after-tax dollars. "What a chump," thought Pendleton.

"Enough of this penny ante stuff. On to something big." He pulled out his "Auto"

file, and started to list the expenses for the new Mercedes he had purchased that year.

"Let's see, the first \$10,000 is expensable. A nice little goodie. The remaining \$30,000 is depreciable by quadruple declining balance—plus the investment tax credit, of course, and special tax credits for the solar-powered air-conditioner and the platinum American eagle on the rear bumper. That all comes to a deduction of \$26,473 for this year. Not bad. On an after-tax basis, Cronin probably paid more for his Honda."

Three evenings later, Pendleton finished with his deductions. "Now comes the bad news," he murmured. "My income." Actually, the news was not that bad.

"Let's see. Wages and salaries. None, of course. Who wants that? All my income is on Schedules C, D, E and R."

"Interest, I had lots of it, but it's all tax exempt. Dividends. Ugh. I never touch the stuff; it's taxable as ordinary income."

"Now here's something. Capital Gains." He pulled out a file two inches thick and nodded knowingly. "After a few hours work, this will all look like a \$3,000 tax loss."

He turned next to Schedule E. "Now, where are my K-1s?" he wondered as he leafed through the papers on his desk, first calmly and then frantically. Finding nothing, he scavenged desperately in the waste basket. Still nothing. His heart sank and his face whitened as he slumped in his chair. "Where are my K-1s?" he shrieked.

His wife, Harriet, heard the cry and came running. "Ellsworth," she asked, "what's wrong?"

"My K-1s are missing," he sobbed.

"Your what?"

"My K-1s. You know. Those things we get from the accountant every year for all those hokey tax shelters. The ones that prove to the IRS that our partnership deals lost 10 times as much money as we put into them."

"Why don't you call Ira?" she suggested.

"Good idea," Pendleton agreed. A quick call to his accountant, Ira Keogh, solved the mystery. They were included with the return on his son Clifford's trust.

Pendleton hung up the phone, tore open the envelope marked "Clifford," and found the blissful K-1s. All was right with the world.

"Let's see. The condo in West Palm Beach—a \$13,566 loss. Good. The Oklahoma oil and gas drilling partnership—a \$32,679 loss. Excellent. Oh, yes, and here's the deal with the trees in Oregon. How does that go again? Oh, who cares? It's a \$27,955 tax loss. All together, that comes to \$74,200." He grinned like a man who had just saved \$37,100 in taxes.

Harriet looked concerned. "Did we really lose \$74,200, dear?"

"Oh, no," replied Pendleton. "Let's see." He did a few calculations and announced triumphantly: "Our actual out-of-pocket costs were \$2.97."

Harriet smiled proudly.

"That's enough for tonight," Pendleton sighed, tired from the day's exertion. As he sank into bed he barely noticed that Harriet was reading Dickens. But it put a thought in his head and bad dreams soon disturbed his sleep.

First, came the Ghost of Taxman Past, when his marginal tax rate was 70 percent, his capital gains were taxed at 35 percent, and his shelter was a place to store canned foods in case the Russians struck. He turned violently in his sleep and buried his head in the pillow.

Next, he dreamed a happier dream. The Ghost of Taxman Present appeared to him,

looking like an Amiable Communicator on horseback and offering lower, more avoidable taxes. Smiling, Pendleton turned over on his back and began to snore like a fat cat.

Then came the most horrible dream of all: the Gost of Taxman Future. He awoke with a start, screaming. Harriet grabbed his arm and shook him.

"What's wrong, dear? What's happening?"

"I guess I had a bad dream," Pendleton mumbled, still trembling.

"What was it?"

"I dreamed that the Democrats got back in the White House. They needed more tax revenue desperately, so they closed one loophole after another. It was horrible. Pretty soon I was paying as much tax as my employees." He shuddered at the thought.

Harriet comforted him. "Don't worry, dear, the Democrats won't get back in."

"They won't!"

"No," she insisted. "And even if they do, wasn't it the Democrats who lowered the capital gains tax in 1978 and added all those ornaments to the president's Christmas tree bill in 1981?"

"Yes, you're right," Pendleton exclaimed.

"So they wouldn't close all your tax loopholes, would they?" she asked.

"No, I guess not," Pendleton replied.

Thus reassured, he fell into a deep and peaceful sleep. ●

PROLIFERATION OF CHECKOFF SCHEMES

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. FRENZEL. Mr. Speaker, with increasing frequency these days, Members are being urged to support including so-called checkoffs on tax forms. The revenues received from these checkoffs would be collected by the Treasury Department, and distributed to the charitable organization named in the checkoff.

Supporters of including checkoffs on tax forms claim that such a method would better enable charitable organizations to raise necessary funds. The supporters also claim that a checkoff would provide the charitable organization that is the beneficiary of the checkoff with the exposure needed to collect even more contributions.

In general, I strongly support helping charitable organizations raise the funds necessary to fulfill their charitable purpose. I have strongly supported changing the limitations on contributions to private foundations, and worked on the legislation enacted in 1981 which provided an above-the-line deduction for charitable contributions made by nonitemizers.

I am very concerned, however, about attempts to turn the IRS into a collection agency for charities. The function of the Internal Revenue Service is to collect taxes. The IRS has a hard enough time now as it is to fulfill its main objective. To impose additional burdens on the IRS by forcing it to collect and disburse money collected

through a tax-return checkoff will only serve to dilute its resources and increase its burden.

There is also an additional problem about which I am concerned, and that is the perception problem. Today, more than at any time since I came to Congress, the American people feel the Tax Code and the income tax return are too complicated. There is also a feeling, regardless of reality, that money collected by the Government for a specific purpose is not being used for that purpose. Adding an additional line to the tax return for a checkoff will increase the perception that our tax forms and our tax system are too complicated.

The Finance Committee in the other body has included, as part of its tax package, a provision to provide a tax checkoff for the U.S. Olympic Committee. While the USOC is a worthy organization, and deserving of the support of all Americans, I am concerned about the precedent the acceptance of the provision in conference would create, and it will not be accepted.

An article which appeared in the Wall Street Journal on March 26 details some of the many problems inherent in providing a tax form checkoff. One of the problems is the difficulty inherent in deciding which organizations qualify for a checkoff. While including a checkoff for the USOC is currently a fairly popular idea, the next step could be a checkoff to finance lifesaving organ transplants as will be allowed in Massachusetts, a checkoff to underwrite a mock-legislative session for senior citizens as is on the California ballot, or a checkoff to restore an historic building, as is being proposed in Iowa.

A copy of the Wall Street Journal article follows, and I would urge my colleagues to consider it carefully before making a final decision on any checkoff legislation.

CHECKOFFS ON STATE INCOME TAXES PRODUCE SOME BIG CONTRIBUTIONS—AND HEADACHES

(By Richard Gibson)

A lot of Americans are putting extra check marks on their state income-tax returns these days. If you're an Illinois mud turtle, an Idaho narcotics cop, a ballerina in Oregon or a member of the U.S. Olympic team, that's heartening news. But if you're a typical state-tax collector, all those check marks mean a gigantic headache.

Behind those contrasting reactions is a growing phenomenon: the income-tax check-off. Each checkoff item features a box or blank that, if marked, allows a taxpayer to donate part or all of his anticipated refund to a favorite cause. For example, someone due a \$56 refund might round that off and give the \$6 to help protect the state's squirrels and birds. Less often an individual who owes taxes may add several dollars to his payment, earmarking it for one of the special funds listed on the tax form.

At a time of year when some taxpayers give new meaning to the word "greed," state income-tax checkoffs represent an unselfish

act. Unlike the federal checkoff for the presidential election-campaign fund, which doesn't increase a person's tax or decrease his refund, state checkoff actually take money out of taxpayers' pockets. Of course, contributions to qualifying charitable organizations can be used as deductions on next year's federal tax returns and some state returns.

But regardless of the motivation of those giving the money, checkoff have become the hot new way to raise funds for causes that might otherwise be ignored. A checkoff will go on next year's Massachusetts tax forms to finance life-saving organ transplants. Sponsor Joseph Hermann, a Democrat, thinks it will raise "millions of dollars."

Although a checkoff seldom draws contributions from more than 5% or 6% of a state's tax-paying population, most states have at least one on their returns. Last year 31 collected money to conserve wild animals and plants, including the mud turtle. In New York State alone, 353,185 taxpayers gave \$1.7 million of their tax overpayments to the wildlife checkoff. Nationwide, that cause netted nearly \$5.9 million.

All told, checkoffs raised perhaps twice that much for a potpourri of causes. Current favorites include combating child abuse, developing the arts and supporting U.S. efforts in the Olympic Games.

One on California returns for the first time this year seeks money to underwrite a mock legislative session for senior citizens. An Illinois checkoff would help run the state's veterans' home. Arkansas has one to help preserve War Memorial Stadium in Little Rock, where the University of Arkansas Razorbacks play football. Iowa's governor wants a checkoff to repair the state's capitol.

Fund-raisers like checkoffs because they are a cheap, easy and ubiquitous way to raise money. Says John Buck, manager of volunteer fund raising for the U.S. Olympic team, "You could mail a letter to everybody, or you could go on the tax return." What's more, the states pick up the postage costs.

Some politicians, however, think checkoffs are bad public policy. Former Gov. Charles Thone of Nebraska vetoed an endangered-species checkoff, saying that if the Legislature wanted to support a project, "the better procedure is to appropriate funds." Mr. Thone says the "State's Department of Revenue shouldn't become a collection agency for private donations."

Law-enforcement authorities in Idaho, who are the primary beneficiaries of an anti-drug checkoff, express another concern. They look on the checkoff as an dependable source of funds because drug abuse is an emotional issue, and there is no way to know how taxpayers will respond from year to year. Consequently they won't hire anyone on the basis of that funding alone.

Another common complaint is that it is difficult to know where to draw the line. State Rep. Debbie Stabenow, who guided a child-abuse checkoff through Michigan's Legislature, says the "major opposition related to the question of precedent. What about mental health, what about this, what about that?"

Checkoffs' most vocal opposition comes from those who must do most of the work, the state tax collectors. "Checkoffs complicate the return significantly," says Arthur Roemer, Minnesota's tax commissioner.

Such concern seems well-founded. After Louisiana's first checkoff met with success, its legislature added three more. There are

five checkoffs on California tax forms. Says Harry Durning, a spokesman for the Massachusetts Department of Revenue, "Eventually tax forms will have to come out on a scroll."

Still, tax administrators say they're probably fighting a losing battle. Although they frequently testify against checkoffs during legislative hearings, in the end "we administer faithfully," says a tax agency spokesman. What they often have been able to do is get checkoff bills amended so that the costs of handling contributions can be passed on to the recipients. In some cases that can be a significant deduction. Last year Idaho's Olympic checkoff grossed \$36,600, but before those receipts were forwarded to the U.S. Olympic Committee, the state subtracted \$8,000—nearly 22%—to cover administrative costs.

To encourage contributions, some sponsors promote their checkoffs. Iowa's wildlife-preservation measure is called the "chickadee checkoff," a phrase picked up by most of the state's newspaper headline writers. Actress Mariel Hemingway, holding a falcon, did a television spot for Idaho's wildlife checkoff. Joan Mondale, wife of the Democratic presidential aspirant, plugged Oregon's arts-development effort.

Even with all the publicity, however, donors sometimes have a change of heart. Iowans, for instance, initially contributed \$236,000 to the chickadee fund on their 1982 returns. But after some got their tax-refund checks, they changed their minds and demanded their checkoff money, too. It added up to \$23,000. The state dutifully gave it back.●

NATIONAL LIBRARY WEEK

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 11, 1984

● Mr. FUQUA. Mr. Speaker, I appreciate this opportunity to comment on National Library Week. The Second Congressional District of Florida has many libraries. From the State Library located in Tallahassee to the massive college libraries at Florida State University and Florida A&M University to the libraries found in all the public schools to the small town libraries found in communities throughout the region, people care about their libraries and recognize that they are not just repositories for books.

Libraries contain the wealth of the ages. Books challenge the imagination. Libraries, however, are more than books. They are media centers, computer centers and, in many instances, community centers as well.

In 1961, I cosponsored the legislation in the Florida State House of Representatives which established the "State Aid to Libraries Law" and I appreciate the citation I have received from the Florida Library Association in recognition of this landmark legislation.

Mr. Speaker, libraries belong to all of us and they can be used by all of us. National Library Week is the perfect time to visit your nearest library and

check out all the activities that are going on or, simply, check out a book.●

CONDEMNATION OF CIA ACTIVITY IN NICARAGUA

HON. MATTHEW G. MARTINEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. MARTINEZ. Mr. Speaker, I rise today to address a situation which has grown so incredibly out of control, we as a nation are being internationally condemned. Of course I am talking about recent CIA assistance to the Contra forces in Nicaragua for the purpose of mining ports along that country's coasts. In separate harbors, along the Atlantic and Pacific coastline, ships have struck mines, killing 2 men and injuring at least 20 others in 11 reported explosions in the last 45 days.

This CIA sponsored terrorism must be stopped. It is the responsibility of Congress to put a halt to this militant aggression and provocation. President Reagan has chosen to support the continuation of such shortsighted actions by remaining silent, quietly condoning these CIA activities.

What is worse is the President's pledge to continue to push for \$21 million for aid in 1985 to the Contra forces. The mining incidents are examples of why we must oppose this aid. While Nicaragua has come a long way in terms of relieving the problems of poverty, illiteracy and political terrorism sponsored by the previous dictator, there is still much to be accomplished.

Economically, the Contras—with CIA backing—are out to destroy the infrastructure upon which the entire country operates. This is the peak export for Nicaragua's two principal exports; coffee and cotton. The irony of our sordid involvement in Nicaragua's political affairs, is that we are all but guaranteeing a continuation of the political confusion in Nicaragua by economically crippling the country.

Nation's all over the Earth have voiced their anger over our actions. Americans themselves have actively expressed their opposition to the President's policies. I hope that Congress will now join with this thoughtful majority and put an end to our Nation's shameful support for the Contra forces.●

WE NEED TO BAN NOT PRODUCE NERVE GAS

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. FASCELL. Mr. Speaker, for the past 2 years, Congress has wisely and justifiably rejected the Reagan administration's request to produce a new generation of lethal chemical weapons, binary nerve gas, while calling for the administration to resume negotiations with the Soviets on seeking a comprehensive and verifiable ban on the production and usage of lethal chemical weapons.

Accordingly, I applaud the President in his decision last week to seek such a ban. We should not, however, undo that laudable effort by agreeing to his contradictory fiscal year 1985 request for \$105 million in binary production moneys.

For sound foreign policy, defense, arms control, and budgetary reasons the Congress has consistently rejected the administration's request for binary production moneys. Many of these reasons were succinctly articulated in a recent article entitled "Don't Bargain With Nerve Gas" by Jane M. O. Sharp, a resident scholar in the peace studies program at Cornell University.

I commend to the attention of my colleagues Ms. Sharp's article which appeared in the New York Times of April 11, 1984. The article follows:

DON'T BARGAIN WITH NERVE GAS

(By Jane M. O. Sharp)

ITHACA, N.Y.—President Reagan claimed last week that new binary chemical weapons were necessary both to deter chemical use by the Soviet Union and as bargaining chips to induce the Russians to negotiate a complete ban on the production, testing and deployment of such weapons. Neither justification is valid. Our existing stockpile of chemical agents is already a huge deterrent and nothing in our previous negotiating experience with the Russians suggests that developing new weapons will expedite an arms-control agreement.

In fact, "bargaining chips" more often delay the start of serious negotiation and toughen rather than soften the adversary's bargaining position. What's more, they are rarely, if ever, cashed in for concessions by the other side. Contrary to the conventional wisdom, the record suggests that a demonstration of restraint, rather than a show of strength, produces the most stable arms control agreements. President John F. Kennedy's unilateral moratorium on atmospheric testing in 1963, President Richard M. Nixon's renunciation of biological weapons in 1969 and Congressional trimming down of the full Safeguard anti-ballistic missile program in 1970—all preceded and facilitated the signing of related agreements with the Soviet Union.

The case against resuming production of nerve gas is overwhelming. These weapons kill horribly and indiscriminately and might kill 20 civilians for every military casualty, since soldiers in combat would be wearing

protective clothing. The artillery shells and "Bigeye" bombs, for which the new nerve gases are destined, are essentially untested. Most West Europeans, and particularly the West Germans, are vehemently opposed to the deployment of new binary chemical weapons.

Yet the President continues to press for production of weapons that would abrogate a tacit, 15-year moratorium on new chemical agents. Throughout the 1950's and 1960's, the United States maintained four nerve gas production facilities and produced millions of gas munitions. Then, in 1969, President Nixon renounced biological weapons and imposed a unilateral moratorium on the production of new chemical weapons. The multilateral Biological Weapons Convention was signed in 1972, and at the Moscow summit meeting in 1974, President Nixon and Leonid I. Brezhnev agreed to open negotiations aimed at a ban on chemical weapons. This commitment was reaffirmed by President Gerald R. Ford and pursued more formally by the Carter Administration.

Since then, Congress has repeatedly denied funds for chemical weapons production. Yet, contrary to the bargaining-chip logic, this has not eroded Soviet interest in chemical arms control. The Reagan Administration has not resumed bilateral chemical weapons talks, but chemical weapons have been a principal item on the agenda at multilateral disarmament talks in Geneva, in which both the United States and the Soviet Union participate. In 1982, the Russians offered a treaty to ban chemical weapons at the second United Nations special session on disarmament, and in January, they proposed new chemical negotiations between the North Atlantic Treaty Organization and the Warsaw Pact. Most recently, in February, Moscow made a considerable concession to Western concerns about verification by agreeing to on-site inspections of the destruction of chemical weapons stockpiles.

Now, Mr. Reagan has delegated Vice President Bush—the man who was brought in twice last year to block Senate amendments to cut off funds for binary nerve gas—to present a new American draft treaty banning chemical weapons in Geneva at the end of the month. Yet the President continues to press for the production of new weapons and to talk about bargaining chips. Congress, our NATO allies and the Russians are understandably skeptical.

If, however, the President is serious about a chemical treaty—and in an election year, he might well be—he could confound his critics with three relatively simple steps. First, he could delete the \$105 million earmarked for the nerve gas program from the fiscal 1985 budget. Second he could offer to reopen talks with Moscow to consolidate the progress achieved in the late 1970's. Third, now that the Russians have agreed to onsite inspections, he could stop making a chemical-weapons ban contingent on unrealistically high verification standards and focus instead on establishing a consultative commission to resolve any uncertainties about compliance.

The last thing we need now is a foolish show of hard "bargaining" that risks provoking a new round of chemical weapons production in the Soviet Union. ●

TAX LOOPHOLE OF THE WEEK

HON. DONALD J. PEASE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. PEASE. Mr. Speaker, today, I would like to discuss one particular tax loophole that I believe should be closed. This loophole was included in a revenue-raising amendment that would have been offered to H.R. 4170, Tax Reform Act of 1983, last fall had the bill reached the floor for debate. Because the House Budget Resolution for fiscal year 1985 calls for approximately the same level of revenue as that contained in the tax bill passed on the House floor April 11, I did not offer my amendment this year.

My amendment included a proposal to place a per-country limit on the use of the foreign tax credit. In part because of the high volume, low-profit margin nature of the banking industry and its ability to manipulate the foreign tax credit to reduce U.S. tax liability on foreign source income, an explosion in U.S. bank loans to foreign borrowers has been occurring in recent years. In 1981, our banks' foreign loans outstanding went up by \$90 billion—or 44 percent—and they jumped another \$107 billion in 1982. At the same time, bank loans to domestic borrowers have been declining, according to the 1983 Economic Report of the President. This surge in foreign lending has far outweighed the concurrent increase in foreign deposits into U.S. banks. In 1979, foreigners deposited \$6 billion more into U.S. banks than the banks lent abroad. In 1981, foreign loans exceeded foreign deposits by \$43 billion and in 1982 the deficit was \$44 billion according to the International Economic Conditions reported by the Federal Reserve Bank of St. Louis, April 21, 1983.

It would appear that our banks seem to have a bias toward lending to foreigners over providing credit to American businesses, farmers and consumers. This bias appears to have at least some of its roots in our tax laws. The problem stems from the creditable status of foreign withholding taxes on interest combined with the overall (as opposed to the per-country) limit on the foreign tax credit computation.

The tax incentive for foreign loans would be reduced substantially if a per-country limit on the foreign tax credit were in effect on such transactions. The present use of the overall tax credit limit acts as an incentive for U.S. banks to make loans in low-tax countries because a bank that has foreign-source income from an investment in a country with very high tax rates will probably not be able to credit all its foreign taxes because of the overall limitation. The bank has an incentive to invest in a foreign

country with very low tax rates because some of the excess foreign taxes from the high tax country will then become creditable. The U.S. Tax Code, therefore, encourages our banks to make loans for tax reduction purposes rather than because there is a need for the loan and encourages the flight of capital overseas.

My proposal would replace the present overall limit on the foreign tax credit with a per-country limit. Thus, credit for any foreign country's income taxes would be allowed only up to the amount of U.S. tax imposed on income earned in that country. The bill would make conforming changes in the foreign tax credit carryback and carryover provisions so that taxes paid to a foreign country in a particular year, which cannot be credited in that year because of the per-country limitation, could be credited in other years only against U.S. tax on income from that foreign country. This provision would be effective in taxable years ending after December 31, 1984.

I urge my colleagues to support the restriction on the foreign tax credit embodied in my revenue-raising amendment should it be offered at a later time. Not only would this provision reduce the erosion of our tax base, it would also restrict the tax incentive for crucially needed U.S. capital to move offshore—thereby increasing the pool of capital available for investment in this country and concomitantly reducing upward pressure on interest rates. ●

DOCTORS NEED MORE FTC ENFORCEMENT

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. FLORIO. Mr. Speaker, over the last few years we have witnessed a vigorous debate over the desirability of antitrust enforcement involving the health professions. The issue has arisen in the context of efforts by some professionals to restrict or eliminate enforcement by the Federal Trade Commission.

I am inserting in the RECORD a news report of a Supreme Court decision rejecting the antitrust challenge of an anesthesiologist to a hospital's requirement that its patients use only a particular anesthesiologist. The Court said that such arrangements are not necessarily illegal, but that legality depends on local market conditions, including the availability of alternative hospitals.

I believe this case dramatizes the interest that physicians, no less than the rest of us, have in maintaining competition. Although some medical groups have advocated restricting the FTC's

authority, it may well be their own members who some day will want more vigorous enforcement. Although the Supreme Court rejected the claim of the particular anesthesiologist involved, the Court did not disturb the principle that there would be an anti-trust violation if the hospital arrangements were anticompetitive.

I hope that as the debate continues, more and more professionals will join those who recognize that it is in the interests of professionals themselves to maintain vigorous antitrust enforcement by the FTC.

[From the Washington Post, Mar. 28, 1984]

**COURT BACKS HOSPITALS ON
ANESTHESIOLOGIST USE**
(By Fred Barbash)

The Supreme Court, in a significant antitrust decision, ruled yesterday that a hospital may require its patients to use a particular anesthesiologist.

The court unanimously rejected arguments that the widespread practice of awarding a contract for services such as radiology or pathology to one health professional or firm is necessarily illegal because it denies patients a choice and prevents other health professionals from competing.

Justice John Paul Stevens, writing for the court, said that the legality of such arrangements depends largely on the local market for health services: If patients are free to enter another hospital with another anesthesiologist, the antitrust laws are not violated, he said.

Antitrust lawyers said that yesterday's decision probably insulates most hospitals from successful court challenges against the use of these "closed departments" for ancillary services such as anesthesiology, radiology, pathology and emergency room services.

Proponents of closed departments say they are often necessary to ensure a continuing high level of efficient service in hospitals, which are legally accountable for the standard of care they provide.

Opponents, like the American Society of Anesthesiologists, contend that the arrangements, by restricting competition, retard changes that might improve the standard of care.

The case, *Jefferson Parish Hospital District No. 2 v. Hyde*, arose from an antitrust suit filed by Edwin C. Hyde, an anesthesiologist in Jefferson Parish (County), La., who was denied the right to practice at East Jefferson Hospital near New Orleans in 1977 because the hospital already had a contract with a professional anesthesiology firm.

Hyde contended that the contract resulted in a "tying arrangement"—a term used when a business conditions the sale of one commodity on purchase of a second one. Under prior court rulings, many tying arrangements are considered automatically or *per se* illegal, presumed to be anticompetitive without an elaborate study of their actual impact on competition.

Stevens, reversing a decision of the 5th Circuit Court of Appeals, said yesterday the arrangement was not automatically illegal because the hospital did not have the power to "force" patients to use its services. The hospital is only one of 20 in the New Orleans metropolitan area, and about 70 percent of the patients living in Jefferson Parish go to other hospitals.

"We have condemned tying arrangements when the seller has some special ability—usually called 'market power'—to force a

purchaser to do something that he would not do in a competitive market," he said. "... Only if patients are forced to purchase [anesthesiological] services as a result of the hospital's market power would the arrangement have anti-competitive consequences."

He said the only way Hyde could prove illegality would be to present evidence the arrangement has "actual adverse impact" on competition.

Justice Sandra Day O'Connor, joined by Chief Justice Warren E. Burger and Justices Lewis F. Powell Jr. and William H. Rehnquist, agreed with the result but wrote a separate concurrence arguing that no tying arrangement should be considered *per se* illegal. Each should be judged according to its impact on the market—by a "rule of reason."

Stevens said the court declined to go that far. But some antitrust lawyers suggested yesterday that Stevens' opinion—by requiring an examination of market conditions—effectively achieved what O'Connor was seeking without saying so.

Justice William J. Brennan Jr., joined by Justice Thurgood Marshall, agreed with Stevens' opinion but wrote a separate statement noting that only Congress has the authority to alter prior rulings on whether tying arrangements are automatically illegal. ●

**NATIONAL CHILD ABUSE
PREVENTION MONTH**

HON. THOMAS N. KINDNESS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. KINDNESS. Mr. Speaker, dozens of bills and resolutions, grey type on off-white paper stock, cross a Congressman's desk in the course of a week. A page chosen at random from the residential section of the telephone book is more compelling.

At the top of the page was the familiar reference: "98th Congress/1st session S.J. Res. 161." There are hundreds more just like it.

But the words that followed were a blow to the solar plexus:

Whereas the incidence and prevalence of child abuse and neglect have reached alarming proportions in the United States;

Whereas an estimated two million children become the victims of child abuse in this Nation each year;

Whereas an estimated two thousand of these children die as a result of such abuse each year . . .

The resolution urged the American people to observe the month of April as "National Child Abuse Prevention Month."

According to the National Center for Child Abuse and Neglect—

Maltreated children can be found in all income groups;

No geographic region is free of child abuse and neglect; the incidence rates are similar for urban, suburban and rural communities;

The incidence rates for blacks and whites are almost identical; and

Chronic mental illness is rarely the cause of child maltreatment.

The Federal Government's role in child abuse and neglect is to aid State and local efforts by providing limited financial assistance to fund the agencies that treat child abuse and neglect and to fund research, demonstration projects and technical assistance efforts.

Primary responsibility for dealing with the problems of child abuse and neglect is vested in State and local agencies. Each State has established a child protection reporting system.

What can people do to help? Get involved. It is important for people to be familiar with the services that exist in their communities to help troubled families and to work toward establishing or improving services where the need remains.

Parenting classes, parent aide programs, parental self-help groups, and counseling and mental health centers are important sources of help to families in need.

During the month of April, churches and community service clubs may want to devote a program to the problem of child abuse. Most importantly, it is every citizen's duty to report any suspected incidence of child abuse. All jurisdictions provide immunity from civil or criminal liability for reporters acting in good faith. It isn't necessary to be certain that a child has been abused or neglected.

Our entire society suffers when children are abused and neglected, but something can be done. Those who were reared in a nurturing environment have an obligation to share our good fortune with others. And those who were less fortunate can help put a stop to the cruel cycle of child abuse.

As we observe National Child Abuse Prevention Month, the National Center on Child Abuse and Neglect, Parents Anonymous, Parents United, and the National Committee for the Prevention of Child Abuse should be commended for their outstanding work in the area of child abuse and child neglect. ●

**U.S. AND EUROPEAN BANKS
SPLIT ON TERMS FOR DEBTORS**

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. SCHUMER. Mr. Speaker, this article from the April 9, 1984, Wall Street Journal, points out that European banks are more prepared than U.S. banks to cope with the Latin American debt crisis.

For example, European banks are setting aside larger reserves, which will protect their safety and soundness

in the event of a default by one or two of the largest debtor nations.

European banks are also less concerned with short-term, quarterly profit reports. Therefore they are less willing to continue making new loans to debtor nations simply so that these countries will have enough cash to continue paying interest on their old loans.

Because they have taken these steps and U.S. banks have not, European banks are better prepared to begin advocating long-term solutions to the debt crisis. Specifically, they are calling for some type of stretch out in which banks convert their short-term, high-interest credits into longer term, lower interest loans. European banks know that a stretch out will put the international financial system on a sounder, more secure foundation. They are less willing to keep betting the bank that business-as-usual policies will somehow permit us to muddle through unscathed.

During last year's debate on the IMF quota increase legislation, I proposed an amendment, which was approved by Congress and signed by the President, calling on the IMF to arrange long-term stretchouts whenever it formulates an adjustment program for a hard-pressed debtor nation. Today, I will begin asking each of my colleagues to join me in urging that Secretary Regan strictly enforce this amendment.

I hope my colleagues will read the following article from the Wall Street Journal and then join me in cosigning a letter to Mr. Regan:

[From the Wall Street Journal, Apr. 9, 1984]

U.S., EUROPEAN BANKS SPLIT ON TERMS FOR DEBTORS

(By Michael R. Sesit)

NEW YORK.—A rift between U.S. and European banks is making it more difficult to deal with the international debt crisis.

The growing split could scuttle future bailouts making American banks take big hits in earnings. And it may force the U.S. banks to accept some of the longer-term approaches that European banks are promoting, which would further reduce U.S. bank profits.

The European banks operate in a more flexible regulatory environment, have a lower exposure in Latin America and are less concerned with short-term profit reports to shareholders than their U.S. counterparts. As result, they are growing angry at U.S. bank's insistence that they lend new cash to debtor nations—as four of them did to Argentina on March 3—just so the countries can pay interest.

"Europeans are disgruntled because of the American highhandedness," says Alexander de Takacsy, a senior vice president for Royal Bank of Canada in Paris. In particular, he says, French banks complain that they have been railroaded into situations just because its suits U.S. banks.

The Europeans also accuse U.S. bankers of acknowledging the debt crisis only after it began to affect American banks. They say that, when Poland was unable to service its

debt in 1981, the U.S. government and U.S. banks were reluctant to help out because they saw it largely as a European problem.

Some of the differences in attitude results from U.S. banks having to deal with more rigid accounting standards. "American banks do everything to keep their loans (earning interest); for us this isn't an issue," says Hans Mast, executive vice president for Credit Suisse in Zurich.

European banks also aren't as dependent as U.S. banks on developing-country loans. Roger B. Taillon, a vice president at Standard & Poor's Corp., notes that British bank exposure in Latin America is a little more than the banks' combined equity, and that of Swiss and German banks is about half of equity—compared to twice equity for big U.S. banks.

European banks also have a wider earnings base than U.S. institutions because many of them can underwrite securities and own shares in corporations. Some, such as Deutsche Bank AG of West Germany and the big Swiss banks, have higher profit margins than U.S. banks.

Strong profits, in turn, let them set aside larger reserves against potential loan losses and write off bad loans more easily. Furthermore, European banks get more favorable tax treatment on their loan loss provisions.

Moreover, West German and Swiss banks maintain hidden reserves against which they can charge off bad debts without publicly disclosing what they have done. They also can publicly increase reserves at the expense of lower dividend payments without suffering the same degree of investor wrath that U.S. banks face when they cut dividends.

The upshot, says a Swiss analyst, is that a major Swiss bank calculates it will have written off its Latin American exposure by the end of the year if 1984 profit equals last year's results. "Latin America can blow up and they'd have no problem," he says.

European banks therefore are arguing for new approaches to the debt crisis. They complain that rescheduling debtor loans only one year at a time—a practice that grew out of the U.S. custom of keeping the heat on troubled corporate borrowers—wears everyone out and creates an atmosphere of no confidence because the debtor countries always appear to be needing more help.

Now is the time for "brainstorming among the major banks for a long-term approach—and to take in the ideas of the banks outside the U.S.," says Guido Hanselmann, executive vice president for Switzerland's Union Bank in Zurich.

Wilfried Guth, one of Deutsche Bank's two chief executives, has suggested lowering profit margins on Third World loans and accepting bonds or payment in the debtor's currency once interest rates reach a certain level. Other foreign bankers want to capitalize interest payments—that is, let debtor countries miss interest payments and simply add those payments to the existing loans. Nearly everyone in Europe believes maturities on stretched-out principal payments must be lengthened.

European bankers accuse the U.S. banks of pushing loans that will help multinational corporate clients. Furthermore, those without a dollar deposit base argue that continually having to borrow dollars to finance reschedulings threatens their credit ratings.

For their part, U.S. bankers are disturbed with European talk of writing off loans, con-

cedes John C. Malby, executive vice president for Chase Manhattan Bank.

Under prodding from regulators, American banks have significantly increased their loan loss provisions. Nevertheless, U.S. bankers believe writing off gives a borrower added leverage because he knows his creditors have already prepared for the worst: "We don't write off until something's dead," says a senior U.S. banker.

U.S. bankers also say that Europeans are pushing for easier debt payments for developing countries because the Europeans want the debtors to have more money for imports. And the European countries hope to be providing some of those imported goods. "European economies aren't going to pick up unless they get on with selling," notes a U.S. banker. ●

SECRETARY PIERCE LAUNCHES FAIR HOUSING CAMPAIGN IN NEW YORK CITY

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. GREEN. Mr. Speaker, I wish to share with my colleagues the progress I have witnessed being made on a local level to insure that, on this 16th anniversary of the passage of the landmark Fair Housing Act of 1968, no American suffers the effects of discrimination based on race, sex, or national origin.

While efforts are continuing in this body to amend and strengthen the Fair Housing Act, supporting fair housing should not be the exclusive responsibility of the Federal Government. We cannot do it alone. Fair housing is a responsibility which must be shared by every man or woman and at all levels of Government. That is why it is necessary to work closely with States, localities, private businesses and organizations, as well as concerned individuals to insure that everyone receives the message that fair housing is the law.

Recently I participated in a program, along with Senator D'AMATO, Mayor Koch and other concerned citizens to recognize April 9 as Fair Housing Day in New York City. Samuel R. Pierce, Jr., Secretary of the Department of Housing and Urban Development, initiated the New York ceremony to kick off his fair housing campaign in the Northeast as part of his continuing effort to increase American's awareness of the importance of fair housing.

This event was part of a nationwide effort by the "National Campaign of Public/Private Partnerships for Fair Housing" to increase, at a local level, peoples' awareness that fair housing is the law. It has effectively used a combination of bus posters, billboards, and public service announcements on radio and television, fully paid for through private contributions and volunteer ef-

forts, to bring the fair housing message to all New Yorkers.

I would like to share with you Secretary Pierce's words in praising the efforts that have been made in New York:

We recognize that fairness will fully triumph only if non-governmental organizations join in the fight. To help make this possible, we have continued and strengthened Community Housing Resource Boards all across the Nation. These boards are voluntary associations in which private sector representatives, such as realtors, work with local officials to promote equal housing opportunity in their communities. The results of this team effort have been very encouraging.

This campaign is another such "team effort." A partnership among business, local government, and National government is making it possible. Mayor Koch, his staff, and his Fair Housing Task Force have given of their time and talent to help launch—here in New York—a bus poster campaign for Fair Housing.

We, in this body, should express our gratitude to these local organizations and individuals who have given so much of their time, money and effort to make fair housing a reality for all Americans. I am grateful to all who help us spread the message that fair housing is the law. Secretary Pierce, at a White House ceremony, presented the HUD Outstanding Service Award to individuals who have contributed to the national campaign. I am pleased that three New Yorkers, Jerome Belson, president of Jerome Belson Associates; Malcolm Corrin, president and chief executive officer, Interracial Council for Business Opportunities; and Fred Brown of Fred Brown Industries, were among the recipients recognized by Secretary Pierce and President Reagan.

I would like to share with my colleagues a part of President Reagan's remarks to the award recipients, which demonstrates that the "National Campaign of Public/Private Partnerships for Fair Housing" has an impressive record and a reputation for success:

I'm delighted to join you today as our nation observes the 16th anniversary of the law that guarantees one of the most basic American rights, the right to fair housing.

And today our country is more committed to fair housing than ever. State and local fair housing laws that are substantially equivalent to the federal law have increased from 23 in 1979 to 82 today. At the national level, the Department of Housing and Urban Development under Secretary Pierce is aggressively investigating complaints of housing discrimination.

Despite the importance of these government efforts, fair housing can never become a permanent way of life without the involvement of thousands of contractors, realtors, building managers and others who make up the housing industry. And that's where HUD's Public-Private Partnerships for Fair Housing Programs comes in.

In partnerships in housing, local realtors, Chambers of Commerce and other committed groups and citizens are conducting fair

housing campaigns at their own expense. On behalf of all Americans, I want to give my heartfelt thanks to those Secretary Pierce has presented with awards and to everyone who has participated in the Public-Private Partnerships for Fair Housing Programs.

Celebrities for Fair Housing is another program that's going to have a powerful impact. When people like Phyllis Hyman, Arthur Ashe, Melba Moore, Harry Belafonte and so many others talk about the importance of fair housing, the whole nation listens.

This April, let us once again dedicate ourselves to the great work of assuring fair housing for all. And let us continue that work until fair housing becomes a permanent reality in our national life. ●

SUBCOMMITTEE ON HEALTH AND LONG-TERM CARE

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. PEPPER. Mr. Speaker, on March 15, 1984, the Subcommittee on Health and Long-Term Care of the House Select Committee on Aging, which I chair, convened hearings to examine the impact of technology on our health care system.

The subcommittee found there have been remarkable improvements in the health of our population over the last 20 years. Death rates have declined by over 20 percent. Diseases associated with age have particularly been affected. For example, stroke, which is one of the most feared diseases of the elderly, has decreased by almost 50 percent.

These advances are remarkable and admirable, but they have been dearly purchased. National health expenditures have increased twelvefold during this period. As a percent of gross national product, health expenditures have increased from 5.3 percent in 1960 to 10.5 percent in 1982.

The greatest increase in cost has been for hospital services. Hospital costs have increased from \$9.1 billion in 1960 to \$154 billion in 1983—from 38 percent to 47.8 percent of health care costs.

In reaction to the escalation of health care costs, we have been confronted with a seemingly endless series of legislative proposals over the last few years designed to shift costs and decrease benefits. Legislation has been adopted increasing the deductible and copayment amounts paid by beneficiaries under medicare. Medicaid expenditures have been reduced and cost limits established for specific services.

By and large these increases have been justified by the belief that increasing deductibles and premiums will diminish the demand for services. But the fact is that little of the increase in health costs can be attrib-

uted to increased utilization. For example, the rate of discharge from hospitals per 1,000 population has increased less than 1 percent a year. The increase in hospital days per thousand has increased less than 1 percent since medicare was enacted.

The major reason for increased health costs are inflation and the increase in costs associated with the purchase and use of medical technology. It is estimated that about 51 percent of the increased hospital costs are the result of inflation. Another 25 percent of the total increase can be attributed to the use and misuse of technology.

Witnesses before the subcommittee on March 15 testified much of this increased technological cost is unnecessary. Dr. Arnold Relman, editor of the *New England Journal of Medicine*, testified that 15 to 20 percent of all tests, procedures, drugs, and devices employed in the diagnosis and treatment of disease are not worth the money we spend on them.

The problem is there is no existing mechanism charged with making a comprehensive, consistent determination of which technologies work and under which circumstances. There is no coherent national policy for providing clinical trials to evaluate new and existing medical technologies for their safety and efficacy. Nor is there a single agency with overall responsibility for conducting these reviews.

The purpose of the legislation I join my colleague, Congressman WAXMAN, in introducing today is to establish such an agency—the center for Health Services Research and Medical Technology Assessment. The center would be charged not only with determinations of safety and efficacy, but will also make recommendations to the Secretary with regard to reimbursement for technological developments under federally financed health programs.

Of equal importance, the legislation calls for the establishment of a council within the center composed of representatives of government—the National Institutes of Health, Department of Defense, Health Care Financing Administration, and other representatives to be designated by the Secretary of the Department of Health and Human Services—and the scientific and medical community. This council will have the critical role of guiding the center and assisting it in establishing a clear, coherent national policy with respect to medical technology.

This legislation would provide the information necessary for the Government to act as the prudent purchaser of health services. It will not only reduce costs, it will save lives by limiting patients exposure to procedures and tests which have not proven to be of value.

Thank you. ●

NATIONAL LIBRARY WEEK

HON. MARIO BIAGGI

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, April 11, 1984

● Mr. BIAGGI. Mr. Speaker, I want to join in this special order in order to highlight the importance of libraries and underscore the importance of continued Federal support for both public libraries as well as those libraries in our institutions of higher education.

It is appropriate that we hold this special order today at a time when, I believe, we are beginning to turn back the regressive economic policies of the past several years. Earlier this year, the House, with my support, passed the reauthorization of the Library Services and Construction Act, H.R. 2878, which reaffirmed our support for this program which is the foundation of existence for many libraries across this country. Just last week, the House adopted a budget resolution which rejected the administration's proposal to eliminate this program, an elimination which has been proposed in past years, which was also rejected.

Mr. Speaker, without our public system in this country, we would lose the only means of free access by the public to knowledge. At the time when we hear report after report underscore a national crisis in education in this country, we need our libraries more than ever. We need to support our library systems more than ever. And we need to recognize that the failure to support these institutions will not only have onerous implications for today's learning society, but for tomorrow's as well.

Libraries have formed the basis for filtering knowledge into communities in a variety of ways. I am proud to note that the New York Public Library has exhibited tremendous leadership in this regard and has, through its branch library system in 82 city neighborhoods, embarked on a number of innovative outreach services to the people of our city. Through title I of the LSCA, the New York Public Library operates literacy centers, English as a second language program, job information centers, learners advisory centers, community information centers, special programs for the elderly and handicapped and project access as well as providing library services through the mail to those with visual, mobility, learning, and hearing impairments.

For 20 years, the LSCA has supported programs such as these in libraries across the country. It has provided special assistance to urban libraries like the New York Public Library which is charged with the mission of removing barriers to learning and knowledge. In a city such as New York, the barriers which exist are not

geographical, but instead, are found in poverty, illiteracy, age, and lack of a common language or culture.

To its credit, the New York Public Library has met the challenge of these barriers by providing innovative and exemplary programs. Currently, 20,000 eligible users are receiving some sort of service, borrowing 335,000 items in the last year. Literary programs are being operated for 90 tutor-student pairs, with a waiting list of 150. In the English-as-a-second-language program, last year more than 200 persons completed training. With funding through the LSCA, these programs would not have been possible and the people who would have been hurt most are those who see these library services as their one and only opportunity to help them help themselves.

I am pleased that our colleague, PAUL SIMON, has advanced a progressive rewrite of our library programs in his Higher Education Act reauthorization bill, H.R. 5240. Title II(C) of the Higher Education Act has recognized the importance of providing support to our Nation's research libraries in order to assure that our collective body of thought remains timely and accessible to scholars and learners alike. H.R. 5240 provides for important growth in this area and I am pleased that its provisions for libraries and library services have been well received by the community. I would hope that we would embrace this approach when the Education and Labor Committee considers this legislation.

Finally, I would be remiss if I failed to note the other Federal programs which form the foundation of support for programs within libraries, especially in the New York Public Library.

Both the National Endowments for the Humanities and the Arts provide a floor of financial support for research activities undertaken by libraries. I reject the administration's proposed reductions for the Endowments in its fiscal year 1985 budget of \$125.4 million and \$143.8 million respectively for the Humanities and the Arts. The NEH now provides a matching grant of \$2.127 million to the New York Public Library as a major national center for research and information in the United States. In addition, the Arts Endowment provides funds to support the Library's Performing Arts Research Center which houses important dance works and outstanding theatrical performances on tape. As New York City is the artistic center of our Nation, continuation of NEA support is central to the library's work in this area.

Finally, the National Historical and Publications Records Commission, funded at \$4 million in this fiscal year, also supports libraries by assisting them in their archiving of books and important and valuable manuscripts.

Mr. Speaker, the universal credit card of this Nation is the library card. It is free, and with it, it provides all individuals, without bias, an opportunity to learn. We must continue to recognize the importance of libraries in a free society, and work to assure that their services remain free and accessible to all. In my opinion, this can best be done at the Federal level by assuring adequate funding for all programs which assist our libraries.

I also wish to commend my colleague, MAJOR OWENS, for calling for this special order. He serves with me as a fellow New Yorker on the House Education and Labor Committee and we are certainly honored to note that he is also the first librarian who was elected to Congress. I am sure that his tenure will find us working together on many issues which assist our libraries. ●

 ARMISTEAD I. SELDEN LOCK
AND DAM

HON. RICHARD C. SHELBY

OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 12, 1984

● Mr. SHELBY. Mr. Speaker, I am delighted to introduce today, along with my colleagues of the Alabama delegation, legislation to redesignate the Warrior lock and dam on the Warrior River in Hale County, Ala., as the Armistead I. Selden lock and dam.

This vibrant Alabamian epitomized the ideal of a public servant in his many years of distinguished service on the State and national levels. Armistead began a rich and varied career in the practice of law, serving later as a member of the Alabama State Legislature where he administered to the needs of Hale County for 3 years. He went on to seek and retain office in the U.S. House of Representatives for 16 years sitting on the powerful Foreign Affairs Committee. Armistead brought his keen understanding and perception of the attitudes which shaped world events to the committee and served ably as chairman of the Subcommittee on Inter-American Affairs.

Conversant and enlightened in the realm of international politics, upon his resignation from Congress, Armistead was appointed Deputy Assistant Secretary of Defense for the development of international policy and procedure. His respected work in the Defense Department gained him special recognition, for which he was accorded the honor of serving as U.S. Ambassador to New Zealand, Fiji, Tonga, and U.S. Samoa—a post he occupied under three administrations. He now acts as president of the American League for Exports and Security Assistance.

Armistead is a man of many facets and talents—interests that go beyond his facility in global affairs. In Congress, he often promoted the value of sound and responsible inland waterway development. He was a particularly prominent figure in the funding and construction of the Warrior Lock and Dam in Hale County—a project he recognized as integral in the development of a modern and efficient lock and dam system throughout the entire Alabama water transportation network. As a fitting and appropriate expression of our admiration for him and appreciation of his contributions, I propose the renaming of the Warrior Lock and Dam for Armistead I. Selden. ●

HOW MUCH DOES OUR FLAG COST

HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. BILIRAKIS. Mr. Speaker, at the close of business today we will adjourn for the Easter recess. Before we return to our districts tomorrow, I want to share with my colleagues a moving article by one of my constituents, Walter J. Kaiser, which I think you will want to share with your constituents back home.

The subject of Mr. Kaiser's article is "How Much Does Our Flag Cost?" Mr. Kaiser is a veteran, and the Americanism chairman of American Legion Post 79 in New Port Richey, Fla. I have no doubt that when he wrote this article, Mr. Kaiser had no idea it would make headlines in the CONGRESSIONAL RECORD. But I was so taken by the heartfelt patriotism he so eloquently expresses that I thought others might want to enjoy and reflect on this call to remembrance and appreciation.

How much does our flag cost? Can we put a price tag on a lost son, or husband, or father? Can we measure the value of opportunities lost to soldiers who became disabled in defense of our country? Can we count the tears and tally the moments of sorrow and loneliness of the families of fallen or wounded comrades?

Of course we cannot. But we can remember the sacrifices—and the cherished values for which they were made.

The cost of our flag? It is the price of our freedom.

I commend Mr. Kaiser's article to your attention:

HOW MUCH DOES OUR FLAG COST

(By Walter J. Kaiser)

In January 1981, President Reagan and the people of this free Nation, welcomed home Fifty Two freed men and women who were held hostage in Iran for Four Hundred and Forty Four days. At the end of the White House ceremonies, the President pre-

sented each freed hostage with a replica of the Flag of the United States of America, and he told them it was a symbol. I am now going to try to leave you with an impression of that symbol, and of Our Flag, which I hope will remain in your hearts and in your memories for a long time to come.

During our many American Flag campaigns, there is always one question that seems to be outstanding, and that question is, "How much does Our Flag cost?" I have always answered that question in terms of dollars and cents, but that answer never reflects the real price, the true price, that so many Americans, and too many Americans have paid for Our Flag. I believe that if we want to find out the real answer to that question, we will have to go back many many years, to many many wars, to many many battlefields. Back there, on those blood-stained battlefields, we could ask the crippled, the blind, the dying and the dead. Yes, we could ask them "How much did Our Flag cost you?" Back there we could ask the Patriots at the Boston Tea Party, the Minutemen at Concord, the frost-bitten soldiers at Valley Forge, and the weary and the hungry fighting at Gettysburg. Back there we could ask all the great Presidents, and all the great Generals, who constantly saw through tear-dimmed eyes, ever present death and destruction. I am very sure that they could tell us how much Our Flag cost.

We could ask the heroes at Chateau Thierry and Verdun, the gallant sailors buried on the Arizona at Pearl Harbor, the Marines at Iwo Jima and Guadalcanal, the stretcher bearers at bloody Anzio beachhead. We could ask all those who landed at Normandy, and those who fought in the Battle of the Bulge. They should be able to tell us how much Our Flag cost.

We could probably find the answer right here in these United States. We could visit the numerous Veterans Hospitals, and there we could ask the thousands of disabled veterans, who lay on their sick beds. There we could ask the armless, the legless, the mentally ill, the diseased and the shell-shocked. Yes, we could ask them, but I don't think we would have to, for there we would surely see the price they paid for Our Flag.

We might be able to find the answer right in our own hometown, perhaps on the street where we live. We could ask the Gold-star mothers who lost their only sons, the wives who lost their husbands, the children who lost their fathers, or perhaps their brothers, and we could ask all those who lost their sweethearts. I know that we wouldn't ask, but if we were to ask I am sure they would say they paid for Our Flag with loneliness and sorrow; heartache and tears; sacrifice and suffering; heartbreak and despair.

Today and everyday, as you see Our Flag waving ever so proudly in the breeze, try to give it a long lingering look, and deep in your hearts try to realize just what it symbolizes. The White and the Red stripes symbolize the purity of purpose for which our comrades shed their blood. The White Stars in the field of Blue symbolize that the heights of pure democracy can reach to the very stars in the heavens.

Our Flag could be made from a flimsy piece of printed cotton, or it could be made into a banner of the most beautiful silk. The intrinsic value could be very small, or it could be very great, but its real value, its true value, is the precious symbol we all work for, the precious symbol we all live for, and the precious symbol for which someday, some of us may die for, it is the symbol of a free Nation, of free man, true to the faiths

of the past, and dedicated to the principles of Justice, Freedom and Democracy.

For just one moment let us bow our heads, and in the concept of our own belief, say a silent prayer, thanking God that the colors of the Flag are still RED, WHITE and BLUE, and pray that the men and women, who are now serving in the Armed Forces stationed all over this world, will do everything they can to keep it that way.

Forever in our hearts, let us pay tribute to those brave comrades, who paid for Our Flag with their lives. ●

SOME DISENCHANTMENT WITH BILINGUAL EDUCATION

HON. NORMAN D. SHUMWAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. SHUMWAY. Mr. Speaker, my concern with the almost exclusive reliance on bilingual education as the primary method for increasing our Nation's limited English proficient (LEP) students' proficiency in English, despite the lack of conclusive evidence supporting its effectiveness, is one of the motivating factors behind my sponsorship of House Joint Resolution 169, the English language amendment (ELA). The ELA, while it would not eliminate the use of bilingual education, would place emphasis on its use as a transitional method and encourage the use of a broader range of instructional approaches to assist LEP students.

Despite the diversity of LEP students throughout America, for approximately a decade we have highlighted bilingual education as the method for increasing such students' proficiency in English. This is largely due to the "Lau remedies" developed in 1975 by the Department of Health, Education and Welfare. With the Lau remedies, the Federal Government essentially institutionalized bilingual education as the only approach for instructing LEP students. However, although bilingual education has been the teaching strategy utilized to the virtual exclusion of alternative instructional approaches, little conclusive evidence has been produced which supports the effectiveness of bilingual education. One of the most recent and comprehensive reviews of bilingual education conducted by the Department of Education in 1980, "The Effectiveness of Bilingual Education: A Review of the Literature," concluded, "the case for the effectiveness of transitional bilingual education is so weak that exclusive reliance on this instructional method is clearly not justified." Recognizing the paucity of evidence available to support bilingual education's effectiveness in promoting English language learning among LEP students, I firmly believe that Federal policy should move away from its pre-

vailing one-sided emphasis on bilingual education toward a broadening of the instructional methods for serving LEP students, provided the programs meet the educational needs of LEP children. Federal policy, in my view, should give States and local school districts more flexibility to decide which programs best meet not only the specific needs and circumstances of their students, but their budget priorities as well.

Mr. Speaker, I would like to call to the attention of my colleagues an article which appeared in the Washington Post on April 10. This article, citing the example of Texas, underscores some of the weaknesses of the bilingual approach and the importance of broadening the range of instructional methods used to educate our Nation's special LEP students. I applaud the Texas Legislature for taking the lead in examining and utilizing alternative instructional methods and urge the Congress to follow this fine example and address the disturbing questions surrounding the effectiveness of bilingual education and the Federal Government's one-sided emphasis on the bilingual approach. To continue to emphasize an approach which does not necessarily facilitate the learning of English, and thus which may actually impede the assimilation of our Nation's LEP population into the American mainstream, will tragically serve to keep many of America's linguistic minorities forever on the fringes of America's English-speaking society.

The article follows:

PARENTS' DISENCHANTMENT WITH BILINGUAL EDUCATION FOUND RISING

MCALEN, Tex.—Feliciano Asencio's fifth-grade daughter received four years of bilingual education. Her kindergarten daughter isn't going to get a single day's worth. Good riddance, says mom.

"When you get instruction in two languages, it's confusing," Asencio said in broken English. "My [older] daughter didn't do well at all in school. She could never understand the teachers' instructions [when they were in English]. I say give them only English in school. Here in the [Rio Grande] Valley, we already speak Spanish all the time at home."

Asencio's notions strike like a small dagger at the heart of bilingual educators, who after 15 years of warding off attacks from a generally hostile public, are now bumping into disenchantment from within.

With research inconclusive about the effectiveness of bilingual education, and with Hispanic students continuing to lag far behind national norms on achievement tests, the Texas legislature has taken the lead nationally in searching for new ways to teach students whose native language is not English.

The most controversial of the 11 pilot projects under way in the state began last year in the Asencio girls' school, Sam Houston Elementary, about five miles from the Mexican border. It is an updated version of the oldest language instruction method of all—immersion, this time in English.

The neighborhood that feeds Sam Houston is a barrio of houses and shacks, filled

with farmer-worker families, day laborers and garment workers, many of whom are recent immigrants. It's the poorest neighborhood in the city.

The children here enter kindergarten speaking no English. With one exception, their teachers are bilingual, but after a three-week breaking-in period, they speak only English in the classroom. Students are permitted to speak Spanish, but encouraged at all points to speak English. There have been no tests to measure the success of what is to be a five-year study, but the teachers, parents and principal at Sam Houston can barely contain their enthusiasm.

"It has made a world of difference," said Wilbur Harper, Houston's principal for 13 years. "We'd been using a bilingual education program and it just didn't seem to be working. It took too long for the transition from Spanish to English to occur. And the longer it took, the further behind the children would fall."

Elva Garcia, who teaches a first-grade immersion class, said: "Before we started this program, I never once had a single child in any of my classes reading at a grade level. Now I have some kids reading above grade level."

Eva Hughes, the McAllen School District's administrator for bilingual education, is delighted, too, with the positive early signs, but she's quick to wave a caution flag.

"Fantastic things seem to be happening there, but you might be getting what we call the Hawthorne Effect," she said. "Whenever you have a new program, everyone pulls hard to make it work, and their commitment is what makes the difference. The real test will come further down the road, when we see if these early gains hold."

Other bilingual educators range in their reaction from skeptical to hostile.

Dr. Jose A. Cardenas of San Antonio, a former school administrator and now a leading bilingual consultant, believes that immersion might give students a basic speaking facility, but, by forcing them to think and learn in English before they are ready, it retards their cognitive and intellectual development. He suspects that may be the point.

Recent attacks on bilingual education come at least in part from "a conscious policy of 'Let's keep them in their place' . . . There are some elements that want to make sure Hispanic students are educated just well enough to have menial jobs," he said.

Dr. Gloria Zamora, outgoing president of the National Association of Bilingual Educators, is less inclined to question the motives behind immersion but worries that the project results will be prematurely seized upon by traditional opponents of bilingual education.

"We aren't afraid of looking at new approaches," she said. "But let's not take money from a program that is already underfunded."

Congress is making \$139 million in bilingual education funds available this year to school districts that apply for them. The Reagan administration has recommended halving that level in each of its first three years, but this year, in an apparent bow to the emerging power of the Hispanic voting bloc, it has asked for level funding.

Politically, the going has been rough for bilingual education since the program was first made a part of the Elementary and Secondary Education Act of 1968. Fewer than 15 percent of the estimated 6 million students who lack English proficiency are in federally funded bilingual programs.

In the final year of the Carter administration, the Department of education drafted a set of proposed bilingual education requirements for all districts with substantial numbers of non-English-speaking students, but the effort was abandoned under President Reagan.

States have taken the lead in providing bilingual education, but the program designs, teacher training and funding levels vary so much that defenders say broad evaluations are impossible.

Though models vary, a typical bilingual program starts in kindergarten and runs through second or third grade, or until a student passes a test showing that he has gained enough English proficiency to be placed in regular classes.

Though some Hispanic activists in the late 1960s sold the program as a way to keep the Spanish language alive in this country, the fact remains, and always has been so, that Hispanics have "an overwhelming desire to learn English," Zamora said.

Defenders of bilingual education such as Cardenas say native-language instruction to teach English is critical to giving foreign-language students feelings of self-worth, a necessary condition of learning. "The school is saying, 'I accept your language and therefore I accept you,'" he said.

Until 1969, Texas was one of seven states that imposed criminal penalties on teachers who spoke Spanish in the classroom, and Hispanic educators have bitter memories of the racial prejudices they encountered as schoolchildren. The "sink-or-swim" approach to language instruction that prevailed until the late 1960s produce 80 percent dropout rates among Mexican-American students.

But defenders of the new immersion say it bears no resemblance to past methods.

"I'm sick of hearing about sink-or-swim," said Thelma Lanfranco, a kindergarten teacher at Sam Houston Elementary. "We let the children into the water gently. We accept their language and let them move at their own pace."

She tells the story, repeated in different forms by the other teachers in the pilot project here, of being "shocked" at the way even the slow learners in her class are able to pick up their new language.

"I had one little boy who, every time he left at the end of the day, he said, 'Goodbye, teacher, I'm finished.' Just the other day, he said, 'Goodbye, teacher, I'm leaving.' All of a sudden, he had picked it up."

"It makes me feel so much more successful when you see them learning English," she said. "I find that I actually love to come to school."●

HAMILTON FISH, SR., A FRIEND TO ISRAEL

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. GILMAN. Mr. Speaker, former Congressman Hamilton Fish Sr., who represented our mid-Hudson region in this Chamber from 1919 to 1945, and who served as the distinguished ranking minority member of the House Foreign Affairs Committee, proved himself to be a staunch, early friend of Israel in this Nation and through

out the world. As early as 1922, years before it became politically popular, Representative Fish was advocating the establishment of a homeland for the Jewish people in Palestine.

Now 95 years young, I am proud to have the repeated counsel and advice of this truly great legislator.

Recently, Representative Fish, Sr. shared with me a letter he recently received from the Honorable Meir Rosenne, the Ambassador from Israel. I am sure that Representative Fish would not mind my sharing this letter with my colleagues, and I ask that it now be printed at this point in the RECORD:

EMBASSY OF ISRAEL,

Washington, D.C., January 31, 1984.

HON. HAMILTON FISH,
655 Park Avenue,
New York, N.Y.

DEAR MR. FISH: I recently had the pleasure of having dinner with your son Congressman Hamilton Fish, Jr., who was kind enough to make available to me your outstanding statements in support of Israel.

Your historic initiative in 1922 supporting the establishment of a national home for the Jewish people has a permanent place in the annals of the Jewish people.

I thank you from the heart, for your eloquent statements, your friendship and support, which are of such tremendous importance to the State of Israel.

I wish you good health in this New Year. With much admiration.

Warmly,

MEIR ROSENNE,
Ambassador.●

ST. PAUL, MINN.—COMING UP
STRONG!

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. VENTO. Mr. Speaker, the Citizens Forum on Self Government, in conjunction with the National Municipal League, recently announced the selections of outstanding "All American Cities" for 1984.

I am proud that St. Paul, the capital of Minnesota and the largest city in my Fourth Congressional District, was among the winners.

In recent years, under the inspired leadership of St. Paul Mayor George Latimer and city officials, the city of St. Paul has taken wing. With solid support from the Federal Government—under programs initiated by the 96th and 97th Congresses and supported by the Carter-Mondale administration—St. Paul has blossomed with downtown and neighborhood developments that have literally changed the skyline and the physical characteristics of this urban center.

The secret of St. Paul's success goes beyond the leadership of elected officials, however. It goes to the partnership of neighborhoods, business, and labor which was crucial to the growth

and development that has taken place. The "All America" commendation is a tribute to the imaginative and vigorous activities of citizens, community organizations, businesses, and labor leaders. Together they have crafted a formula for progressive change and made St. Paul a model for the entire Nation.

The Citizens Forum/National Municipal League commendation specifically pinpoints highlights of St. Paul's resurgence: Major retail/office complex developments in the heart of downtown. A district hot water heating system which will revolutionize energy conservation throughout the main business and government centers. An innovative energy park sponsored by business, foundations, and government to provide mixed-use industrial facilities at a key location. Neighborhood development programs which nurture small business growth, housing, and public improvements.

All of these successful projects have received generous, continued support from the Federal Government under a variety of programs we wrote, passed and funded in previous Congresses. From the urban development action grants, to the HUD community development block grants, to housing assistance for individuals and developers, to community renewal and community rehabilitation programs—it is this kind of cost-effective Federal assistance that has been the bulwark of our national urban agenda and the *raison d'être* for the spectacular successes in St. Paul and other cities.

If there is a shadow, it comes from the short-sighted, negative policies of the Reagan administration. Administration officials have constantly attempted to renege on the promises and Federal initiatives which made St. Paul's successes possible. Despite our efforts to preserve the integrity of these proven programs, they were exchanged—in the White House wheeling, dealing, and trade-offs on the Federal budget—for grossly disproportionate expansion of military programs and ill-conceived schemes for special interest tax loopholes.

The announcement of the 1984 "All American Cities" comes at an important time. It should remind us of the budget priorities we established in the past—priorities emphasizing our people and our cities.

The people of St. Paul; its community, business, and labor leaders; its mayor and elected officials, should all be congratulated. They deserve this national honor and recognition. Hopefully, the St. Paul story will enable other cities and communities to improve their quality of life and economic stability through similar combined public/private partnership efforts.●

HUNGER AT ISSUE IN NEW
YORK—ACTION NEEDED ON
H.R. 5151

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. BIAGGI. Mr. Speaker, hunger remains a problem in this Nation despite ill-advised observations of those who dispute the fact that it exists. A just-released report by the State of New York contradicts the claim that there are no hungry people and gives added weight to those of us who are supporting H.R. 5151, the Hunger Relief Act of 1984.

The findings released by the "Hunger Watch" Committee of New York, established by Governor Cuomo, point to 40 percent of those interviewed saying that they did not have enough to eat. The report is based upon interviews last summer at 29 emergency feeding programs throughout the State, government welfare offices, health clinics, and senior feeding centers. The people interviewed were all considered at risk and included the elderly, the unemployed, and pregnant women with large families. The overwhelming majority were poor.

The report further notes that 20 percent of parents said that their children go to bed hungry. More than 80 percent of the men and more than 70 percent of the women interviewed gave diet histories for the previous day that fell well below the minimum daily caloric intake requirements set by the National Academy of Sciences in 1980. It confirmed what many of us who are supporting expansions in our nutrition programs have known all along—recent cuts in child nutrition, WIC, food stamps, and elderly feeding programs have generated a nutritional crisis in this Nation.

I have joined as a cosponsor of H.R. 5151, the Hunger Relief Act of 1984 authored by my colleague, LEON PANETTA, which I believe is a realistic response to our national nutrition crisis. The evidence of need for this legislation is compelling. Last January the U.S. Conference of Mayors released a study of 20 cities that showed that demand for emergency food had risen an average of 71 percent in 95 percent of the cities. Seventy percent of those same cities projected further increases in demand in 1984. This bill seeks to attack this problem by restoring at least one-half of the \$3 billion in cuts that have occurred in our feeding programs since 1981. In my opinion, this investment is a realistic investment in the health and well-being of our Nation's future.

Specifically, H.R. 5151 restores \$1 billion in food stamp cuts through the following means:

Provides a number of incentives for self-sufficiency of food stamp recipients by increasing job search programs by \$19 million; restores the earned income deduction from 18 to 20 percent; provides for a tax deduction for child care costs which are separate from shelter costs for working mothers and their families; and increases student participation for the neediest of students.

Increases the shelter deduction to \$150 effective October 1, 1984, which is critical to States, such as New York, where higher-than-average energy costs have had a disproportionate impact upon low-income households.

Provides for food stamp benefits based on the full cost of the so-called thrifty food plan instead of the 99 percent now provided.

Raises the liquid assets limitations from \$3,000 to \$3,500 for elderly and disabled households and from \$1,500 to \$2,250 for all other households and exclude the fair market value of only those cars which are worth more than \$5,500.

In addition to revisions to the food stamp program, H.R. 5151 also addresses elderly feeding programs by increasing authorizations for the congregate, home-delivered and commodities programs under title III of the Older Americans Act as proposed in H.R. 4785, the reauthorization legislation which I have cosponsored. Under this bill, congregate feeding would be increased by 5 percent and home-delivered by 20 percent based upon increased demand by the most frail and vulnerable of our elderly population. The commodities program would also be increased by 5 percent and the authorizations are as follows:

Congregate feeding is increased to \$383.6 million in fiscal year 1985, \$402.8 million in fiscal year 1986, and \$423 million in fiscal year 1987.

Home-delivered meals are increased to \$90 million in fiscal year 1985, \$95 million in fiscal year 1986, and \$100 million in fiscal year 1987.

Surplus commodities are increased \$121.8 million in fiscal year 1985, \$127.9 million in fiscal year 1986, and \$134.3 million in fiscal year 1987.

Mr. Speaker, the Subcommittee on Human Services of the Select Committee on Aging, which I chair, is conducting a national survey of the home-delivered meal program which I believe, will provide us with irrefutable evidence that these modest increases are needed in these programs. I plan to assure that title V of H.R. 5151 is incorporated into H.R. 4785 when it comes before the Education and Labor Committee, where I am also a member.

Finally, H.R. 5151 also incorporates increases in our child nutrition programs as outlined in H.R. 4091, passed by the House last fall and H.R. 7 which was adopted today. Both these

proposals, which I have cosponsored, make a modest attempt to restore funding to our child feeding programs which have been ravaged by budget cuts since 1981. These programs: school lunch and breakfast, summer feeding, WIC, and special milk—are important to children just as our elderly feeding programs are to seniors—both programs provide these low-income individuals with one, nutritious meal a day—and in many cases—it remains the only meal they receive.

I commend my colleague, Mr. PANETTA, for his leadership in this area and for working with both the Aging and Education and Labor Committees to achieve a legislative product which, I believe, is a good starting point of debate on what we should be doing to help hungry people in this Nation. With our agricultural abundance, we should not be party to promoting the specter of the breadlines of the 1920's. I fear that if we do not act to put Congress on record firmly in support of these feeding programs—that we will have only contributed to the real problem of hunger in America—instead of working to eliminate it.

Mr. Speaker, I urge my colleagues to join in support of this legislation. ●

A TRIBUTE TO AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE PERSONNEL

HON. KENT HANCE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. HANCE. Mr. Speaker, too often we hear negative things about our Federal employees. Yet there are many good things that they do for the country every day. They are truly the wheels of Government that keep this country running on a day-to-day basis.

I would like to take this opportunity to share with my colleagues some facts about some hard working Federal employees in my district. As you know, much of my district is rural farm and ranch land. Consequently, the ASCS Office there, the Agricultural Stabilization and Conservation Service Office to your urban folk, is kept mighty busy. Yet, these workers never frown but go on their way just doing what has to be done and doing it in a friendly, efficient manner. I have nothing but praise for these people.

Recently one of the local papers in my district ran a news article on some of the ASCS personnel that I would like to have reprinted in the RECORD. I think this clipping shows what fine people we have working for us and I commend it to my colleagues:

[From the LaMesa Press-Reporter]

THE BOTTOM LINE

(By Lowell Shortes)

ASCS personnel, in area county offices, are proving the old saying "if you want a job done, go to the busiest person in town to do it and it will get done and done well—Busy people don't have time to make excuses—They just go ahead and accomplish the task at hand.

The ladies, doing the work, and their supervisors, have really persevered under the tremendous pressure of the many farm programs (with changing deadlines) that they are managing. Even with the onslaught of 19A's Crop Insurance Certification Request, that was added to their already impossible work load.

I can't help but sympathize with them, knowing that as agents for crop insurance, we are creating a goodly portion of their work load. Even though it is the only way that area cotton producers can "look" at their complete crop insurance options that are their only disaster protection. I still feel just a little guilty especially when, as overworked as they are, they are still so "darn nice about it." They never say no, not even a maybe but instead, with a smile "just as soon as we can." and regularly do it.

Sure makes one appreciate professionalism, diligence and that can do attitude that personifies the dedicated individual and proves, very graphically, the effective supervision that must be encouraging, supporting and leading these A.S.C.S. offices to produce the impossible in the face of the improbable.

I am confident that I speak for ALL producers, crop insurance agents and area citizens, that depend on King Cotton and the well being of our Agricultural community, when I say (with a borrowed quote) "Ladies and Gentlemen You Done Good." ●

POPULATION PLANNING IN THE THIRD WORLD

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. LEHMAN of Florida. Mr. Speaker, at a recent hearing of the House Appropriations Subcommittee on Foreign Operations I listened with great interest to the testimony of Werner Fornos, president of the Population Institute, the largest citizens network seeking to bring world population into balance with global resources. Mr. Fornos' testimony pinpointed the primary development stumbling block of the Third World, overpopulation.

The problems of the Third World are proliferating: unemployment, epidemics, housing shortages, starvation, illiteracy, to list a few. For the sake of the world's well-being we must try to eradicate these miseries, although the task may seem endless and expensive. To date the most direct and effective aid we can give is to help developing countries achieve a population base for which they have the means to employ, house, feed, and educate.

Recently there have been unfounded attacks on the use of AID funds for population assistance. In response to this I would like to include in the RECORD the testimony of Mr. Fornos and a editorial article from the April 12 issue of the New York Times, "Get Serious About Population."

STATEMENT BY WERNER FORNOS

The testimony I am presenting today comes at a time of accelerated attacks on the United States' international population assistance program through a concerted, well-organized effort by reactionary elements. Their strategy is to engage in mischievous legislative maneuvering aimed at snarling up that which they can't bring down. The primary weapons in their arsenal are the same old standbys—the innuendo, the half-truth, and the outright misstatement of fact. Lots of shadow and precious little substance. Recent attacks center on programs that are "anti-growth" and encourage smaller family size. I assume that some of these attacks result from a failure to understand the rationale behind the decision of Congress to support international population assistance. Section 104(a) in part reads:

The Congress recognizes that poor health conditions and uncontrolled population growth can vitiate otherwise successful development efforts.

Large families in developing countries are the result of complex social and economic factors which change relatively slowly among the poor majority least affected by economic progress, as well as the result of a lack of effective birth control. Therefore, effective family planning depends upon economic and social change as well as the delivery of services and is often a matter of political and religious sensitivity. While every country has the right to determine its own policies with respect to population growth, voluntary population planning programs can make a substantial contribution to economic development, higher living standards, and improved health and nutrition.

And Section 104(b) goes on to say: In order to increase the opportunities and motivation for family planning and to reduce the rate of population growth, the President is authorized to furnish assistance, for voluntary population planning. (These population planning) programs shall reemphasize motivation for small families.

Mr. Chairman, I believe this language makes crystal clear the intent of Congress in establishing U.S. international population assistance. Other charges that have cropped up in recent weeks allege that U.S. population funds are financing forced abortions and forced sterilizations. U.S. law clearly prohibits the funding of abortions and it specifically and emphatically spells out that those programs to be funded must be voluntary. There have been numerous probes, inquiries and investigations to ensure the voluntary nature of these programs, but no evidence has surfaced to substantiate any of the charges. I hasten to add that the United Nations Fund for Population Activities (UNFPA), which relies on the U.S. for about one quarter of its funding, demands the same restrictions against financing abortions and coercive efforts. The Population Institute wholeheartedly supports the proposition that U.S. population assistance be voluntary because it makes good sense; if fertility regulation is to be of a permanent nature, it cannot and will not be achieved by coerciveness. In addition, the

Population Institute does not consider abortion to be a legitimate family planning method.

Mr. Chairman, the tragic part of the most recent attacks on the U.S. international population program is that they come at a time when the world is growing by 82 million people a year. Ninety percent of this growth is in the developing world, where poverty and deprivation abound, and where there is widespread unemployment and illiteracy. The countries that can least afford to have more people are looking ahead to doubling their populations in 20 to 30 years. This, of course, means that in order for these nations to keep pace with their very meager current standards of living, they will have to double their schools, hospitals, employment opportunities, housing, food supplies, and basic social services within two to three decades. I submit that this is an impossible task. Unless immediate steps are taken by these countries and their people to accelerate efforts to reduce their population growth, they will be confronted with an incredible burden of suffering and misery, the likes of which have not been witnessed in human annals.

So we can approach international population assistance from the humanitarian viewpoint. But we can also approach it from the viewpoint of national security. The overcrowded cities of the developing world with their teeming slums are the breeding grounds for insurrection and violence. Overpopulation may not always be the cause of the problem, but you can be certain that it is a strong contributing factor.

A renowned international banker, Dr. Fritz Leutwiler, President of the Swiss National Bank and the Bank for International Settlements, recently told the International Monetary and Trade Conference struggling with charges of bank bailouts, defaults, and mounting debt squeezes:

"At a time when income growth has subsided as the consequence of deteriorating terms of trade and other factors, the population explosion results in a squeeze that is difficult to bear. Far from increasing, real per capita income has actually fallen in a number of developing countries during the last decade."

Dr. Leutwiler asserted that "the crucial question is how is it possible to make the poor of these countries less poor, or expressed in economic terms, how one can get them to benefit from growth and potential welfare gains when economic growth rates that can be sustained tend to fall short of the rates of population growth. A frank and unashamed word in favor of family planning might be a more effective and more durable remedy than millions of dollars in new credits."

The harsh reality is that hundreds of millions of people in the developing world desire to determine the size and spacing of their families—a reality borne out by the fact that some 50 developing countries, which account for most of the population of the Third World, have adopted population programs which include the provision of family planning services. However, there is still a tremendous lack of education and a lack of the means to implement this basic human right.

[From the New York Times, Apr. 12, 1984]

GET SERIOUS ABOUT POPULATION

Family planning isn't murder. But that's not obvious to American right-to-lifers who contend that efforts to defuse the population bomb in poor countries support forced

abortions in China. On this tangential ground, they would wreck a promising aid program that actually strengthens families. That is morality going haywire.

Over 20 years the United States has spent about \$2 billion to help poorer countries lower the fertility rate that threatens in 16 years to increase the world's population of 4.5 billion by a third. Such birth rates destroy economic growth and threaten social stability.

In these circumstances, less is more. The crucial corollary of birth control is improved infant care; smaller families tend to be healthier and stronger. American aid has contributed significantly to this sensible end, in places like Mexico, Thailand, South Korea, Jamaica, Sri Lanka and Indonesia, and through the United Nations Fund for Population Activities. By law, not a penny can be spent on forced sterilizations or abortions.

When first begun, the effort was attacked by Moscow as an imperialist plot to sap the strength of poor societies. Now that argument has been adopted by the Moral Majority and its allies, led in Congress by Senator Helms. They detect an "anti-growth philosophy" and urge delays and conditions before Congress votes the next \$265 million.

The campaign's emotional kicker is the charge that a contribution of \$38 million to the U.N. fund pays for forced abortions in China, a practice deplored in a recent book by Steven Mosher. China denies his assertions and the facts are in dispute, but there's no dispute about the U.N. fund's policy. Rafael Salas, its executive director, insists it has never funded abortions anywhere.

But that is waved away on the ground that money for China's population program indirectly supports abortion. And so it may. By the same token, aid to any U.N. agency indirectly serves some alien purpose. By this absurd measure, there's no program that does not threaten some American's sensibility. ●

THE SINGING ANGELS—CLEVELAND'S GOODWILL AMBASSADORS

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. STOKES. Mr. Speaker, it is a pleasure and a distinct honor to join in the 20th anniversary celebration of the Singing Angels choral group based in Cleveland, Ohio. The nationally and internationally acclaimed singing group will mark this occasion on Sunday, April 15 with a program at the Stouffers Inn in Cleveland. On behalf of my constituents, I send best wishes to the group's founder, Mr. Bill Boehm and the current and past members of the group.

For 20 years, this group has fulfilled the dreams of its founder, Bill Boehm. At the same time, the group has served as a musical delight for thousands of listeners across the Nation and around the world.

More than that Mr. Speaker, the group has provided an avenue for

thousands of talented youngsters between the ages of 6 and 18 to showcase their musical gifts. At the same time, the group has been the vehicle for exposing these young people to different environments and cultures.

The story of the Singing Angels is an inspirational one. I take this opportunity to share that story with my colleagues.

Mr. Speaker, each year, Mr. Boehm selects 250 young people for the group. The staff provides them with expert musical and dance instruction. That makes the group exceptional performers.

The staff also tries to teach the young people some valuable lessons about life. Due in large part to Mr. Boehm's efforts and the hard work of his staff, each group over the last 20 years has displayed a lot of teamwork and concern for their fellow man.

As a result, Mr. Speaker, the Singing Angels have become the pride of Cleveland as well as good will ambassadors for the city.

Their contribution to the city is commendable. The group has made literally hundreds of appearances at programs for churches and other organizations. They have appeared in concerts for public school children and have given freely of their time and talents during the holidays by bringing musical cheer to hundreds of patients at hospitals and nursing homes in the area.

The group's notoriety is unparalleled in Cleveland. Their popularity has spread throughout the Nation and around the globe.

They have received invitations for command performances throughout the State of Ohio, in the Midwest and in Washington, D.C. They also have been on concert tours to Romania, Japan, Taiwan, Israel, Italy, Germany, and Australia.

In each country, they have overcome the language barrier with the universal key—good music.

In addition to the musical exposure, the youngsters in the group have broadened their horizons and understanding of different people and different cultures through their foreign tours.

In summation, the Singing Angels concept has been a joy and memorable experience for concert audiences as well as for group members.

As a native Clevelander, I point to the Singing Angels with pride. I congratulate the many young people who have participated in the Singing Angels group through the years. I extend a special commendation to Mr. Bill Boehm for the marvelous job he has done in molding the voices and the lives of Cleveland's good will ambassadors—the Singing Angels.●

NATIONAL AIRPORT SCATTER PLAN

HON. BEVERLY B. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mrs. BYRON. Mr. Speaker, I testified this morning before the Senate Subcommittee on Aviation concerning the controversial scatter plan affecting the Washington metropolitan area. Senator PAUL TRIBLE presided over the hearing. I ask that the following testimony be submitted to the RECORD.

Mr. Chairman, I anticipate being very lonely up here today. I have come to speak in support of the scatter plan or some variation of that plan which would more equitably disperse the noise of jet overflights from National Airport.

I thank you for providing me with the opportunity to appear on this side of the Capitol. Yet I can't help but feel that this hearing is a bit premature. It is my understanding that the final Federal Aviation Administration and the Washington Metropolitan Council of Government Studies of the "scatter plan" are not to be released for several months. Without these assessments I fear that this proceeding will largely take the flavor of an emotional, public rehashing of the charges and counter-charges of the past months. I hope that this committee will hold the record open until these reports and associated comments may be submitted.

I am reminded by those citizens who oppose an equitable distribution of noise and airplane overflights, that approximately 85 percent of the calls to the FAA telephone poll were in opposition to the scatter plan. This figure, however, should not be used as a significant form of measuring the scatter plan. A coalition on airport problems (CAP) review indicates an obvious orchestration of calls against the plan from Northern Virginia. In fact, I am told that one individual's name was recorded eight times in a single day. However, in spite of this, I do not doubt that a strong majority of those who offered opinions opposed the "scatter plan." This is because the plan does what it was designed to do: It disperses noise over a wider geographical area, affecting a larger segment of the metropolitan population. The environmental assessment prepared by the FAA states that the 30-second, 75 decibel contour for the test encompasses a residential population of 871,000, as compared to a population of 551,000 for the existing departure procedure. Frankly, I would be amazed if adverse comment did not outweigh favorable comment.

Any of you who are familiar with the operation of a congressional office know that adverse comments far outweigh favorable comments on nearly all issues. The issue is not, and should not become, a popularity contest. The issue is equity and civic responsibility.

No one familiar with National Airport can deny that Arlington and Alexandria, Virginia, as well as the District, gain significant economic benefit as a direct benefit of this facility. According to a study compiled by the Committee for National Airport and the Air Transport Association, "National Airport's economic impact on the Washington Metropolitan area last year amounted to \$661 million." Of those employed by Nation-

al Airport, approximately 4,500 live in Virginia, 1,500 live in Maryland, and 600 live in the District. The question now arises in how the benefits and the burdens shall be distributed among these communities. I am told that the present departure pattern puts an unbearable noise and pollution burden on a single segment of the population. A plane departs every 2 to 3 minutes from National, averaging 30 overflights per hour on a specific region, or nearly 300 flights per day. The scatter plan would reduce this number to 3 to 4 planes per hour over a given area. My district has an eastern border near the Cabin John Bridge. My constituents were greatly relieved for a few months with the scatter plan. They noticed a significant reduction on noise in their area.

I anxiously await the results of the scatter plan reviews. I would hope that if the scatter plan is judged unacceptable, that efforts would continue to seek a more equitable distribution of the noise and traffic associated with National Airport. Even without addressing the safety aspect, I am concerned about several factors which lead me to feel that Congress and the FAA are not solving the problems of National Airport. There is a continuing inability to establish lower passenger ceilings at this very crowded facility. However, the remedy will have to include more than this. Airplanes are now sneaking under noise Standards that were adopted specifically to preclude their arrival.

Assuming that the scatter plan is not adopted, I would ask the opponents of this plan: "What do you propose to relieve the noise levels and inconvenience suffered by those individuals living along the river corridor?" I would also ask the FAA to work along with the council of governments and the individual communities in finding a viable solution. Those whose communities have been enhanced by National Airport have an obligation to resolve the associated burdens. Continuing to ship these problems down the river is not the answer.●

INTRODUCTION OF LEGISLATION AUTHORIZING U.S. PARTICIPATION IN THE INTER-AMERICAN INVESTMENT CORPORATION

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. BEREUTER. Mr. Speaker, at the request of the administration, this Member is introducing a bill authorizing the President to accept membership in the Inter-American Investment Corporation, called the IIC, which will be an affiliate of the Inter-American Development Bank. Over the last two decades our hemispheric neighbors in Latin America and the Caribbean have achieved substantial economic progress. The Inter-American Development Bank, or the IDB, has played a major role in this process. But just as a region changes and develops, so too should the institutions that serve it change and develop. And that is the major purpose of the IIC, to contribute toward the evolution of the IDB

into an institution that better serves the evolving needs of its borrowers.

In this connection, it has become increasingly clear that the lack of long-term investment capital for private enterprises has seriously constrained the region's development. Recent unstable economic conditions in Latin America have also seriously impeded the growth of the private sector and placed domestic financial systems under strain. The key to future growth lies with the invigoration of the private sector, sound economic policies, greater reliance on market forces, and continued adjustment on both the macroeconomic and microeconomic levels. Designed to invest through loans or equity participations in private firms, the IIC should prove useful in furthering these objectives.

After consultations with Members of the Congress from both Houses, the administration has indicated its readiness to participate in the IIC's initial \$200 million capitalization for a 4-year period. This bill authorizes \$51 million, or \$12.75 million per year for 4 years, giving us 25.5 percent of the capital shares. It is important to note that all contributions will be in freely convertible currencies. The Latin American and Caribbean borrowing countries will provide about \$110 million, which is 55 percent of the capital shares, and eight industrialized countries will subscribe to \$39 million, or 19.5 percent of the capital.

The initial concept for an IDB affiliated, private sector oriented institution was put forward by Venezuela about 3 years ago. During negotiations over the last 12 months more than 20 Western Hemisphere members of the IDB and 8 industrialized countries from outside the region have indicated their intention to be founding members of the institution. In light of the potential requirements of the private sector in the region, and given the limited resources that will be available to the IIC, it was decided early in the discussions among interested IDB member governments that the objectives and intended beneficiaries would have to be well targeted. In this regard, there has been a general consensus among member governments that the IIC should concentrate its efforts on small- and medium-sized firms—those typically finding it difficult to obtain capital.

The IIC will be limited to making loans and equity investment in firms that are majority owned and controlled by the domestic private sector. With a small staff experienced in doing business in Latin America and the Caribbean, the IIC will also provide advisory services to these firms in order to nurture a strongly self-reliant and market-oriented approach to commerce, industry and agrobusiness. The experience, insights, and opportunities gained through the IIC should

strengthen the IDB's own effectiveness in supporting the private sector through its regular lending program.

This Member urges the Members to examine this proposal closely. As part of President Reagan's legislative strategy for promoting U.S. interests in the region, the IIC can play an important role in strengthening the economies of our southern neighbors, and thereby improve the overall stability of the region. Although some of my colleagues may have problems with some of the concepts with IIC, it is the hope of this Member that we can begin the hearing process and develop constructive debate on this important initiative.●

THE INTERNATIONAL COURT OF JUSTICE

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. STOKES. Mr. Speaker, I was shocked to learn of the President's formal notification to the United Nations that the United States is temporarily modifying its acceptance of the jurisdiction of the International Court of Justice with regard to Central America. Most of us know this body as the World Court.

The Reagan administration has stated its intentions to suspend for 2 years jurisdiction of the World Court over "disputes with any Central American state or arising out of or related to events in Central America." This action, which is an unprecedented legal step on the part of the United States, further confirms my long-held belief and conviction that President Reagan has no respect whatsoever for international law and order.

As all of us are aware, the World Court was created in 1945 under the United Nations Charter as the judicial branch of the United Nations and world community. For 39 years, 48 nations, including Nicaragua, are recognized by and have accepted the jurisdiction of the World Court as compulsory in all disputes concerning international law.

The President's decision to repudiate the World Court's jurisdiction marks the first time that this country has requested any changes or modifications in the long recognized jurisdiction declaration. In the original 1946 declaration, our Government accepted compulsory jurisdiction of the court in all cases of international law, with the exception that U.S. domestic affairs would not be subject to the Court's jurisdiction. This Government's acceptance of that particular clause also specified that any changes in jurisdiction could take place only after formal notification was filed by the United

States and a period of 6 months has passed. Clearly, the U.S. mining of Nicaragua's harbors is not a domestic affair and 6 months have not elapsed.

No other nation, Mr. Speaker, has ever requested a suspension of jurisdiction before a specific suit was filed. And further, in no previous case has a nation seeking to modify its acceptance of World Court jurisdiction filed a motion that conflicts with the terms on which it originally accepted the Court's jurisdiction. Specifically, I am speaking of the 6-month notification clause. The U.S. State Department substantiates this action by stating that the 6-month notice does not apply in this case because our request represents only a modification of the World Court's jurisdiction, and not a total repudiation of that jurisdiction. Nothing could be any farther from the truth. As a lawyer, I do not agree with the State Department's interpretation.

If President Reagan feels and really believes that his decision to mine Nicaragua's harbors was the correct and just thing to do, then he should have no problems or reservations with the World Court reviewing this Nation's actions. The President knows, however, that his decision to mine three Nicaraguan harbors was a blatant violation of international law and he clearly wants to avoid embarrassment in the world community. And I have no doubt, Mr. Speaker, that the World Court will find the Reagan administration guilty of violating international law.

As a Member of Congress, I urge the President of the United States to reconsider his decision to suspend World Court jurisdiction with regard to U.S. foreign policy in Central America.●

ELECTION '84—HAITIAN STYLE: A REPORT ON HUMAN RIGHTS BASED ON A MISSION OF INQUIRY

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. TOWNS. Mr. Speaker, in recent months there has been extensive discussion concerning the role of elections as a crucial indicator of a country's respect for the fundamental human rights of its citizens. As Secretary of State George Schultz recently said about proposed elections in Nicaragua:

An election just as an election does not really mean anything. . . . The important thing is that if there is to be an electoral process, it be observed not only at the moment when people vote, but in all the preliminary aspects that make an election really mean something.

My colleagues and I on the Congressional Black Caucus Task Force on

Haitian Refugees, commend for your attention this report on the February 1984 legislative elections in Haiti. We concur with the findings of this report that these elections were not meaningful according to the criteria articulated by Secretary of State Schultz, but were instead a mockery of the democratic process.

This report was prepared for Americas Watch and the Lawyers' Committee for International Human Rights by Michael S. Hooper, Esq., the executive director of the National Coalition of Haitian Refugees. This is Mr. Hooper's sixth human rights report on Haiti during the last 4 years. Mr. Hooper was accompanied on this mission by my aide, Ms. Brenda Pillors who represented the Caucus Task Force on Haitian Refugees. The delegation met with Haitian lawyers, human rights advocates and former political prisoners, including Sylvio Claude, president of the Haitian Christian Democratic Party, who was detained under house arrest. They also met with members of the U.S. Embassy and other foreign diplomatic personnel but they were refused requested meetings with Haitian Government Ministers. I have included the "Mission Findings" of the report for my colleagues' review.

The report follows:

MISSION FINDINGS

We found that the circumstances in which elections were held in Haiti, in Secretary Shultz's words, involved a denial of "all the preliminary aspects that make an election really mean something." Among these circumstances, we note:

On October 9, 1983, Sylvio Claude, President of the Haitian Christian Democratic Party, and several of his party members were detained incommunicado for the sixth time in five years. On November 14, 1983, Mr. Claude was severely beaten, as he had been on several previous occasions. His detention without explanation followed the announcement that his party would contest the municipal and legislative elections. Through arrests, detentions without explanation, beatings and other official harassment, the Haitian Christian Democratic Party and its two newspapers—Conviction and Verite sou Tambou—have been effectively eliminated.

Throughout November and December 1983, law professor Gregoire Eugene, the head of Haiti's only other opposition party, tried unsuccessfully to obtain a visa to return to Haiti to contest the election, as President-for-Life Jean-Claude Duvalier had assured all citizens they could. Dr. Eugene had been forcibly exiled from Haiti along with some 25 other journalists, lawyers and politicians in November-December 1980. This mass exiling, illegal under Haitian law, followed a secret police crackdown in November 1980 that resulted in the arrest without explanation of approximately 135 people.

Press freedom and freedom of expression do not exist in Haiti. Despite specific guarantees under the Haitian Constitution and international law, no opposition or independent newspapers, magazines or radio broadcasts are allowed in Haiti. Freedom of the press is curtailed by state security legis-

lation and a series of press laws that include a highly restrictive act passed in September 1979 and amended in March 1980 providing for prior censorship and harsh penalties for those deemed to have insulted the Duvalier family, the government or its allies. Under these circumstances, it was impossible for candidates to discuss issues important to the elections or for citizens to learn of differing views. In fact, except for the publication of brief biographies of the candidates, there was virtually no discussion of issues during this campaign.

The actual arrangements for the February 12, 1984 legislative elections permitted widespread fraud. Persons could register in the same district under more than one name. After registration it was possible for a candidate's organization to "buy up" a number of voter registration cards and simply vote them on election day.

On election day, February 12, 1984, there were 309 candidates for the 59 legislative seats in the Haitian Chamber of Deputies. Of those candidates known to knowledgeable observers, none were considered opposed to or even independent of the Duvalier government. However, U.S. diplomatic personnel asserted that one candidate was independent of the regime, and repeatedly cited his candidacy as evidence that these elections were legitimate. This candidate, Serge Beaulieu, ran against the incumbent in the small city of Cavallion in southern Haiti. Embassy officials said that the fate of Beaulieu's candidacy would indicate whether the Haitian Government was actually making a serious effort to conduct meaningful elections.

In fact, Beaulieu's "independent" campaign was continually harassed. In the days just prior to the election, his headquarters were twice ransacked. He and some of his supporters were threatened with arrest. Beaulieu's car was riddled with bullets and he was forced eventually to seek sanctuary in a convent the day before the elections, along with a Newsweek correspondent whose driver and translator had been arrested earlier that day. Beaulieu was not elected.

Several days after the elections, newly appointed U.S. Ambassador Clayton McManaway was quoted as saying that the elections were not democratic. He added, "We were disappointed that in some areas such as Cavallion and Gros Morne the electoral process was not respected, that some candidates were not allowed to freely campaign, and that in some instances foreign observers were restricted in their access to the electoral process."●

ANATOMY OF A COPOUT: THE VOTE ON MINING NICARAGUAN HARBORS

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. WHITEHURST. Mr. Speaker, with the House about to follow the Senate's lead in committing the folly of passing a concurrent resolution expressing the sense of the Congress that no funds are to be used for the mining of Nicaraguan waters, I wanted to take this opportunity to share with my colleagues an editorial from the

April 12, 1984, Wall Street Journal. I regret that it will be heeded by too few of my fellow Members, but I think it is important to have it in the RECORD.

It is, I think, significant to note that these mines are "small acoustical devices that make enough noise to scare ship captains but are not likely to sink a ship." Thus, they are hardly the fiendish weapons that some would have us believe.

Make no mistake about it: Both increased Cuban arms transfers and an ongoing determination on the part of the Soviet Union and its surrogates to spread Marxist rule in this hemisphere will be undiminished unless our Government takes firm steps to counter them. Why else would there have been applause in the Kremlin last night when the Senate vote was announced?

The big prize is Mexico, and if we simply leave Central America to its fate, before this century is out Mexico will be either controlled by the Marxist element or in the throes of a civil war that will make the present activity in Central America pale by comparison. And if that comes to pass, what will those who vote for this resolution say then, and what will they have by their action contributed to that state of affairs by espousing what can only be called a myopic policy?

ANATOMY OF A COPOUT

The Senate's 84-12 vote dissociating itself from the mining of Nicaraguan harbors is being widely billed as a major foreign-policy embarrassment for Ronald Reagan. It's embarrassing all right, but the red faces properly belong to the Republican Senate leaders, who were rolled up once again by the congressional left wing.

Let's set the stage for this vote. Way back in the 1960s, Congress voted a resolution saying there would be no more Cubas in the Caribbean Basin. There was a brief digression from this policy when the Carter administration embraced a live-and-let-live approach to what the Russians call "wars of national liberation." The Carterites aided and abetted the overthrow of Somoza, only to have it dawn on them a short while later that the Marxist-Leninist Sandinistas had seized control of the revolution from Somoza's democratic adversaries. Guided and supported by Cuba, the Sandinistas set about to turn Nicaragua into just what Congress had solemnly resolved would never be permitted. That process is by now well advanced, and the Cubans and their friends are working earnestly on similar takeovers in El Salvador and other Central American states.

Partly because of the Carter administration's well-displayed foreign-policy naivete, America's voters chucked it out in 1980. Under Ronald Reagan, the U.S. reverted to what in general had been U.S. foreign policy since Harry Truman. It's called "containment," or steady resistance to efforts by the Soviet Union to expand its power and influence around the globe.

That policy continues the efforts begun even in the Carter administration, to prevent the communists from toppling El Salvador. It attempts to protect Honduras and Costa Rica from Nicaraguan subversion and intimidation. And it attempts to bring

enough pressure to bear on Nicaragua to force the Sandinistas to cut their ties with the Russians and Cubans and accept the democratic, pluralistic form of government they promised when the U.S. helped them topple Somoza. The bipartisan Kissinger Commission embraced that policy. It is also accepted privately, if not publicly, by most serious policy analysts in Washington, whatever their political affiliation. For that matter, the same Senate that passed Sen. Kennedy's non-binding resolution on the mines had just taken a bipartisan stance against a whole series of binding resolutions he presented to tie the president's hands in Central America.

Which brings us to the mining. The CIA, with the knowledge of and funding by Congress, has for some time now aided several armed Nicaraguan groups that are trying to force the Sandinistas to accept pluralism. These armies, with a total manpower of nearly 20,000, have not only directly engaged the Sandinistas in battle, but have adopted tactics that have long been used by the left in Central America, specifically attacks on the economic infrastructure.

The mining of Nicaraguan ports, through which the economically destitute Sandinistas get both civilian and military supplies, was part of this process. The mines are small acoustical devices that make enough noise to scare ship captains but are not likely to sink a ship. Indeed, five ships have triggered the mines and none has sunk. The mining operation was "apparently completed two weeks ago. The sense of the Senate" is that funding a guerrilla war is OK, but these mines violate Marquis of Queensberry rules.

The administration caused itself all this latest embarrassment not by concealing CIA involvement in the mining, which it probably could have done, but by attempting to keep Congress informed. Under the agreed-upon rules for this sort of thing, briefings of congressional committees on clandestine operations are supposed to be secret. The administration briefed the House Permanent Select Committee on Intelligence, which is headed by Edward P. Boland of Massachusetts, one of the chief House critics of the administration's Central American policy. A few hours later, the story was in the Washington Post. Newspapers receiving this leaked information of course followed the unwritten rules of that game, which specify that the public has a right to know everything except the motive of the source.

Senate intelligence committee chairman Barry Goldwater couldn't remember being briefed at all, although some of his colleagues thought maybe they had been. He was furious. The Sandinistas hired U.S. lawyer Abram Chayes (the husband of Antonia Chayes, who was deputy secretary of the Air Force under Mr. Carter) to help them fight the U.S. in the World Court. Sen. Kennedy, fresh from his defeats with substantive measures, drafted a non-binding amendment so that senators could have a cheap vote. This adroit move was singled out by Senate Majority Leader Baker and a herd of other Republicans, much to the glee of the congressional left.

So while the Senate has not accepted any substantive responsibility, it has put itself on record against supporting a group of brave Nicaraguans fighting attempts to set up a new Cuba—attempts heavily supported by the old Cuba, the Soviet Union, East Germany, the whole gang. The Nicaraguan anti-Communists may succeed anyway. But if they don't, the Sandinistas will consoli-

date their revolution and continue trying to topple their neighbors. When this gets bad enough, it will take more than a few CIA advisers to stop it. We will all wistfully look back to the days when the world's greatest deliberative body felt it could afford to work itself into high dudgeon over what will then seem moderate and careful measures. ●

BIRMINGHAM/JEFFERSON COUNTY ACADEMIC ALL STARS

HON. BEN ERDREICH

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. ERDREICH. Mr. Speaker, the performance of two teams of high school students from the Birmingham and Jefferson County public school systems in the 1984 National Academic Superbowl in Jacksonville, Fla., gives us not only good reason to be proud of them, but also, good reason to be positive about our school's ability to prepare our young people for the challenges that will face them in the years ahead.

The quest for excellence in education, so important to our economic growth and future job opportunities, is clearly exemplified by the academic performance of these young men and women. They and their school systems are to be congratulated for their emphasis on academic excellence.

The citywide team of high school students from the Birmingham public school system, after defeating nine other school systems and winning the preliminary competition, finished a close second in the finals. This was a particularly outstanding accomplishment in light of the fact that it was only the second time students from the Birmingham school system have competed in the competition. U.S. Secretary of Education Terrel Bell and Jim Coyne, a special assistant to President Reagan, were among those in the audience in Jacksonville who watched our academic all stars compete.

Included among the high school students from Birmingham who participated in the Academic Superbowl were David Whitefield and Robert Gregg from Huffman High School, Richard White and Richey Halphen of Ramsay Alternative High, Calvin Johnson of Phillips High, William Bryars of Ensley High, and Kevin Powe of Parker High.

A second area team, representing the Jefferson County school system, also participated in the Jacksonville competition. Although they did not reach the final round of competition, these students beat out other county high schools in order to reach the Jacksonville finals, and they deserve our commendation for their outstanding showing in this national academic competition. The students on that team, all from Gardendale High

School, were Cheryl Moman, Phyllis Gamble, Rod Hardiman, Brian Anderson, Ginger Ramsey, and Tim Green.

As a recent Birmingham Post-Herald editorial saluting these young people pointed out, it is important that our schools enhance our children's ability to find solutions in an accurate and expedient manner to questions that often have no readymade answers. We face an urgent need for new, trained minds to carry us through these rapidly changing economic times and over the competition of other scientifically and technologically advanced nations.

Our efforts today to help the youth of Alabama and the Nation become assets to our communities, States, and Nation will determine our place among world powers and our quality of life tomorrow.

I commend all of the youth in Birmingham and Jefferson County who represented the people of the Sixth District of Alabama so well at the National Academic Superbowl in Jacksonville. And we all should especially salute the parents involved, so vital to a healthy school system, and our school systems, for giving priority to academic achievement.

I would like to include the text of the Birmingham Post-Herald editorial which salutes these young people and notes the importance of achieving excellence in academic pursuits to our Nation's future:

[From the Birmingham Post-Herald, Apr. 7, 1984]

ACADEMIC STARS

A proper education does more than teach how to answer specific questions within a given amount of time. It teaches methods for discovering solutions to problems that have no clear-cut answers and even how to formulate proper questions in the first place.

But developing the ability to respond quickly to questions provides the base from which these higher goals can be reached. That is what makes events like the recent Invitational Academic Bowl in Jacksonville, Fla., so praiseworthy.

Not only do the participants learn many bits of information in preparing for the contest and practice the verbal abilities that they will need later in life, but the attention the competition receives serves as a useful counterweight to the more frequent attention paid to athletic competitions. The idea that one can earn trophies for academic achievement is an important one for young people who are not athletically inclined.

This Year's Academic Bowl was the second in which high school students from the Birmingham school system competed. The all-star team did better than anybody expected, finishing a close second to the champions from Duval County, the host team.

Robert Gregg and David Whitfield, both of Huffman High; Richey Halphen and Richard White, both of Ramsay High; Calvin Johnson, Phillips High; Kevin Powe, Parker High; and William Bryars of Ensley High should be proud of their achievement. We know we share the pride of their par-

ents and teachers in this outstanding performance.

Nor should we overlook the accomplishments of a second area team, which represented the Jefferson County school system. The team from Gardendale High School is the first from the county system to participate in the Jacksonville competition. It was eliminated in earlier competition.

But in order to make the trip, Gardendale had to win in competition with other county high schools. Cheryl Moman, Phyllis Gamble, Rod Hardiman, Brian Anderson, Ginger Ramsey and Tim Green deserve congratulations for this performance and for paving the way for future teams from the county system.

The members of both teams represent the very best of the rising generation.●

THE MINING OF NICARAGUA'S HARBORS

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. STOKES. Mr. Speaker, I take this opportunity to voice my strong opposition to the U.S. Government backed mining of Nicaraguan harbors. As all Members of the House are now aware, the mining of three Nicaraguan harbors—Puerto Sandino and Puerto Corinto on the Pacific coast and El Bluff on the Atlantic—began in early February of this year. Only this week, however, did we learn that the Central Intelligence Agency, CIA, with the consent of the President and Secretaries of State and Defense, had a direct role in the planting of these mines. That means that once again Mr. Speaker, the Reagan administration has embarked on a course of "cowboy diplomacy" in U.S. foreign policy.

The role of the American Government in planting these mines has opened a chapter in the history books of international law. I know of no nation, Communist or non-Communist, that has planted mines in the waters and harbors of a nation with which it was not at war. While I am not implying that such mining would have been right or justified, President Lyndon Johnson considered, but decided against mining harbors in North Vietnam. Mining was carried out by President Richard Nixon some years later, but the Vietnam War had long since become a major conflict. At least we had U.S. Troops committed to combat in Northern Vietnam. This is not the case in Nicaragua.

In my opinion, the President has shown a lack of concern and respect for Congress by not informing Members of the CIA's role in the mining operations. I serve on the Permanent Select Committee on Intelligence and learned of this Government's role from the Washington Post and New York Times. The chairman of the Senate Select Committee on Intelligence, Senator BARRY GOLDWATER, was

unaware of our Government's role in the mining operations. By now, we are all familiar with Senator GOLDWATER'S scorching letter to CIA Director William Casey.

Administration sources substantiate this action by stating that mines were planted to harass the Sandinistas. However, these mines are, in reality, harassing commercial shippers from all parts of the world. The mines, which are powerful enough to sink ships, pose a threat to the safe passage of ships sailing in an out of the Nicaraguan harbors previously mentioned.

To date, 12 ships under six national flags have been damaged by the mines. These include foreign-registered freighters, vessels, tankers, and ships from Panama, Liberia, and Japan. One of the ships was from the Soviet Union and 5 soviet sailors were injured. At least two Nicaraguan fishing boats have been blown up with two Nicaraguan fishermen killed and many others injured. What happens if a mine sinks a ship and lives are lost—possibly a ship belonging to one of this Nation's allies? What if a Soviet ship is sunk? How will the administration justify and explain such an unlawful act.

Mr. Speaker, all of us painfully remember the tragic Soviet downing of Korean Airlines Flight 007 last September. Over 250 innocent lives were lost in that tragedy. The Reagan administration condemned, and rightfully so, this act of war and aggression. The Soviet Union was criticized and condemned by the entire world community not only for violating air travel routes long recognized and respected by the world community, but also for the manner in which the situation was handled. I see no difference in the criticism being leveled against the United States for planting mines in the harbors of Nicaragua and that directed at the Soviet Union for shooting down a passenger airliner flying in international air space. Both actions were a blatant violation of international law. Both also demonstrated a lack of respect of civilian life.

Yesterday morning, Deputy Secretary of State, Kenneth Dam testified before the House Foreign Affairs Committee. When asked how many U.S. allies have condemned the United States for planting the mines, Mr. Dam stated that he knew of such criticism only from Great Britain. I would venture to say, Mr. Speaker, that either Secretary Dam was either misinformed or ignorant of the facts. Every major newspaper of the world has reported that Canada and France have also joined Great Britain in condemning the United States for this action. We all know that the Soviet Union and France have offered Nicaragua assistance in cleaning their harbors of the mines.

This action by the administration disturbs and saddens me. The mining

of Nicaraguan harbors, without any known warning to the maritime nations of the world, is a clear and outright violation of every basic principle of respect for international law and order. In true "outlaw" fashion, our "cowboy" President has turned his back on the recognized values and honorable traditions to which this Nation has sought to adhere to in the past. No longer will the nations of the world look upon the United States as the law abiding leader of the free world.

Recently, President Reagan was asked his thoughts on a nonbinding resolution expressing the sense of the Congress that no U.S. funds should be used in support of mining Nicaragua's harbors. This resolution passed the Senate with overwhelming bipartisan support. And in typical Ronald Reagan fashion, the President stated: "I have no problems with it as long as it is nonbinding." Regardless of whether the resolution is binding or nonbinding, it expresses the sense of the Senate, and soon I will venture to say, the sense of the House, that the President was wrong to approve such mining.

Last week when our colleagues in the Senate were debating whether the United States should send military assistance to the Contras for terror or sabotage, the CIA was using funds previously approved by the Congress to mine the harbors and territorial waters of Nicaragua. An amendment that would have barred usage of U.S. aid for "acts of sabotage or terrorism" was rejected. Last week, U.S. personnel were themselves engaged in acts of terror and sabotage in Nicaragua.

When I think of President Reagan's Central America policy, what comes to mind is the title of a book by Dr. Martin Luther King, Jr., "Where Do We Go From Here: Chaos or Community?" Under this administration, U.S. foreign policy in Central America is in chaos. By this action, we have disrupted and insulted the international community. And it will not surprise me if President Reagan somehow attempts to put the blame for the mining on the shoulders of the Members of Congress. Mr. Reagan has blamed Congress for his failed Middle East policy, despite the fact that Congress gave him everything he asked for. Mark my word, Mr. Speaker, as the heat intensifies on the President for this action, he will once again point his finger at Congress, regardless of the fact that we played no role in the minings.

Mr. Speaker, with regard to our Central American policy, it has become increasingly clear that peace will not and cannot be achieved through increased military aid—especially if that aid is not being used by or for those intended. It is this type of reckless U.S. policy in the region that has prevent-

ed a lasting cease-fire and negotiated settlement. It is this misguided policy that has prevented our Government from putting real pressure on the murderers, the corrupt and the antidemocratic elements in the Salvadoran Army and security forces, and forced their removal from power. I believe that the administration needs to revise this Nation's foreign policy in Central America and will work to insure this end. And as a concerned Member of Congress, I call upon the President of the United States to end the CIA's role in mining Nicaragua's harbors.●

NATIONAL EDUCATION FOR BUSINESS WEEK

HON. PAUL SIMON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. SIMON. Mr. Speaker, next week, April 15-21, is "National Education for Business Week"—NEBW. Thirteen national organizations involved in business education have, for the past 5 years, sponsored NEBW in an effort to focus national attention on the important role business education plays in furthering and sustaining a healthy economy within the free enterprise system.

As chairman of the Postsecondary Education Subcommittee, I was pleased to be the sponsor of House Joint Resolution 204, a resolution to declare a specific week in April as National Education for Business Week. Other cosponsors, including Representative TOM COLEMAN, the ranking Republican on the Postsecondary Education Subcommittee, have joined me in recognizing NEBW and those involved in business education.

Throughout this Nation's history, the contributions of men and women in business support occupations have been vital in keeping our Nation's businesses running smoothly. Today, the rapid scientific and technological advancement of our society and the changing nature of our economy continue to create challenges for these members of the business community. An extremely important part in meeting these challenges is the commitment of the business education community to prepare people for entry into the work world of tomorrow.

According to a recent Labor Department survey, the vast majority of the jobs opening up between now and 1985 will require some vocational and technical training beyond high school. Secretaries, bookkeepers, stenographers, laboratory technicians, specialists in marketing and merchandising—the people who compose the backbone of the American business community—will rely more than ever before on the strength of business education to

adapt to the rapidly changing conditions of business technology.

Mr. Speaker, recognition of the contribution of business educators focuses attention on the needs of workers whose practical training and skills are basic to the future of business. Students, teachers, parents, business people, and Government officials will be reminded that the demand for trained workers in business continues to be high. Attention should be drawn to the contributions that business schools and colleges make to the community. Sponsorship of contests for business students, organization of open houses for business representatives, and the strengthening of the relationship between schools and other academic institutions are among the many activities that National Education for Business Week will promote.

In view of the economic challenges facing this country and of the vital contribution that business educators make to the well-being of business, commercial, and governmental life in America, it is particularly appropriate that the contributions of business educators be recognized. Today I salute them and the men and women working in business support occupations.

NEBW SPONSORING ORGANIZATIONS

Administrative Management Society,
American Vocational Association,
Association of Independent Colleges and Schools,
Classroom Educators of Business and Office Education,
Delta Pi Epsilon,
Future Business Leaders of America,
National Association of Business Education State Supervisors,
National Association of Business Teacher Education,
National Association of Supervisors of Business Education,
National Business Education Association,
National Shorthand Reporters Association,
Office Education Association,
Professional Secretaries International.●

TESTIMONY OF HON. MEL LEVINE

HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. LEVINE of California. Mr. Speaker, I am inserting into the RECORD a copy of my testimony on H.R. 1510, the Immigration Reform and Control Act of 1983, before the House Rules Committee on April 11, 1984. I am hopeful that when the committee completes its deliberations it will conclude that because of the serious flaws contained in H.R. 1510, it will not be granted a rule at this time. The testimony follows:

I wish to thank the members of this committee for allowing me to appear before you today to voice my objections to the Immi-

gration Reform and Control Act of 1983 and to comment on the rule being drafted to set the parameters of debate for the bill.

H.R. 1510 is one of the most controversial bills facing Congress. Responsible reform of our immigration laws is long overdue. Even the most ardent and vocal opponents of this legislation see the need for fair, responsible control of undocumented immigration. I have tremendous respect for Congressman Mazzoli and all those who have been instrumental in working towards solving this complex problem.

Despite the need for immigration reform we must not rush to pass a bill in order to say that we have dealt with the problem. Our paramount responsibility is to enact a law which is fair, humane and takes into account the concerns of those who will be most affected by the bill. H.R. 1510 does not meet these requirements, nor is the political climate at this time conducive to passing such a reform measure.

Therefore, I do not think a rule should be granted by this committee, since anything we pass will be revised again in conference committee and will further be guided by the need to maintain this cost-conscious and ideologically conservative administration's support. Even amendments adopted by this House to correct the flaws in this legislation will be rendered meaningless because in conference we would face a Senate bill which is far more restrictive than ours.

However, given this committee's intent to grant a rule, I urge you to grant an open rule so that we can move forward into conference committee with the best possible bill. Moreover, all attempts to limit debate time and amendments would restrict Members' time to fully present debate and resolve the issues presented by the current legislation.

I am here today because H.R. 1510 is unacceptable in its present form. This bill makes sweeping reforms of our immigration laws. H.R. 1510 contains many serious and fundamental flaws. Its approval by this House will threaten the rights of millions of Americans.

Proponents of the bill argue that employer sanctions are the most effective way to end illegal immigration, hence, they are the cornerstone of the legislation. If H.R. 1510 becomes law, employers who hire an undocumented worker face the threat of both civil and criminal penalties.

These employer sanctions will not have a significant impact on illegal immigration, but it will certainly result in an unprecedented level of discrimination against a broad cross section of American workers.

It is not difficult to deduce that employers will find it much safer and easier to routinely pass over any job applications with Hispanic surnames than to risk the penalties the employer sanctions seek to impose. Current anti-discrimination laws will not adequately protect workers from this discrimination and the remedies we propose can only deal with the problem after the fact.

The Kindness amendment which was adopted by the Judiciary Committee, eliminates all record-keeping requirements. This removes the ability of the fair employment agencies at both Federal and State levels to determine whether discrimination is occurring.

I am opposed to the expansion of the existing H-2 guestworker program as proposed under H.R. 1510. Expansion of this program is contradictory to the bill's intent of stopping the flow of undocumented workers to the United States. These provisions would

establish a permanent large-scale guest guestworker program by expanding and streamlining the current H-2 regulatory program.

I am particularly opposed to the Agriculture Committee's approval of the Panetta/Morrison amendment which would allow for the creation of yet another temporary guestworker program. The protections available to foreign workers are even less meaningful than those of the discredited bracero program. These changes will cost American farmworkers benefits they have worked hard to acquire. The impact of the Panetta/Morrison amendment would be devastating in terms of the modest progress American farmworkers have made and will seriously undermine future attempts to organize to improve their standard of living.

The H-2 provisions of the bill and the Panetta/Morrison amendment are another attempt to codify existing exploitation and dehumanization of illegals. Either of these initiatives will increase unemployment among American migrant farmworkers and will result in continued deterioration of the working, housing, and health conditions facing the migrant workers of America.

An important and necessary element of any immigration bill must be a legalization program. Although the bill does contain such a program, the requirements are ambiguous, because only a small percentage of undocumented aliens will be able to qualify or demonstrate their eligibility for legal status.

We must resolve these problems before we can in good faith, pass any immigration reform. The complex issues and problems which may occur as a result of this bill deserve a more complete analysis.

I am a cosponsor of H.R. 4909, the Immigration Reform Act of 1984. This bill represents a more equitable approach to solving the problems caused by illegal immigration, and when this bill receives the serious consideration it deserves, we will be in a far better position to pass an immigration reform bill.

In summation, I would like to reiterate my earlier statement that it would be a grave mistake to allow H.R. 1510 to move forward. Thank you for allowing me to appear before you today. ●

RETIREMENT OF DR. FRITZ BROMBERGER

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. LEWIS of California. Mr. Speaker, on April 28, 1984, Dr. Fritz Bromberger will retire from the University of Redlands. I take this opportunity to ask the Congress to join me, with many of his friends and admirers, in expressing our deep appreciation to this outstanding human being for his service to his school, community, State and Nation.

Dr. Bromberger began his long career in the field of education at Kemper Military School in Boonville, Mo., after receiving his AB from Knox College and his MA at the University of Cincinnati in 1941. His teaching was interrupted by military service in 1943

when he served in both the Royal Air Force and the U.S. Army Corps. He was a pilot for Air Transport Command.

In 1946 he joined the staff at the University of Missouri, leaving there to settle at the University of Redlands the following year. Dr. Bromberger, in addition to his duties as a professor of literature, has chaired the English department, served as director of the ABLE student program and acted as division director for the university. Throughout his career he has written several articles dealing with poetry and literary criticism.

Professor Bromberger's nonacademic pursuits include active involvement in the Redlands Symphony, various community activities and horticulture. The Doctor's interest in music developed in 1931, at the age of 13 years, when he wanted to entertain himself during the depression. Since then, his expertise has grown steadily. In 1950 he helped form the Redlands Symphony and has played his viola for the first 20 years in the Redlands Symphony, and has played the violin ever since. In its productions. He is a fine musician and has the longest continuing service in the orchestra.

This multitalented man has encouraged young men and women to develop their minds through literature and appreciate the masters through his music. Many of his former students are now prominent citizens and are making significant contributions. Dr. Bromberger is an excellent example of the high quality of educators that enrich the lives of our young.

Mr. Speaker, I take great pride in commending to my colleagues, Dr. Fredrick Bromberger a truly remarkable man who has, through his selfless years of hard work, contributed to his world in a most beneficial way. ●

UNITED STATES-JAPAN CITRUS TRADE

HON. ANDY IRELAND

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. IRELAND. Mr. Speaker, this week we received encouraging news from our trade negotiators. The Japanese have agreed to increased quotas on citrus and beef imports from the United States. I think Ambassador Brock and his team deserve our congratulations for their efforts and perseverance. In addition, the Florida Citrus industry has worked hand-in-hand with our Government trade representatives for a number of years to crack the Japanese market. While we are all appreciative of the strides that have been made, much more needs to be accomplished with citrus trade.

As many of you know, Florida's 10th Congressional District lies in the west

central portion of the State—it is the heart of the Citrus Belt, and is the largest citrus producing area in the United States. Prior to my election to Congress in 1976, I was in the banking business in Florida, during which time I helped to finance many of those involved in the growth and development of the citrus industry. As a result, I have come to know the industry quite well not only from a financial perspective, but from the marketing and trade aspects as well.

I know only too well what an arduous road we travel when talking trade with the Japanese. Since my first term in Congress, I have worked with our trade negotiators pressing them to support total liberalization of the citrus trade between the two countries. Citrus quickly became, for the American people, a major symbolic issue—a benchmark indicator of the willingness of the Japanese Government to commit itself the principles of free and fair trade between friends.

In 1978, I went to Tokyo to address the Interparliamentary Symposium. I believed then, as I do now, that what our Government and the citrus industry want is the complete and total elimination of quotas on the importation of fresh oranges, orange juice and grapefruit into Japan. The existing quotas are quite simply and clearly, illegal under GATT.

At the time of the symposium I presented a plan to the Japanese which called for blending of the Japanese produced Mikan juice, which by itself does not make a palatable juice drink, with the U.S. product. Recognizing that their domestic concentrate is inadequate, the Japanese allowed a minimal increase in imported frozen concentrate during the period 1980-83—from 5,000 tons to 6,500 tons. According to the latest agreement the Government of Japan will increase their quota for orange juice by 500 tons per year—7,000 tons in 1984 up to 8,500 by 1987.

The previous agreement, negotiated in January 1978, specified that Japan would import up to 82,000 metric tons of oranges by 1983. The new agreement provides an increase to 93,000 metric tons in 1984, 104,000 metric tons in 1985, 115,000 in 1986, and will end in 1987 with the importation of 126,000 metric tons of oranges.

In addition, the Japanese have always utilized an intricate system of import licensing, much to the detriment of exporter and, often extremely lucrative for the importer. The agreement negotiated this week provides that the Government of Japan will fully liberalize its grapefruit juice import regime on April 1, 1986. In the interim, licenses will be required for imports, but any request for a license for any amount of grapefruit juice will be granted.

Mr. Speaker, in December of 1983, the Florida and Texas citrus industries suffered devastating back-to-back freezes.

The domestic industry has been challenged by subsidized imports into the United States from Brazil.

Growth has been hindered by persistent pests and diseases. And, despite these adversities, the citrus industry has taken the risks necessary to become a competitive force in the world market.

It is estimated that the additional trade value gained from these annual quota increases above the current level will be about \$100 million. The potential for the citrus industry is obviously far greater. Several years ago, I testified before the Joint Economic Committee that United States-Japanese trade relations were blatantly biased against us given the virtually unrestricted access of major Japanese products to our markets. They have signed GATT, and it is time they lived up to it. Their continuing quotas on citrus are illegal.

The message is clear that we are making progress and Japan is indicating some willingness to commit itself to the principles of free and fair trade with the United States. I, for one, do not intend to let up on the pressure for total liberalization of citrus imports.●

THE NEED FOR EQUALITY FOR WOMEN

HON. LES AU COIN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. Au COIN. Mr. Speaker, women have made tremendous strides over the past decade. More women are receiving postsecondary and graduate degrees than ever before. There are more women in law, medicine, and business than ever before. But we still have a long way to go.

Women still account for only 4 percent of all engineers in the United States, and only 14 percent of both doctors and lawyers. Women, on the average still earn only 59 cents for every dollar paid to a man in a comparable position. Two out of every three adults in poverty households are women. The number of poor households headed by single women has increased by 97 percent since 1970.

These statistics reflect an attitude that still persists in the community, in the workplace, and in the Federal Government. An attitude that women do not really need to work. An attitude that unemployment is not really a women's problem. An attitude that women's issues are somehow peripheral or unimportant.

The needs of women for equal opportunity have not diminished in the

past 10 years. On the contrary, recent economic cycles of inflation and recession have made the need for equity more urgent. In light of these conditions, it is imperative that Congress maintain its responsibility to insure equality in employment and education.

That is why I am proud to act, today, as an original cosponsor of legislation to overturn the Supreme Court decision in the Grove City College case.

On February 28 the Court decided that title IX—the only Federal law explicitly prohibiting sexual discrimination in education—prohibits sex discrimination only in programs that directly receive Federal money, not the college or university as a whole.

If let stand, the decision would, for example, prohibit the financial aid department at a college from discriminating on the basis of sex, but allow its admissions, athletic or various academic program to discriminate.

This would create a crazy quilt of educational nonopportunity nationwide. A young woman entering college would have no assurance a particular program was being offered in an open, fair manner. Congress, as well, would have no guarantee that Federal education dollars were not going to underwrite colleges and universities that discriminate against women.

The legislation being introduced today does not expand the scope of title IX, it merely reiterates Congress intent that schools receiving Federal education dollars offer all courses and programs on an equal basis—the basis on which title IX has been enforced for the past 10 years.

Frankly, I thought Congress made it very clear that it intended title IX to apply institution wide when the law was first enacted. I thought congressional intent was clear when we passed a resolution last session, 414-8, endorsing a broad interpretation of title IX. Obviously, the message did not get through.

The Grove City decision is disturbing on its own, but also because of its ramifications for other Federal civil rights programs. The United States Assistant Attorney General has stated that he considers Grove City a healthy precedent, one that should be applied to laws such as the Rehabilitation Act of 1973, the Age Discrimination Act of 1975 and the Civil Rights Act of 1974.

Because of the very real danger of lawsuits that could narrow and weaken these important programs, the bill today includes language to retain their broad scope and coverage—the basis on which they have been enforced to date.

With lawsuits on title IX pending in courts across the country, Congress must make this legislation one of its top priorities this session. Any failure

to act on our part will encourage new acts of discrimination.●

THE EIGHTH SPECIAL SESSION OF THE UNITED NATIONS COMMISSION ON NARCOTIC DRUGS

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. GILMAN. Mr. Speaker, for many years, through the cooperation of our chairman of the Select Committee on Narcotics Abuse and Control, of which I have been a charter member, and through the cooperation of the Assistant Secretary of State for International Narcotics Matters, I have had the opportunity to participate with our Nation's delegation in the deliberations of the U.N. Commission on Narcotic Drugs (CND).

The most recent session of the CND—its eighth special session—met in Vienna, Austria, from February 6 through the 10th, 1984. The U.S. delegation, which was led by our distinguished Assistant Secretary of the State for International Narcotics Matters (Dominick L. DiCarlo), consisted of: Clyde D. Taylor, Deputy Assistant Secretary of State for International Narcotics Matters; Richard S. Williamson, Ambassador, U.S. Permanent Mission in Vienna; Dr. James Cooper, Assistant Director for Medical Affairs, the National Institute on Drug Abuse; Gene Haislip, Deputy Assistant Administrator for the Office of Diversion Control, the Drug Enforcement Administration; F. Gray Handley, Directorate for Health and Narcotics Programs of the Bureau of International Organization Affairs, Department of State; Ms. Elena Kim, program officer, European and United Nations Affairs for the Bureau of International Narcotics Matters, Department of State; Dr. Stuart Nightingale, Associate Commissioner for Health Affairs, the Food and Drug Administration; and Dr. Kenneth M. Quinn, counselor for narcotic affairs, U.S. Permanent Mission in Vienna.

Although the press of business here in Washington prevented me from attending the CND's special session, I want to thank Assistant Secretary DiCarlo for distributing to the Commission a copy of my statement pertaining to the global dimensions of narcotics trafficking and drug abuse and for his efforts to reiterate some of my concerns to the members attending the special session.

According to a State Department summary of the CND's special session, the Commission placed a number of substances under international control: alfentanil, a new synthetic opiod, was placed under schedule I of the

1981 Single Convention; pentazocine, an analgesic, was placed under schedule III of the 1971 Psychotropic Convention, and 33 benzodiazepines, minor tranquilizers, were placed under schedule IV of the 1971 Psychotropic Convention. The Commission also adopted guidelines developed by the World Health Organization regarding the exemption of preparations containing substances controlled internationally.

In December of 1981, the U.N. General Assembly approved Resolution 36/168, adopting the international drug control strategy and program of action, a U.S. initiative and a measure that I helped draft as a member of the U.S. delegation. The resolution called for establishing a provisional task force to review, monitor, and coordinate the international drug control strategy. I have been informed that in addition to considering the 1983 report of the International Narcotics Control Board, the Commission, in performing its duties as the task force, reviewed the international drug control strategy and 5-year program of action. Two activities under the program of action have been completed: A multilingual dictionary of narcotic and psychotropic substances under international control, and the development of portable drug testing kits. In discussing the drug control strategy, member nations, including the United States, stressed the importance of other U.N. bodies to conduct their international drug control activities through their regular budgets. The Commission also discussed the United Nations fund for drug abuse control (UNFDAC) activities, which were also reviewed informally by major donors to the U.N. drug fund prior to the Commission's special session.

According to our State Department, major donors and the UNFDAC leadership have reached agreements on a number of significant issues important to the United States. For example, there was consensus among the donors on the need for UNFDAC development projects to assure that narcotics-related economic assistance is accompanied by the host government to effectively control the illicit cultivation of drugs. Donors suggested that this type of understanding should be incorporated into project agreements with host governments.

I understand that the donors also urged UNFDAC to develop a portfolio of fairly specific projects to attract potential donors, and that they expressed support for UNFDAC Director Giuseppe di Gennaro's "master plan" to develop anti-narcotics activities in a coordinated manner. UNFDAC's role as an "umbrella agency" to monitor and, where applicable, to implement such efforts was also welcomed. I have also been informed that a greater sense of partnership between the

donors and the UNFDAC leadership was achieved at the CND sessions and at the informal donor meetings.

Mr. Speaker, there is an urgent need to link drug law enforcement programs with narcotic eradication, crop substitution and economic development assistance. Without such a linkage, nations of the international community will never obtain a viable method of winning the war on narcotics trafficking and drug abuse. In this regard, I am delighted that major donors to the U.N. drug fund and the fund's leadership agree on the need for UNFDAC to develop projects linking narcotics-related economic assistance with the efforts to control the illicit cultivation of drugs. This appears to be similar to the Gilman amendment to U.S. foreign assistance legislation requiring that our economic development aid be linked with narcotic control efforts. In this regard we have also recently enacted into public law the Rangel-Gilman-Hawkins amendment to our foreign assistance legislation authorizing the President to suspend economic and military assistance to those nations that fail to take adequate steps to curtail the illicit production and trafficking of drugs destined to the United States.

Mr. Speaker, in an effort to bring to the attention of my colleagues the global dimensions of drug trafficking and drug abuse and the urgent need to support U.N. drug-related agencies, I am inserting at this point in the RECORD the complete text of my statement to the Eighth Special Session of the U.N. Commission on Narcotic Drugs, and I welcome the suggestions of my colleague as to how nations of the international community can better combat the tidal wave of narcotics trafficking that is flooding nearly every region of the world and the global epidemic of drug abuse that is undermining the health of citizens everywhere.

STATEMENT BY HON. BENJAMIN A. GILMAN

Mr. Chairman, distinguished representatives to the Eighth Special Session of the United Nations Commission on Narcotic Drugs, I welcome the opportunity to share with you my thoughts and the thinking of many of my colleagues in the United States Congress, regarding the continuing efforts by the international community to combat narcotics cultivation, trafficking and abuse.

Narcotics trafficking is a multibillion-dollar illicit business activity conducted by international criminal syndicates whose highly organized, well financed and sophisticated operations reach into every region of the world. No nation, regardless of its political ideology or socio-economic status is immune to the devastating and debilitating effects of drug abuse or from these insidious drug merchants who take profits and pleasure from human suffering. Just in the United States alone, drug trafficking is estimated to reach a staggering \$90 billion annually. Every region of the world—from North America to Latin America, from Europe, Africa and the Middle East to the Orient and Oceania—has become a victim to

drug trafficking and drug dependency. And in every region there can be found major narcotic distribution hubs and financial centers for international narcotic syndicates. Of particular significance is the increase in drug abuse reported in drug trafficking and producing nations in recent years.

As a United States representative to the 36th session of the United Nations General Assembly, I had the opportunity to help draft the U.S. initiated resolution (36/168) creating an international drug control strategy and basic five-year program of action that was adopted by the General Assembly in December of 1981.

The strategy calls for greater attention to the issues of drug abuse, both within the U.N. agencies and elsewhere. It specifically recommends an increase in programs aimed at drug abuse control in all specialized U.N. agencies including the World Health Organization (WHO), the International Labor Organization (ILO), the U.N. Educational, Scientific and Cultural Organization (UNESCO), as well as in the U.N. Development Program (UNDP) and other development-oriented programs. Most importantly, however, the strategy recommends that increased attention to U.N. drug-related activities should be part of regular agency programs and budgets because of the substantial impact drug abuse has on so many areas of social concern. Unfortunately, the U.N. Fund for Drug Abuse Control (UNFDAC) continues to underwrite drug-related activities of these U.N. agencies. On many occasions before this distinguished body, I have urged these agencies to elevate the problems of drug abuse to a higher level of priority within their own agendas, and to devote substantially more of their resources to their own drug-related projects.

Drug abuse continues to mount among our youth in their formative years. When addiction reaches our young, it affects the very social fabric of our nations, and with it our very future. The burdens of preventing and controlling drug abuse must be shared by the entire family of nations. While I appreciate and recognize the difficult economic times that we are experiencing and the demands for financial austerity, I find it difficult to accept or to understand the minimal priority these agencies continue to place on combatting the pervasive drug problem from their own resources. All nations must recognize that narcotics production, trafficking and drug abuse are not going to disappear overnight—that drug abuse prevention and control is a never-ending battle requiring dedicated and coordinated action by the entire family of nations. This long-term strategy and five-year program of action for drug control will only be successful if it receives the strong and unified support of all member nations.

No one nation or small group of nations can single-handedly combat the highly organized, well-financed and sophisticated operations of international drug traffickers. If the "war" on drug abuse is to have any lasting effect or meaning, the international drug control strategy resolution urgently needs to be fully implemented, and to achieve this objective, the international community must pool its resources, personnel, funds and expertise. Member nations must submerge their competing political and economic differences. Just as the world cannot survive nuclear confrontation, so, too, it cannot long endure "victimization" by international drug traffickers. Such illicit activities undermine our institutions, contribute to global inflation, jeopardize the

health and lives of our citizens and destroy the roots of our society—our youth. No nation is immune to this devastation. There must be no doubt that responsibility for implementing international agreements and strategies rests, above all, on all national authorities. They, and they alone, are able to directly control the movement of substances within their jurisdictions, and take the necessary steps to reach agreements with other nations. No amount of effort to achieve these goals would be too great.

I regret to say, once again, that our overall response to preventing and controlling drug abuse has not been encouraging. International drug syndicates continue to reap hundreds of billions of dollars from their illicit drug transactions. Against these awesome sales, the international community, as a whole, has committed a meager few million dollars to combat a menace that is successfully undermining the institutions of all nations. It is time for the international community to wake up and act in a concerted manner by pooling its resources, funds and personnel to combat this deadly menace.

A brief look at contributions to the United Nations Fund for Drug Abuse Control (UNFDAC) clearly shows the burden that lies ahead. During the twelve years of its existence, UNFDAC has received a grand total of only about \$70 million or an average of less than \$6 million per year. If this figure represents the commitment of member nations to combating drug production, trafficking and abuse, then the international community . . . our family of nations . . . will surely lose the "war" on drugs.

In 1982, 42 of the 157 member nations pledged \$6.7 million to the U.N. Drug Fund. I understand that at the 1983 United Nations Pledging Conference for Development Activities, 23 nations pledged \$3.4 million. Also of great significance is the special purpose commitment announced by the Government of Italy for \$40.9 million, which is to be used over the next five years, primarily for activities in the Andean subregion. In addition to this multi-year pledge, the Government of Italy also doubled its annual general contribution; France increased its contribution by 50 percent; and Panama and Zaire contributed to UNFDAC for the first time.

I do want to take note of the special purpose commitment announced by the Government of Italy for the Andean subregion. As a member of the U.S. House of Representatives Select Committee on Narcotics Abuse and Control, I recently traveled to Colombia, Peru and Bolivia, and know all too well the drastic need for special assistance to this area. During our visit, we were able to gain first-hand knowledge of the problems resulting from the illicit production and trafficking in coca and cocaine, as well as the overwhelming political, economic and social problems related to abuse of these substances. The commitment made by the Government of Italy is most needed and welcome.

It must be said, however, that a community of 157 nations can and must contribute more than a few million dollars to wage a "global assault" on drug problems. Numerous nations most adversely affected by illicit production, trafficking, transshipping and abuse, have not contributed a single penny to the U.N. Drug Fund. There is an urgent need for the entire family of nations to pitch in and help UNFDAC fulfill its objectives by contributing to the fund, whose projects benefit all of our citizens.

The challenge of translating the international drug control strategy resolution into

a workable program of action rests with this distinguished Commission, but time is of the essence. The worldwide problem is worsening each year. This plague on our institutions is rapidly spreading, and we simply must seize the opportunity to recommit ourselves and overcome the crippling scourge of drug abuse. Only a full commitment will help us move forward as we seek to resolve this critical problem that confronts all our citizens and undermines the stability of all nations.●

APRIL 24: A DAY OF REMEMBRANCE FOR ARMENIANS

HON. MATTHEW G. MARTINEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. MARTINEZ. Mr. Speaker, on the 24th of this month in the city of Montebello, of my district, Armenian people from all over California and over the Nation will come together in a day of remembrance. They will join hands and hearts at the base of a monument built to commemorate the memory of the Armenian men, women, and children who on April 24, 1915, were the world's first genocide victims.

This deplorable action of mass murder by the Ottoman—Turkish—empire must be remembered in order to prevent such occurrences in the future. It can never be assumed that genocide will not occur in this century. It is no secret that Hitler pointed to the Turkish example when he began the mass extermination of Germany's Jewish population. He answered his critics, who cautioned him against such a policy because it would alienate world opinion, by saying that the world had no opinion when the Turks eliminated the Armenians.

There is a great need for the Armenian people to remember these historical crimes against a peaceful people, because we all share the responsibility for allowing such events to slip into obscurity and be disregarded or forgotten. To remember will hopefully prevent another Hitler or ruthless dictator from implementing a policy of genocide.

Today, the Armenian people believe that the Turkish Government not only refuses to come to terms with its past, but insists on distorting this truth by closing access to its archives, fabricating data, and pressuring other countries into denouncing the occurrence of the genocide of the Armenian people.

As a nation with a long-standing commitment to truth, liberty, and justice, the United States should insist on having Turkey recognize history for what it is and open dialog with representatives of the Armenian community in the Diaspora.

By supporting House Joint Resolution 247, the U.S. Congress will not

only set April 24 as a day of remembrance of man's inhumanity to man. We will show that our strength and determination is to be used to prevent another future tragedy such as the Armenian genocide. It is not a foreign policy issue, as the State Department might have us believe. It is a recognition of world history and a pledge that we can learn from the past experiences of others. Congress should join the people of Montebello and Armenians from around the Nation in remembering April 24 as a tragic day in world history.●

THE HONORABLE JOE L. EVINS

HON. WILLIAM H. NATCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 11, 1984

● Mr. NATCHER. Mr. Speaker, it was with profound sorrow that I learned of the passing of my friend, Joe L. Evins.

Joe Evins' service in the House of Representatives will continue to be one of the bright spots in our country's legislative history. He was a good Member of the House and was known to be one of the best committee members in the House of Representatives. He and I were elected members of the Appropriations Committee the same day, and after serving on our Committee on Appropriations for only a short time, he was elected chairman of the Subcommittee on Public Works. This is now the Subcommittee on Energy and Water Development and is one of the most powerful subcommittees in the Congress.

Joe Evins had friends on both sides of the aisle and there are hundreds of Members who were beneficiaries of his assistance in matters pertaining to public works. It made no difference to Joe Evins whether or not the Member was a Democrat or a Republican, if he needed help and could justify the benefit-cost ratio of his project, he received help. This, to me, was an outstanding trait and one that will long be remembered.

His concept of public trust was without parallel and never did he hesitate to speak out against any proposal which he felt was not sound and in the best interests of our people. Words are inadequate to fully apprise Joe Evins' tremendous capacity for loyalty and love of his country. He loved the House of Representatives and believed, as we all do, that this is the greatest legislative body in the world. It was a distinct honor and a privilege for me to serve with him on the Committee on Appropriations and long before I became chairman of the subcommittee than makes the recommendations for the Departments of Labor, Health and Human Services and Education, Joe Evins' interest in all of

these departments and their programs was ever present. On many occasions, he talked to me about the need for educating our children and for protecting the health of our people.

I have lost a true friend and this country has lost a great statesman.

Mr. Speaker, I extend my deepest sympathy to the members of his family. ●

EMPLOYEE STOCK OWNERSHIP IMPROVEMENT ACT OF 1984

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. RANGEL. Mr. Speaker, today I am introducing legislation that will provide encouragement for business owners to sell their companies to those who helped them succeed: their employees.

Employee stock ownership is an idea that has been around for many years, but only during the last decade has it begun to really catch on. And, as commonsense suggests, those companies with employee ownership tend to be more productive and more profitable—and pay more taxes—than their more traditionally owned competitors.

Rather than repeat the many arguments in support of incentives for employee ownership, and rather than recite the many studies documenting the various benefits of employee ownership, I will refer those interested to my March 8, 1984, statement introducing H.R. 5095, the Employee Stock Ownership Act of 1984.

This bill expands on the incentives suggested in H.R. 5095 by permitting an exclusion from a taxpayer's estate of one-half of the proceeds from the sale of employer securities to an employee stock ownership plan (ESOP) or to a worker-owned cooperative. This exclusion would be denied, however, to the extent that the sale results in benefits accruing to the taxpayer—or decedent—family members of the taxpayer—or decedent—or 25 percent shareholders. This limitation is designed to prevent an estate tax benefit with respect to stock which may revert to the taxpayer under the plan.

In addition, proceeds realized on the sale of stock received from a tax-qualified employee benefit plan or pursuant to certain options would not qualify for this exclusion. This limitation is designed to prevent both an estate tax benefit where there has already been an income tax benefit with respect to the stock.

Mr. Speaker, I know that many Members support efforts to expand the benefits of the free enterprise system through employee stock ownership. It is my hope that we will be successful in securing early enactment of this provision. ●

NATIONAL BLOOD PRESSURE AWARENESS WEEK

HON. GERRY SIKORSKI

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. SIKORSKI. Mr. Speaker, I am pleased to introduce with my colleague Mr. WHITTAKER, a resolution designating the week of November 11, 1984, "National Blood Pressure Awareness Week." A similar resolution has been introduced in the Senate by Senator DAN QUAYLE.

Heart disease is the Nation's No. 1 killer. Each year almost 1 million Americans die from cardiovascular disease.

Clinical and statistical studies have identified several risk factors as contributing to increased risk of cardiovascular disease. There are three major modifiable risk factors: cigarette smoking, elevated blood cholesterol, high blood pressure. I have introduced National Blood Pressure Awareness Week as an important step in educating the American public about preventive measures they can take to enjoy a longer, more healthy life.

High blood pressure afflicts approximately 60 million Americans—one of every four Americans. Thirty-five million Americans are afflicted with hypertension. I am greatly concerned that as many as 45 percent of these people do not even know they have high blood pressure, and of these 35 million, only about 17 million are receiving adequate treatment. The need for improved public awareness is clear.

One of the most frightening aspects of this disease is that a person may have high blood pressure for years but never know it. That is why this disease is often referred to as the silent killer. While there is no cure, it can be treated. In most cases the treatment is usually lifelong.

The American Heart Association has emphasized that, while we do not know the actual causes of high blood pressure, we do know that several factors may contribute to it: age, race, and family history. Obesity and excessive salt consumption also can be influencing factors. It also has been shown that women who have never had high blood pressure may rapidly develop it during pregnancy.

Because of the nature of this disease and its significance in American society, I believe that Congress should set aside a week during which both the private and public sectors can work together and screen as many Americans as possible for high blood pressure, educate the public about the dangers of high blood pressure and insure that those who have high blood pressure receive adequate treatment.

My father is one of the millions of Americans with high blood pressure. This condition led to his suffering a heart attack. By raising the awareness of this serious problem we can reduce the terrible human losses associated with hypertension.

The week of November 11 has been chosen as National Blood Pressure Awareness Week to coincide with the annual meeting of the American Heart Association, to be held this year in Miami, Fla. I encourage all of my colleagues to join Mr. WHITTAKER and me in cosponsoring this important resolution and taking a step toward exposing the silent killer. ●

THE PERSECUTION OF RELIGIOUS MINORITIES

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. BROWN of California. Mr. Speaker, the freedom to practice religion is a fundamental part of our Nation's heritage. I believe everyone should be free to express communion with the Creator according to their own religious beliefs. While we fiercely protect religious freedom within our country, there are religious communities in other lands which are being denied this right. We all are aware that many countries do not uphold our high standard of human rights for their citizens. However, in some countries, specific communities are repressed solely for their religious beliefs.

In Congress there have been efforts to relieve the persecution of many religious minorities, including the Jews in Ethiopia, the Christians and Jews in the Soviet Union, the Coptic Christians in Egypt and the Baha'is in Iran. These issues have often been brought up on the House floor.

Mr. Speaker, we have passed several resolutions expressing the sense of Congress that various countries should allow their citizens to freely practice religion and to emigrate to another land if desired. There have been over 30 resolutions introduced in the House and Senate concerning the persecution of Jews. Some of these bills concern present injustices to individuals or to communities as a whole, some resolutions recognize past injustices.

I frequently have joined my colleagues in sending letters to the U.S. State Department, Embassies, and to Government leaders in other countries, requesting that the unacceptable harassment of religious minorities be discontinued.

The Congressional Human Rights Caucus, of which I am a member, has been working diligently to assist these communities. The caucus is developing

an on-line computer tracking system to maintain updated information on the situation of individuals, as well as information on congressional efforts which have been undertaken on their behalf. The "Congressional Friends of Human Rights Monitors," an organization consisting of 104 Members of both the House of Representatives and the Senate, is also focusing on this issue. Yet, the situation of many religious communities remains dismal.

One religious community which has gained extensive congressional attention is the Soviet Jewish community. Despite the expressed concern of Congress and other groups throughout the world, Soviet oppression of Jews who practice their religion and/or desire to emigrate has elevated over the last few years. Many have been arrested and harassed. In 1979, 51,320 Jewish citizens were allowed to emigrate from the Soviet Union. By 1983, the number allowed to emigrate had plummeted to under 2,000. In March 1984, just 51 Jews were allowed to emigrate. The United States must not allow this type of oppression to go unchallenged.

On March 15, 1984, the day designated by a worldwide coalition of Jewish organizations as "International Day of Concern for Soviet Jews," the House of Representatives held a special order for discussion of the plight of Soviet Jews. Many events were held around the world in an international display of solidarity for the beleaguered Jewish minority in the Soviet Union. In California, rallies and seminars took place. This international effort to call attention to the plight of Soviet Jews is a sign that gross human rights violations and religious discrimination will not be ignored. It is my hope that the new leadership in the Soviet Union will listen carefully to the concerns expressed on March 15, and take steps to reduce oppression of refuseniks.

As an individual contribution to the efforts on behalf of Soviet refuseniks, I have adopted a refusenik, Mark Nashpitz, from Moscow. Mark has repeatedly sought to emigrate to Israel in order to be reunited with his mother. As a result of his application, he has been refused the right to practice his profession, and served 5 years in exile in Siberia. I will be sending letters on his behalf to the Soviet Government as well as letters of support directly to him.

In Ethiopia, members of the Falasha Communities have been restricted from emigrating to Israel to be reunited with family and friends. There have been resolutions introduced in both the House and the Senate expressing the sense of Congress that these peoples should be free to join their friends and relatives.

The dilemma of Ethiopian Jews has been further aggravated by the increased internal fighting and the

severe drought which is taking place in many regions of Ethiopia. I have participated in many efforts to get emergency food assistance to African countries, including Ethiopia, as well as other countries where drought compounds societal inequities. While the House of Representatives approved \$150 million in supplemental emergency food assistance for Africa, only passed \$90 million of that assistance has been signed into law. I would like to urge our national policymakers to act quickly to insure that life saving shipments of food are delivered to these areas of desperate need.

In Egypt, sectarian strife has affected many people. The plight of the Coptic Christians has been further complicated by the confinement of Pope Shenouda III, the patriarch of the Coptic Orthodox Church. In Iran, the government continues to persecute members of the Baha'i faith. The Baha'i community has historically suffered persecution and harassment. But in the aftermath of the 1979 Islamic revolution and the subsequent rise to power of the Khomeini regime, threats against this community escalated. In Syria, Jewish citizens are restricted from emigration as well. The list continues.

I have mentioned only a few examples of communities who are suffering from religious persecution. Whether their religious preference is of Jewish, Christian, Baha'i or any other faith, these brave men and women have chosen to express their religious commitments and to fight for their rights, fully knowing that public display of their religious beliefs could lead to imprisonment and exile.

This strong spirit, this hope, this perseverance, regardless of the consequences, enabled our Founding Fathers to survive and develop the wild frontier which they found. In a time when moral values have seemingly decayed, the intense strength and patience of these religious groups must be admired.

While the final destiny of these people lies outside our grasp, I will support every effort to assist these peoples in their fight to be free. We must continue to send our message to the governments of the Soviet Union and any other country practicing oppressive tactics for religious reasons, until all those desiring to emigrate and practice their religion are given the freedom to do so.●

NATIONAL LIBRARY WEEK

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 11, 1984

● Mr. TOWNS. Mr. Speaker, I would like to express my support to the des-

ignation of April 8 through 14 as "National Library Week." Our Nation cannot establish a learning society without placing its libraries at the apex of the education structure. Libraries provide us with the challenge to learn, to grow, to expand our horizons. They provide the information that leads us into professions; they open doors to foreign countries and provide us with the wisdom necessary to understand other cultures, other ways of life. Libraries help people explore new worlds and, of course, libraries provide entertainment through the availability of books, records, and tapes. Libraries work on the basis of equality and the belief that everyone has a right to read. Libraries are an integral part of this Nation's educational infrastructure. They constitute one of the Nation's most valuable assets.

There has been a recent necessitated revival of the recognition of the importance of education in our society. Libraries have a vital role in the educational process. As a nation, we are well into the information age, with the development of more sophisticated technologies for distributing information. Libraries have evolved and progressed a long way from the early days when their primary function was the lending of books. Today they offer courses and lectures on topics ranging from investments to gardening. They provide access to a variety of audiovisual equipment. With the rigorous demands posed by the high tech society of today, I would like to commend the efforts of our dedicated librarians who provide invaluable assistance to the citizens of this country.●

DUCK STAMP PROGRAM

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. CONTE. Mr. Speaker, 1984 marks the 50th anniversary of the establishment of the migratory bird hunting and conservation stamp, or duck stamp, program. The duck stamp is the principal means by which the Federal Government generates revenues from waterfowl hunters, non-hunting conservationists, and collectors to buy and preserve vital wetland habitat for ducks, geese, nongame shorebirds, and waterbirds.

More than 2 million of these duck stamps are bought each year. Since July 1934, when the program began, 3.5 million acres have been purchased with the \$285 million that has been collected from the sale of these stamps.

A nationwide system of 186 national wildlife refuges has been created through the migratory bird hunting and conservation stamp program.

Among the many States with refuges included in this system is Oregon. I would like to share with my colleagues an editorial which was published in the Oregonian on Thursday, March 29, 1984, urging the participation of all sportsmen and conservationists in both the State and the Federal duck stamp program.

The editorial follows:

BUY STAMPS FOR WETLANDS

One of the ironies of conservation is that duck and goose hunters have been largely responsible for protecting their targets. That is because waterfowl hunters are required to buy what are commonly known as duck stamps, which finance federal purchase of wetlands refuges critical for waterfowl habitat.

On the 50th anniversary of the establishment of the duck stamp program, Interior Secretary William Clark—supported by a wide range of conservation groups—is campaigning to encourage more non-hunters to buy the \$7.50 stamps as a contribution to waterfowl enhancement. Clark makes a valid point that wildlife refuges enhance much more than huntable birds, and the duck stamp is a cheap but worthy way for the bird-watcher, photographer and hiker to help out.

The duck stamp program has been one of the government's most successful conservation efforts, raising some \$285 million that financed protection of 3.5 million acres, including several refuges in Oregon and Washington. Yet, as Clark notes, the United States still is losing about half a million acres of wetland a year to development.

This disappearance of wetlands—also known as swamps, marshes, bogs and pot-holes—is a critical environmental problem. Many species are threatened by constant constriction of their habitat. Migratory birds, such as the Northwest's geese and ducks, are especially susceptible because devastation of one portion of their flyway can negate intensive preservation efforts elsewhere.

Clark's boosting of duck stamps is a commendable way of calling attention to the need for wetlands, but the government cannot merely rely on hunters and conservationists to solve this problem. Fortunately, legislation is moving through Congress to provide additional federal funds for wetlands acquisition. Oregon, too, is launching its own duck stamp program to complement the federal efforts.

Clark's effort may generate some needed dollars, but its bigger benefit will accrue if it makes the public more aware that the marsh targeted for development is of lasting value left the way it is. ●

LEGISLATION TO REAUTHORIZE HEALTH STATISTICS, HEALTH SERVICES RESEARCH, AND HEALTH TECHNOLOGY ASSESSMENT AUTHORITIES

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. WAXMAN. Mr. Speaker, my colleagues Mr. PEPPER, Mr. MADIGAN, and Mr. WYDEN, and I are today introducing a bill that will contribute sub-

stantially to improving the health status of all Americans. The legislation would reauthorize the activities on the National Center for Health Statistics and the National Center for Health Services Research. It would also substantially improve the medical technology assessment capabilities of the Department and authorize Federal matching grant funds for a private technology assessment agency.

The legislation extends for 3 fiscal years the authorization of appropriations for the National Center for Health Services Research and the National Center for Health Statistics.

For the National Center for Health Services Research the legislation authorizes appropriations of \$24.5 million for fiscal year 1985, \$27 million for fiscal year 1986 and \$28.6 million for fiscal year 1987. For the National Center for Health Statistics the legislation authorizes appropriations of \$50 million for fiscal year 1985, \$53 million for fiscal year 1986 and \$57 million for fiscal year 1987. The proposed authorizations will assure adequate support for these important activities in the years ahead.

Our bill would also revitalize the technology assessment activities of the Department and augment those activities by supporting complementary functions in the private sector.

Mr. Speaker, every Member of this House is aware of the rapid increase in health care expenditures, which continue to rise at 1½ to 2 times the rate of general inflation. Twenty-five to forty percent of this increase is due to the adoption of new technology or expanded use of existing technology. Yet, most of this technology has never been carefully evaluated to determine how effective it is in diagnosing or treating injuries or illness or what potential risks it may pose for the patient. Much of this technology is marvelously beneficial and greatly enhances our health status. Much of it, however, is of little or no value or simply duplicates existing technology.

At a recent hearing before the Select Committee on Aging, Dr. Arnold Relman, editor of the New England Journal of Medicine, estimated that \$5 to \$10 billion a year are essentially wasted on technology that could be shown to be useless, redundant, or even dangerous. According to Dr. Relman, 15 to 20 percent of the tests, procedures, drugs and devices being used, even in the best hospitals, are not worth the money we spend on them. The problem is that, in the absence of good technology assessment, we do not know which 15 to 20 percent is the culprit.

The benefits of technology assessment go beyond merely saving money, however. Technology assessment can help assure that patients are getting the most appropriate and highest quality care available and that the

money we spend on health care is spent wisely. I am convinced that, if assured our health care dollars are being spent prudently, the American public is willing to continue paying at levels necessary to secure both access and quality.

It has been suggested that, because of budget and financial constraints, we are moving inevitably toward rationing of health care. It has also been suggested that more technology assessment will be used to facilitate such rationing. I emphatically reject both premises. I believe that using technology assessment to help us spend our health care dollars in the most effective and efficient manner is the best strategy available to us to avoid the need to consider rationing. The problem does not lie with potential misuses of technology assessment, it lies with the fact that we are currently doing an egregiously inadequate job of assessment. We not only need more assessments, we need more research on how to do adequate assessments.

In September 1982, the Office of Technology Assessment issued a comprehensive report on medical technology assessment. The OTA concluded that there was not a coherent system in this country for assessing medical technologies, but there was an urgent need for such a system. The situation is not appreciably different today.

In 1978, the Congress established the National Center for Health Care Technology and the National Council for Health Care Technology. However, in 1981, just when these two organizations were beginning to demonstrate their competence to do the job we asked them to do, the administration succeeded in putting them out of business. Medical technology assessment is now done by an office within NCHSR, but at a greatly reduced and inadequate level.

Other groups are attempting to do technology assessment, including Blue Cross and Blue Shield, the AMA, and the American College of Physicians, but the net result is a disjointed, unfocused, insufficient, and duplicative set of efforts. Some people have pointed to the newly established Prospective Payment Assessment Commission, which the Congress created in the Social Security Amendments of 1983, as potentially providing leadership in this area. However, the Commission is much more likely to be a consumer than a generator of technology assessment.

In recognition of the need for better coordination, synthesis, and dissemination of technology assessments, a distinguished group was recently convened under the auspices of the Institute of Medicine to develop a proposal for a consortium, funded jointly with private and public funds, to carry out

those tasks. We think such a consortium may be able to make important contributions to resolving existing problems and is worthy of some Federal support. However, we doubt that it would have the capacity, at least in the short term, of meeting the needs of the Secretary of Health and Human Services for immediate and direct access to competent advice regarding medical technology issues arising in the administration of the programs she administers.

Our bill addresses the current chaotic and unsatisfactory situation in three ways:

First, it upgrades the technology assessment function in the Department by elevating it in stature and stabilizing its funding. The existing NCHSR would be renamed the National Center for Health Services Research and Medical Technology Assessment and, of the funds appropriated to the Center, there would be a specified set-aside for technology assessment. The Center would be charged with providing the Secretary advice on medical technologies, particularly with respect to coverage under the medicare program, and conducting research on assessment methodologies.

Second, the bill establishes a National Advisory Council on Medical Technology Assessment. This Council, which would be similar in composition to the previous Council, would provide advice to the Secretary and guidance to the Center. In particular, the Council would assist the Center in articulating the criteria which the Center would use in making coverage recommendations to the medicare program.

Third, the bill would authorize the Secretary to support, through matching grant funds, a private nonprofit agency conducting various technology assessment functions—serving as a clearinghouse, undertaking evaluation and synthesis, identifying assessment needs, developing assessment criteria, and providing education and training.

Mr. Speaker, we hope to move this bill through our subcommittee and committee in an expeditious manner and present it for consideration of the full House. We invite interest and comment on it and urge support for its enactment. ●

HANDGUN CONTROL

HON. LAWRENCE J. SMITH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. SMITH of Florida. Mr. Speaker, today I rise to honor sensible citizens of Fort Lauderdale, Fla. for their successful referendum for citizens safety. These local working people, officeholders, students, retirees, tradesmen, professionals, businessmen and home-

owners have donated countless hours to this worthwhile project to keep handguns out of criminals' hands and to make the community of Broward County a safer place to live. I am very proud of these people, some of whom are my close friends and neighbors. All Broward County owes them a debt of gratitude for their hard work and devotion to a just cause.

I would like to include in the RECORD for the reference of my colleagues The Wall Street Journal article on this endeavor.

VOTERS IN SOUTH FLORIDA HAND A RARE DEFEAT TO GUN LOBBY (By Eugene Carlson)

Can the gun lobby be beaten? On Super Tuesday two weeks ago, while Democratic presidential contenders were hogging the headlines, citizens of Fort Lauderdale, Fla., and surrounding Broward County were voting for handgun control and handing a rare defeat to the National Rifle Association.

Some 63 percent of Broward County voters said "yes" on March 13 to a proposed ordinance that requires handgun buyers to undergo a criminal-history check before receiving their weapons. The waiting period is to be no more than 10 days. Sixteen states have similar waiting periods, most less than 10 days. In the future, Broward County handgun sellers will also need a local business license.

The NRA lobbied hard to defeat the Florida measure, outspending gun-control supporters four to one, according to campaign spending records. Twice before, in Massachusetts in 1976 and in California in 1982, the NRA helped defeat statewide gun-control measures. This time, fighting against a less-stringent county ordinance, the NRA lost.

The Broward County vote should be seen in the context of south Florida, where guns change hands like nowhere else in the U.S. Smuggling of handguns to Latin America is big business. The drug trade and crime in general have spurred widespread purchases of firearms by criminals and law-abiding citizens, aided by lax firearms laws.

In 1973, Dade County, which includes Miami, passed a law requiring a 72-hour cooling-off period for handgun sales. Quickly, neighboring Broward County became a hot handgun market. These days, Miami residents can drive 20 minutes north on Route 441 to Broward County and buy a revolver for cash simply by filling out a federal form. No waiting required.

How did Broward's gun-control forces succeed? Tactic one, says campaign coordinator Karen Margulies, was deflecting the NRA's attempt to turn the referendum into a liberal vs. conservative test. Supporters put together a broad, bipartisan coalition that included the president of the county police chiefs association and the county sheriff. "It's extremely important to bring law enforcement in," Mrs. Margulies says.

Mrs. Margulies says she isn't personally against handguns. "If a law-abiding citizen wants to purchase one, that's fine with me." The gun-control leader describes herself as a registered Republican, opposed to the Equal Rights Amendment and "very proud to be Mrs. Stanley Margulies."

Tactic two was drafting a referendum that was "sensible, doable and not complicated," Mrs. Margulies adds. Complexity and hard-line attitudes helped kill the two previous

gun-control ballot measures. California's Proposition 15 would have frozen the number of handguns in the state at 1983 levels. The proposed law covered 20 pages and confused nearly everyone. In Massachusetts, the vote was on whether to outlaw private possession of handguns. Both measures were soundly defeated.

NRA spokesman Andrew Kendzie says opponents of the Broward ordinance were handicapped from the start. The county commissioners approved the referendum in January and placed it before the voters just two months later in what was essentially a one-party election, the democratic presidential primary. Had it gone on the general-election ballot in November, the results might have been different, he says.

"We're disappointed with the outcome," Mr. Kendzie says from NRA headquarters in Washington. "We didn't have time to marshal a campaign like we did in California in 1982." ●

GOING BEYOND JUSTIFIABLE LIMITS IN NICARAGUA

HON. STEVE GUNDERSON

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. GUNDERSON. Mr. Speaker, one unwise operation in our Central American policy has moved the United States beyond acceptable and justifiable limits in the use of covert intelligence in our foreign policy. While covert intelligence and assistance is a necessary and important function of our policy, the mining of Nicaraguan harbors lacks clear justification and credibility in the framework of American policy toward that region.

Unquestionably, this Sandinista-led nation has become a troublesome and destabilizing force in Central America. I doubt if anyone would now argue the existence of illegal arms shipments and the Nicaraguan role in sowing instability in other nations such as El Salvador. The actions of that Government in its own territory—the recent stepped-up censorship for example—provide stark examples of the undemocratic nature of its governmental system and its disposition to entice revolt.

And yet, we must never forsake the principles of freedom and democracy upon which our Nation's foundation rest. The Reagan administration has correctly identified the pursuit of these objectives for the Central American nations themselves as a major tenet of our foreign policy in that region. But the question remains whether—in order to achieve that goal—it is proper and lawful to bend the principles which we embrace and desire others to share. Simply because other nations, such as Nicaragua, have taken steps to directly participate in the overthrow of other sovereign nations the United States is not justified in resorting to similar activities. The

mining of the Nicaraguan harbors falls firmly into that category.

While some might find the infusion of this country's basic principles into foreign policy simplistic and unmanageable, one only needs to examine the rumblings of world opinion to recognize the impropriety of our latest action in support of the Nicaraguan Contras. The reaction of our close allies, Britain and France, is a case in point. We simply cannot expect to gain respect in the world of diplomacy when we speak proudly of the American system, yet we attempt to assist others to attain it through means which are a violation of the principles of that very system.

This is not to say that covert intelligence is not a necessary and proper function of American foreign policy. Unquestionably, we must have this capability. In the Nicaraguan case, we are dealing with arms shipments which are clearly illegal and in themselves covert. The American covert response prior to the mining, short of attempting to overthrow the Sandinista government, has been warranted. This effort is similar to our own local police units going undercover to halt illegal drug dealings or to undermine organized crime.

Once again, however, mining of harbors goes beyond proper and necessary covert intelligence, even if it might allow us to attain our goals more easily. The contrast between our declarations on events and policy around the world and this action are blindingly bright.

While covert intelligence may necessitate some bending of international law, we have now chosen to violate the territorial waters of another sovereign nation. The mines have been placed within the internationally recognized 200 mile territorial limit. We take this action despite our deep expressions of outrage and those of our allies whenever another Soviet submarine is found hiding in Scandanavian waters. Of course, the Soviet activity is illegal and unacceptable; but by what ground do we find justification for condemning their actions while supporting similar, although not identical, incursions in Nicaragua.

The ramifications of this activity on Nicaragua are vividly evident. Mining of harbors may be successful in preventing shipments of arms both to and from Nicaragua. But the ships which have been damaged by the mines to this point have been foreign commercial cargo vessels from seven different nations.

Certainly, the United States is not responsible for the economic vitality of Nicaragua. But the harbor mining policy will do much more than simply prevent arms shipments; it is direct interference in the economic infrastructure of another country. Overt economic sanctions against an unfriendly

nation are a normal function of foreign policy. But our recent harbor mining activity, when contrasted with both our own statements about and opposition to the subversive policies of the leftist rebels in El Salvador, appears paradoxical. The foundation of the leftists' guerilla warfare has been the destruction of the infrastructure of the Salvadoran economy. Every time a new bridge or road is built, they take obvious steps to destroy it.

Unfortunately, it is likely that American policy toward Central America will suffer greatly because of this one small indiscretion. Nicaraguan indignation over our actions is at least paradoxical and at best laughable. For their own indiscretions exceed ours infinitely throughout Central America. Let us not allow the Sandinistas to don the white cap. We have laudable objectives in Central America which coincide with the principles which we hold dear. We must honor those principles as we assist others to attain them. Let us not lower ourselves to the activities others have undertaken and which we condemn.

What the harbor mining effort has done is bring into question our goals and policy objectives in the region; objectives, frankly, which I find are just. Our earlier efforts to use covert assistance to overthrow the Sandinistas and now this mining undertaking have more seriously undermined our objectives by drawing significant question of our methods. We must now rebuild faith in our objectives and policy through methods which are themselves just. ●

NORTHWEST OHIO RESIDENTS PAY HIGHEST GAS AND ELECTRIC RATES IN STATE

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Ms. KAPTUR. Mr. Speaker, my constituents in northwest Ohio are paying higher utility bills than consumers in any other major city in the State. In an effort to understand the reason for this apparently inequitable pricing scheme, I have written a letter to the chairman of the board of directors of the utility company which services the area.

The letter follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., April 12, 1984.

Mr. MARVIN WHITE,

Chairman of the Board of Directors, Columbia Gas of Ohio, Inc., Columbus, Ohio

DEAR Mr. MARVIN WHITE: Many of my constituents have contacted me regarding rates set by Columbia Gas of Ohio. I have been told that Columbia Gas customers pay the highest gas rates in Ohio, and more specifically, that Toledo residential utility con-

sumers are paying the highest bills among consumers in Ohio's eight major cities.

In an effort to better understand why gas prices continue to escalate in my district, I would be grateful for information that addresses the following questions.

(1) I have been told that Columbia Gas is Ohio's only major utility that negotiates its rates on the municipal level. If that is so, why doesn't Columbia Gas establish one uniform rate for its entire service territory?

(2) It is my understanding that Columbia does not supply complete Cost of Service data and workpapers (i.e., supporting sales and labor expenses) to all municipalities establishing their base rates under the Home Rule provision of the Ohio constitution, at the time rate proposals are presented. Is this accurate?

(3) I also understand that Columbia sometimes makes rate proposals to municipalities that are only acceptable to Columbia for one day. For instance, City Councils are told that if they do not pass a rate proposal on the date it is presented it will no longer be acceptable, and the next proposal will be for a higher rate. Does Columbia provide municipalities with ample time to analyze the lower rate proposal?

(4) In Columbia's rate case filings 83-1519-GA-AIR and 84-67-GA-AIR, I have read that Columbia states that "... if (a) municipality prefers to be included in the ... Region for ratemaking purposes, it may do so by not renewing its ordinance contract with Columbia Gas of Ohio, in which event the ... Region rate will be automatically charged for service in that municipality." What statutory and/or constitutional provisions does Columbia Gas rely on to "automatically" impose a rate increase without the benefit of a municipal ordinance or a Public Utilities Commission of Ohio (PUCO) rate case involving the cost of service in a given municipality.

I am greatly concerned about the rising natural gas prices in my district. These increases pose an extreme hardship on many of my constituents. Your assistance in responding to these questions and in providing me with any other relevant information would be greatly appreciated. I would also like to know your suggestion as to what specifically can be done to lower natural gas prices.

Thank you for your consideration.

Sincerely,

MARCY KAPTUR,
Member of Congress. ●

WHERE'S THE BELT?

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. DINGELL. Mr. Speaker, every 6 seconds, on average, someone in the United States is injured in a motor vehicle collision. Almost 150 die each day from such collisions.

Road related trauma is among the five leading causes of death, and overall, is the fourth greatest public health problem in the country. Of the leading causes of death, road related trauma is second only to cancer in the economic burden it places upon society. Each year, tens of billions of dol-

lars are spent on health care, disability payments, insurance costs, and lost productivity. The cost in human agony and suffering is even greater.

The most tragic fact, however, is that many of these deaths and injuries occur needlessly. The National Highway Traffic Safety Administration estimates at least 12,000 lives could be saved, and a much larger number of injuries could be avoided or reduced, if 80 percent of all motor vehicle passengers used existing safety belt systems. Unfortunately, less than 20 percent do.

For this reason, on October 20, I introduced H.R. 4175, the "Motor Vehicle Passenger Safety Act." The legislation is intended to provide for greater public use of safety belts by creating a Federal program to encourage safety belt use and offering financial incentives to States to enact safety belt use laws. The bill takes three major approaches to achieve these goals:

1. EDUCATION

H.R. 4175 directs the Department of Transportation (DOT) to develop and implement a broad program to promote the use of safety belts, to educate the public about the preventive health aspects of safety belt use, and to inform employers of the economic incentives available to them from belt use by employees. The program would not cost taxpayers a dime, except, of course, DOT's administrative costs. The program would be a free public service effort which would draw upon the conscience and goodwill of industry, public interest groups, associations, and labor groups.

2. THE FEDERAL GOVERNMENT

H.R. 4175 directs the President to issue rules requiring the use of safety belt systems by the occupants of any Federal motor vehicle, and the occupants of all motor vehicles operating on streets or roads or highways in national conservation areas (i.e., parks, refuges, forests) which are administered by the Federal Government.

3. STATE PROGRAMS

H.R. 4175 provides a grant program for States to promote increased use of safety belts and to develop laws and regulations requiring the use of safety belts. The bill authorizes \$15 million for fiscal year 1985, \$30 million for each of the fiscal years 1986 through 1990, and \$20 million for each of the fiscal years 1991 through 1996. The funds would be allocated to the States by a formula which insures that all States would get a substantial share.

The bill does not mandate a safety belt use law. Instead, it provides for a reduction in grants of 25 percent in fiscal year 1987 and 50 percent in fiscal year 1988 if a State chooses not to enact such a law. Each fiscal year thereafter, grants will be made only to those States which have enacted and are implementing safety belt use laws.

The bill makes clear the States, not the DOT, shall develop safety belt laws to meet their needs, consistent with the bill's purpose. There must be some means of enforcement, however, including reasonable fines for violations and a mitigation of fines in the discretion of State and local courts for traffic accident violations where safety belts were not in use.

One of the conditions for State grants is that appropriate State agencies would be required to work with appropriate insurance firms to develop a program providing for a meaningful reduction in rates for insureds who commit themselves to using safety belt systems. Several insurance firms have already offered to support such programs.

H.R. 4175 is based upon precedent. In 1973, Congress provided financial incentives for States to enact safety belt use laws. Before funding was eliminated the following year, 32 State legislatures introduced and considered safety belt use laws. In several cases, the laws passed one house of the legislature. Although no laws were enacted, 41 States and the District of Columbia have since recognized that passenger restraints can save lives and reduce injuries. These States have passed child restraint laws.

The effectiveness of safety belt use laws has been demonstrated in other countries. There are 31 countries and 6 provinces of Canada which have enacted such laws in the past 13 years. Without exception, these measures have greatly increased safety belt use and significantly reduced highway injuries and deaths. For example, Great Britain's safety belt use law has increased use to 95 percent and resulted in a 25-percent reduction in deaths and serious injuries.

Taking into account the costs and benefits, sensible safety belt use laws backed by effective educational and enforcement programs will reduce the toll of road related trauma through the universal use of effective, proven, presently available safety belts, without any additional cost to the consumer. I urge my colleagues to cosponsor H.R. 4175. In my judgment, it is a matter of life and death. ●

EXHIBIT OF PHOTOS BY FARAG PARI, ISRAELI PHOTOGRAPHER

HON. TOM HARKIN

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. HARKIN. Mr. Speaker, I am currently cosponsoring a major photographic exhibition dealing with the beauty, splendor, and religious significance of Jerusalem. The photographs are the work of the leading Israeli photographer Farag Pari. The photo-

graphs will be on display in the Russell Senate Office Building from April 9 thru April 13 and in the Cannon House Office Building from April 16 thru April 20. I recommend all of my colleagues, their staff, and others view these photos. I encourage everyone to look at these photos, to learn and to reflect.

Farag Pari is a success story who typifies the spirit of Israel. He was born in Iraq and trained by the royal photographer at the Iraqi Court. During the 1954 revolution, he was forced to flee. He arrived in Israel penniless. He came with his large family of nine brothers and sisters. They were forced to live in temporary shacks set up to house the wave of immigrants coming to seek freedom in Israel.

Farag opened a small photo studio and with hard work has developed this studio into one of the largest in Israel. It is the type of story which we usually refer to as "only in America," but it is obvious that this could also occur "only in Israel."

The photos show that Jerusalem is holy to three major religions—Christianity, Islam, and Judaism. Through his work, Farag Pari has attempted to capture the intensity that marks the feelings of each of these religions for Jerusalem.

I commend those who look at these photos to focus especially upon the pictures of Moslems praying in the Mosque, Christians at the church of the Holy Sepulchre, and Jews at the Western Wall.

The opening ceremony for this photo exhibition coincided with the Annual Policy Conference of the American Public Israel Affairs Committee (AIPAC). The speaker at this breakfast was M. J. Rosenberg, editor of the Near East Report. His words are as moving and important as the photos of Farag Pari. In his statement, he captured the essence of why Jerusalem is important to Israel.

While it would be wonderful to reprint the photographs in the CONGRESSIONAL RECORD, this is obviously impossible. However, I place in the RECORD M. J. Rosenberg's wonderful speech that expresses so beautifully the importance of Jerusalem and Israel.

ISRAEL—THE MIRACLE LIVES

(By M. J. Rosenberg, Editor, Near East Report)

I am pleased to introduce Farag Pari who is the photographer responsible for the beautiful photographs of Jerusalem which are all around us. Pari's photographs catch the uniqueness of the city and go a long way toward explaining why we have such deep feelings about the Golden City.

As you know, Jerusalem is now embroiled in politics. Senator Pat Moynihan of New York, and Congressmen Tom Lantos and Ben Gilman have introduced legislation which would move the United States embassy in Israel from Tel Aviv to Jerusalem.

That legislation is important. Not just because it matters where the U.S. embassy is—after all, if we don't locate our embassy there then who will?—but also because of its implications. It seems hard to believe, but it is a fact, that the United States government does not recognize Jerusalem as a part of, let alone the capitol of, Israel.

The U.S. policy is this: Jerusalem is one city and can never be redivided. At the same time, the U.S. policy is that Jerusalem is occupied territory and that UN Res. 242 and 338 applies to it. In short, Jerusalem is one of the areas—along with the West Bank, Gaza, and the Golan, from which Israel's forces will have to withdraw in the context of a peace treaty. Adding those two policies together: Jerusalem will not be divided and Israel must be prepared to withdraw from it, we come up with a policy which says, at bottom, that all of Jerusalem is negotiable. The Old City and the New, East and West.

That is why the Moynihan-Gilman-Lantos legislation is so important. It would force the Administration to realize, once and for all, that Jerusalem is not negotiable. That under no circumstances will Israel relinquish the city that has been its capitol for 4,000 years.

One of the important aspects of Faraj Pari's photographs is that they demonstrate the beauty of Jerusalem today. It is worth noting that none of the opponents of an Israeli Jerusalem, none of the opponents of the Moynihan bill, are able to criticize Israel's administration of the city. Virtually every other thing Israel has ever done has been attacked and criticized but not Teddy Kallek's administration of the city. The fact is that Jerusalem has never been more beautiful. Nor has it ever been more open and accessible to all religions and nationalities. Jerusalem will always be Israel's capitol. Even if the American embassy remains in Tel Aviv til the end of time, that fact will not change. Passing the Moynihan bill simply recognizes that reality and it gives Israel credit for turning Jerusalem into a great city.

But Jerusalem is not the only issue you will deal with during this conference. From election year politics to the Congressional program, from strategic cooperation to free trade, the issues you will confront are many and they are complex.

It is not easy being a supporter of Israel today. Every day CBS and the New York Times tells us what we have to worry about that day. Syria's build-up, Lebanon's disintegration, the Iran-Iraq war. We must deal with all of them because they all affect Israel and its survival.

Still, we must not confuse the Middle East and the Arab-Israeli conflict with Israel itself. We are not here out of dedication to politics or military strategy. We engage in politics and discuss strategy only because we have to, because Israel's lifeline is at stake. But beyond the politics and the day's headlines is Israel itself—not a problem but a place. Not a conflict but a solution.

It is essential that we always keep in mind what this struggle is all about. Often I hear people complain that their children are not as involved with Israel as they should be—or as their parents would like. They would rather vacation elsewhere. And as for politics, they prefer to dwell on other issues, other concerns.

In many cases, this disinterest in Israel is completely understandable. After all, if our only involvement with Israel is to worry about it. If our children only hear us sigh over Israel's latest crisis, then I think it is

no wonder that they will choose other involvements. Why should anyone devote their precious time to a place that produces nothing but anguish. But unfortunately, that is the way we have come to present Israel. Our Hebrew schools offer courses on "The Holocaust and the Birth of Israel." As adults, we listen to speaker after speaker telling us that these are the worst of times, that Israel is, once again, on the brink. Surrounded by implacable enemies whose goal is Israel's destruction. Is it any wonder that so many of our kids—and others—run the other way.

I am not saying that we should avoid confronting the reality of Israel's situation. After all, we have no choice but to fight for support for Israel as long as that nation is surrounded by neighbors whose goal is to destroy her. But I believe that there is more to Israel's reality than that—more than politics, more than foreign policy, more than economic needs, more than just threats. Beyond all that is Israel's true reality which is—as strange as this sounds—a dream. To lose that dream—to focus only on politics and the geo-political situation—is not just to lose the dream, it is to lose Israel.

This year, 1984, is not just an election year and it is not just Orwell's year of Big Brother, it is also the 80th anniversary of Theodor Herzl's death. He died in 1904, at 44. Now as everyone knows, Theodor Herzl is Israel's founding father, its George Washington. But Herzl was not a warrior. He was not a political theoretician. He wasn't even a revolutionary. No. Herzl was a dreamer.

Think of it. In 1897, he was a 37 year old Jew. An unimportant and inactive Jew. Shocked by the Dreyfus trial and the growing wave of European anti-Semitism, Herzl came up with his solution. He wrote a book "Judenstaat," in which he called on Jews to prepare to relocate in Palestine, at that time a desert wasteland. Herzl's book was viewed as the act of a madman. In western Europe, Jews condemned Herzl as a charlatan—and one who would jeopardize the Jewish position in their various homelands. But Herzl persevered.

He followed up his book with an assembly: the First Zionist Congress which he convened in Basle, Switzerland. Somehow Herzl managed to attract 204 Jews from 15 countries—204 Jews willing to accept the leadership of this self-proclaimed liberator. Herzl told his delegates that they would have to dress the part. The Jews may be nationless, but they must dress as if they were already members of some national legislature. They dressed in frock coats and white ties. Herzl had designed a Zionist flag which hung over the entrance of the building and behind the speaker's lectern. Herzl gave the opening address: "We are here to lay the foundation stone of the house which is to shelter the Jewish nation."

Herzl's words were carried in newspapers throughout the world. There was much ridicule of this king of the Jews, but there was respect too. The convention ended with the singing of Hatikvah. Herzl then was carried through the hall on the shoulders of the delegates. He returned to his hotel room wrote in his diary: "If I were to sum up the Congress in a word—which I shall take care not to publish—it would be this: At Basle I founded the Jewish State. If I said this out loud today I would be greeted by universal laughter. In five years perhaps, and certainly in 50 years, everyone will perceive it." He wrote those words in 1897. Fifty years later was 1947, the year the U.N. voted to establish a Jewish state in Palestine.

Of course, Herzl didn't live to see his dream become reality. He had only seven years left to him after that first Zionist Congress. He used them to establish himself as the first Jewish statesman in 1900 years. As leader of the Jews, he negotiated with the Pope, with the leaders of Great Britain, Italy, Germany, Russia, and Turkey. His goal was a charter: recognition from some nation that the Jews were entitled to go home to Eretz Yisrael. Single-handedly, he revolutionized the Jewish condition. Before Herzl, it was inconceivable that anyone would be recognized by the nations as a spokesman for the Jews. After Herzl, it was understood that the Jews—like every other people—had rights within the councils of nations, that they had the right to representation. That they were a people.

Herzl made one visit to the land of his dreams before he died. He wrote in his diary: "When I remember thee in days to come, O Jerusalem, it will not be with delight. The dusty deposits of 2000 years of inhumanity, intolerance, and foulness lie in your reeking alleys." But despite the reality before him, he wrote: "If Jerusalem is ever ours, and if I were still able to do anything about it, I would begin by cleaning it up. I would clear out everything that is not sacred . . . empty and tear down the filthy ratholes, burn all the non-sacred ruins, and put the bazaars elsewhere. Then, retaining as much of the old architectural style as possible, I would build an airy, comfortable, properly sewered brand new city, built around the holy places."

Herzl's imagination allowed him to make the leap from the reality of Jerusalem to the Jerusalem—and the Israel—of dreams. He did that in a novel he wrote just before his death. He called it "Altneuland" or "Old-New Land." "Old-New Land" takes place in Israel in 1923 (20 years after the book's publication date). By that time, Herzl envisioned Haifa harbor to be finished, a system of highways and railroads linking the country, a Hebrew University on Mt. Scopus, and a network of cooperative farms. In short, modern Israel.

The frontispiece of Altneuland contains the words: if you will it, this is no fairy tale.

On July 3, 1904 Theodor Herzl died. He died a failure—at least so it seemed. He had not yet achieved his charter, his commitment from a major state to aid in the securing of Eretz Yisrael for the Jews. But that charter did finally come 13 years later in the form of the Balfour Declaration. Herzl was buried in Vienna, near his parents and other members of his family. However, in Herzl's will, he asked that his body "remains there until the Jewish people will carry my remains to Palestine." On August 16, 1949, Herzl's coffin was flown to Israel and on the next day, he was given a state funeral and then he was buried on a ridge facing Jerusalem from the west. That ridge is now known as Mt. Herzl.

So when you look at Faraj Pari's photos, it is important to understand that what you are looking at is miraculous and totally improbable—Jews living in Jerusalem in the State of Israel. In fact, it is even more of a miracle than Herzl envisaged. Even that prophet never imagined that ancient Hebrew would be reborn and turned into a working modern language. He didn't envision an Israel Defense Force that would be one of the most powerful and effective military forces in the world. (He, optimistically, believed that a neutral Jewish state would not need an army.)

Another thing he did not envision was that Israel would become one of the most important players on the world stage. Every day Israel is on page one. Its politics are followed throughout the world. And of course, along with the intensive coverage of the Jewish state is the negative coverage. The media seems to go out of its way to deride Israel, to condemn its leaders, to suggest that the state that was established as a light unto the nations has turned out to be just another imperfect political system.

Well, I'm sorry but I have to confess that I don't get particularly worked up over the media's coverage of Israel. Forty years ago, there was no Israel and there was no negative coverage of the Jews either. Day after day, Jews were being slaughtered by the thousands and the tens of thousands and there were no headlines, no columns, no real attention. In 1944, no one had to be concerned with the media's coverage of Jews because there was no coverage. Mass murder, yes. News about it, no.

Today, the dream is reality. Israel exists. Israel is a powerful nation. With that power comes criticism—fair and unfair. With that power comes respect and even fear.

We don't have to like the unfair attention Israel receives. We are well within our rights when we try to turn the situation around: when we try to influence and educate. But we must maintain our perspective. We are the privileged generation. Unlike Herzl and the visionaries and dreamers of his day, we live in the era of Israel reborn. The miracle, for us, is tangible. For \$700 and in 10 hours we can go to the Jerusalem Herzl dreamed about. We can make the Old New Land our second home. We can fight for its continued existence, for its continued friendship with our own country.

We are privileged because we live in the era of Jewish statehood. If the price of that state is media criticism. If its the occasional brickbats tossed at us by journalists and pundits. If it is the unfairness of a State Department policy that denies the Jewish right to Jerusalem. All those, we can struggle against but we can live with. We are paying the price of power and—never forget it—it is a much smaller price than the one we paid for powerlessness. So, just for a minute, before we go out and do the job that has to be done, let's just think about the miracle that has been accomplished in these last 80 years. And let's be grateful—for living at a time when Israel lives, when Jerusalem is united, when the dreams of the prophets have come true.●

OLDER AMERICANS MONTH

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. LaFALCE. Mr. Speaker, Cicero wrote:

The fact is that old age is respectable just as long as it asserts itself, maintains its proper rights, and is not enslaved to any one.

This May, we will recognize the need for our senior citizens to assert themselves, the need for all of us to maintain seniors' proper rights, and our joint responsibility to insure that seniors are free to continue to lead rewarding secure lives. May is "Older

Americans Month," as it has been since 1963 when President Kennedy first established this month long celebration of the wisdom and compassion of our senior citizens.

The numbers of those who are deserving of a respectable old age have grown tremendously. Their share of the total population is also increasing. From 1900 to the present, the total population has increased fourfold, but our seniors have increased tenfold. In fact, in 1980, for the first time in our Nation's history, the total number of Americans over age 60 surpassed the total number of children under the age of 10 and youths from ages 11 to 19. The 26 million elderly who presently constitute 10.7 percent of the population will account for over 12 percent by the turn of the century, and 18 percent by 2035. Moreover, life expectancy at age 65 has increased from 11.9 years to 16.7 years over the last three-quarters of a century. Every indication suggests that these trends will accelerate.

This burgeoning number of seniors has been called the graying of America and has had a significant impact on our Nation. Increasing public awareness of these demographic trends has reinforced support for those successful Government and private programs that improve the status of the elderly. Improvement in the status of the elderly has been partially the result of numerous Federal programs established on their behalf. The existence of income support programs, retirement programs, the Older Americans Act, and health care and social service programs constitute the framework for an effective aging service network.

Underlying the creation of these programs is the growing realization that the later years can be the most productive and rewarding times in an individual's life. One can recall that at the age of 90, Oliver Wendell Holmes was a Presidential adviser. Some of our most popular stage and screen stars, such as Lena Horne, Katharine Hepburn, and Bob Hope, are senior citizens. Included on our list of seniors making a major contribution after the age of 65 are Noah Webster, who wrote his dictionary at age 70, "Grandma" Moses, an American artist, and Benjamin Franklin, who at the age of 81 joined in the authorship of our Constitution.

We also note the contributions of all our senior friends and neighbors, not just the well known. Senior citizens from all walks of life make valuable contributions to such important programs as ACTION, VISTA, retired senior volunteers (RSVP) and the Foster Grandparent program. Senior volunteers serve the Veterans' Administration, the American Red Cross, and in our hospitals.

Seniors, whether they volunteer their services, work in the paid labor

force, or participate in activities, are very involved in their communities. Those all too familiar stereotypes of old age—a lonely old woman in a rocking chair, an old man feeding pigeons in the park, a nursing home resident in a wheelchair, staring at the wall—are, indeed, inaccurate images.

I have cosponsored the resolution to designate May as "Older Americans Month" so that seniors and the community at large will reflect upon our commitment to the elderly and our seniors' commitment to us. During May we will reaffirm our commitment to be certain that loneliness, isolation, poor health, poverty, and feelings of worthlessness, are old stereotypes without a basis in reality.

Longer life can mean happiness and fulfillment. It must be respectable. Those respectable seniors contribute significantly to the quality of life of our entire society. Let us be certain that society honors its responsibility to our seniors.●

REMARKS OF GUS TYLER

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. OWENS. Mr. Speaker, over the past 3 years, the administration has advocated a laissez-faire approach regarding the growth of imports in our domestic marketplace. As is the case with so many of their economic policies, the results have been a disaster for the American worker.

At a recent labor roundtable, Mr. Gus Tyler, vice president of the International Ladies Garment Workers Union, pointedly addressed the Federal Government's responsibility to American industries, and to employed, underemployed, and jobless Americans. We have heard enough rhetoric from the administration about building a stronger America. If anything has made America strong, it is American jobs and American workers, and Mr. Tyler's remarks point the way back to meaningful action on their behalf.

REMARKS OF GUS TYLER

Our so-called recovery is only a relative recovery not an absolute one. While we are pleased that our official jobless rate is 7.7 instead of 10, our present rate is intolerably high. If domestic demand were greater, the jobless rate would be lower and manufacture—together with all other sectors of the economy—would show improvement.

Much of the present "recovery" is due to what were once called Keynesian measures, such as loosening the money supply, cutting taxes, and deficit financing by the government. But, in the past, such stimulants had a multiplier effect: a worker who earned more on a defense job would buy American-made products to put other workers to work. But today, much of the deficit our

government may incur to stimulate the economy is money poured into a leaky bucket as consumers use an ever greater share of their dollar to buy things made abroad.

Macro-economic measures are not enough. Micro-measures, involving the regulation of trade (imports and exports) are needed to plug some of the holes in the leaky bucket.

Consider another case where macro is inadequate without micro: the Tax Act of 1981. The idea was to make huge sums of capital available to what were once called the capitalists so that they might "invest" that capital in productive enterprises to make goods and provide jobs. The idea was good but the end result was not so good. These capitalists preferred, for a variety of reasons, including the ridiculously low tax on capital gains, to "speculate" with this money instead of "investing" it. Hundreds of billions of dollars have gone toward buying and selling pieces of paper, a sort of endless crap game, while major industries in the United States in critical need of capital infusion for modernization languish. Another case of the old leaky bucket syndrome.

The point is that macro-economic measures such as boosting buying power and making adequate capital available are necessary but not sufficient measures to restore our manufacturing strength.

Turning to the vital micro-economic considerations allow me to begin with my own industry—apparel. I do so not because it is my home turf but because it is the largest factory employer in America as part of the textile-apparel complex with about one production job out of every eight in manufacture. It is also an imperilled species.

At present one out of every two pieces of women's apparel is an import; not so long ago, it was one out of twenty five. We are now at the tipping point. Once the American market is literally dominated by imports, they set the price and they can—indeed, they will, unless curbed—wipe out some two million jobs.

Why has this happened? It is not due to any backwardness on our part. American producers of apparel are up to date. Indeed, they set the pattern for production methods, designing, sizing, merchandising, packaging. America is losing out because it is impossible for American workers to compete with workers in Hong Kong who earn a bit above a dollar an hour and with workers in China who earn 16 cents an hour. American producers and American retailers prefer to have their stitching done overseas by workers who will do the sewing for pennies so that these American companies can multiply their mark-ups when they sell to the consumer.

We have been aware of this problem for many years—actually a couple of decades. When we were first hit by Japanese imports, we had three ways to go. We could have done nothing, in which event hundreds of thousands of American workers would be jobless—most of them coming from marginal populations, from ethnic minorities, predominantly female supporters of households. We could have proposed that we act unilaterally to shut out imports. We could have chosen to negotiate with other countries—to bargain collectively, so to speak—to arrive at quotas that would allow other nations to enter our markets while we continued to maintain needed levels of employment in our country.

We opted for the last: to live and let live. We have worked out "arrangements" under

a Multifiber Multinational Arrangement with many countries. The quotas have served their purpose in part: they have made it possible for our industry to stay alive. But the quotas have been much too mushy so that today we are, indeed, an imperilled species.

So in this industry we are urging a rollback that would open our doors in imports for a fair share of the market—25 percent of the items in our stores.

Our plight in our industry led us to the discovery of the plight of others in other industries. When we first encountered the import threat, we were advised not to worry: our garment workers would find jobs in other similar, labor-intensive trades such as boots, shoes, plastics, dolls, toys, novelties, rubberwear, cameras, bicycles. All our workers had to suffer would be the annoyances of transfer from one job to another.

Quickly we discovered that all these other labor intensive industries were infected by the same viruses as we were: they were all heavily import penetrated.

Then we were advised that those who would ordinarily have found employment in our industry would find jobs in electronic assembly, putting together radio sets. But, we quickly discovered that that industry was going overseas. So we were directed to black and white TV—with the same script repeated. But, we were told, we would find a saviour in color TV—an American monopoly. But soon that whole industry went overseas—as American companies arranged to have their work done in other lands. Our plight was the fate of some 8-9 million employees in labor intensive manufacture.

Now we were advised that our hope would be capital-intensive manufacture, like steel, motorcycles, autos, farm machinery. But, as we turned our attention to them, we found that they too held out little hope for us. They, too, were in trouble. But not for the same reason as we were.

While there are undoubtedly differentials in the wages between American steel and auto workers and those in other lands, the predicament of these capital-intensive industries does not arise primarily from the wage differential as it does in our industry. These industries are called capital intensive because when they calculate their unit costs, the big ticket is for capital not for labor. So why did they not expand their production—and employment—in America as expected?

Ironically, one early reason was that Europe and Japan and even a country like Brazil practiced protectionism. They erected tariff and non-tariff barriers. The proper response on our part, according to the textbooks, would have been "retaliation," closing our doors to them. We did nothing of the kind: our companies merely moved their production facilities into these countries to operate within their "protected" turf. Our corporations rewarded them for their protectionist policies by locating American capital, American technology and American know-how behind their protected walls.

Our government policies further rewarded such perverse behavior. Profits realized overseas would not be taxed by Uncle Sam unless and until they were repatriated. Taxes paid overseas would become a tax credit when paying taxes here. Playing a sophisticated tax game, multinationals could—and many did—arrange charges against their subsidiaries in different countries so that they showed no profits in high tax countries and high profits in low tax countries so that they ended up internationally by paying virtually no tax.

Meanwhile, American facilities were neglected. Typical of such neglect is the steel industry. According to some, the Japanese can turn out two tons of steel per worker where we can turn only one: in other words, their productivity is double ours. The reason? Their mills are modern; our mills are obsolete—about fifty years (a half century) behind the times.

What we need is modernization. That requires capital and the will to up-date. U.S. steel assembled a kitty of some \$3.6 billion to do precisely that. But when the time came to do it, shareholders opted for a short term return rather than a long term risk. The billions were used to purchase Marathon Oil.

Query: what shall we do if the owners of a crucial American industry—crucial for military as much as for civilian reasons—have lost all interest in modernizing their industry? Indeed, they are more interested in making "money" than in making "steel."

Now we must devise a new response. We may be driven to consider tax policies that severely penalize the allocation of capital for speculative purposes and reward investment for productive purposes.

We may have to go beyond that to devise a nationwide policy—call it "industrial policy" if you wish—that targets some capital for some of our vital industries that have become the forgotten children of their one time progenitors. And, in the transition, we may have to protect the industry against imports especially if they are "dumped" or subsidized.

In auto, the problem again is different. That industry, unlike steel, knows how to produce: it is efficient. But while its methods are not obsolete, its purpose seemed to have been planned obsolescence for the cars it produced. Intentionally or otherwise, the vehicles seemed to be programmed to develop skeletal arthritis in their infancy and to drop dead at an early age.

All that was profitable so long as the nation was affluent enough to buy junk because it glittered with tinsel and could afford to buy giveaway gas. But once the recession came and gas became costly, Americans turned to cars that were made to run and last and to do so with minimal gas. America turned to Japan.

Detroit knows that. It also seems to have settled on a strategy. The American producer will continue to turn out the high profit big car and his partner—some Japanese company located in America—will turn out the small car.

That solution is undoubtedly prudent for the companies. But the auto workers of America still have a problem. What if the parts for these cars are made in Japan, Korea, Taiwan, or Pakistan and the engine is assembled in Mexico and the only work left for American workers for this car that will be tagged as "Made in America" is assembly (less than one fifth of the work on the car)? Quite understandably, the American worker would like a law—needs a law—setting down that a certain percentage of the car shall be "domestic content." After all, just about every other country has it. Why shouldn't we?

To suggest such a step—domestic content—is to incur the wrath of free traders who stigmatize such a move as "protectionist." The same epithet is hurled at those who urge quotas for certain industries. Such critics, when pressed for a solution to the plight of American manufacture, customarily propose that we devalue the dollar, a

move usually couched in terms of readjusting the dollar to its real value.

There is no doubt that devaluating our presently "overvalued" dollar would help some industries. It would be meaningless for the apparel industry because a 20 percent adjustment would not close the gap between wages of 16 cents an hour and a legal minimum of \$3.65 an hour. But it might well add another \$1,500 or \$2,000 to the price of a Toyota on the American market.

But let's be clear: such a devaluation of the dollar is a crass, coarse, clumsy, unsophisticated form of "protectionism," if we may invoke that accursed word. When we devalue the dollar by 20 percent we make it more difficult for Americans who have dollars to buy goods priced in other currencies. In effect, we are raising our tariff barriers by 20 percent. Vice versa, we make it easier for people holding foreign currency to buy our goods: we are tearing down their tariff barriers by 20 percent. Devaluation of the dollar, called by another name, is "protectionism," on a gross non-selective basis.

A non-hypocritical insight into the meaning of devaluation, proper and prudent as it may be, suggests the fundamental duplicity in present thinking and behavior about international trade. We all worship at the altar of free trade—in our public pieties. We meet at the summit, arrive at agreements, issue press releases about our dedication to open markets, and then go home and practice protectionism while reciting the litany of free trade.

We lower tariff barriers and then go home to raise non-tariff barriers.

We come out against subsidies and then go home to: (a) have governments give interest free financing to some of their companies; (b) allow government owned (and other) facilities to sell their products below cost because to do so is cheaper than to carry the jobless; (c) extend interest free or low interest financing to other countries to buy our products; (d) set up dual exchange rates (as in China) to allow twice the amount of currency (Chinese) on a dollar earned through exports. The list is as long as the mind is ingenious.

We agree to quotas and then, nations, having fulfilled their quotas, ship to third-party nations that, in turn, transship the goods, so that some nations actually export more under their "made in" label than they could ever produce, even if they doubled their production facilities.

Finally, nations solemnly swear to abide by the rules and then go home to readjust their currencies to make a mockery of all the agreements.

In the real world—not the fantasy world of theoreticians repeating the fantasies of dead theoreticians about a world now dead for at least two centuries—we are part of an international economy. Whether we like it or not, we are. And in this real world of great power struggles, laissez faire is as undesirable and unworkable and unrespected as it has been in national economies.

In this real world, we must work out arrangements that will allow us to live and allow others to live. We can not do so by saying that the "invisible hand" will do it for us internationally any more than we would ever dare—conservative or liberal—to leave it to the "invisible hand" to do it for us nationally.●

HOUSING INDUSTRY RECOVERS

HON. STEVE BARTLETT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. BARTLETT. Mr. Speaker, President Reagan is today visiting Dallas to tour a housing construction site and to join in a roundtable discussion with housing industry representatives.

The housing industry is in the middle of an explosive nationwide recovery, with new starts up almost 60 percent in 1983. And Dallas-Fort Worth led the national recovery with 92,000 new housing starts in its area alone.

We certainly have come a long way in just 4 years. The last half of the Carter-Mondale administration saw housing starts fall by nearly 1 million units. The average monthly mortgage payment more than doubled, and the price on an existing three-bedroom house jumped 55 percent. For many Americans, the dream of owning their own home was crashing head on into double-digit inflation and soaring interest rates.

Now we can look back on 1983 as a year of record growth. New houses are being built and existing ones are more affordable. Economic recovery is not some sort of campaign slogan or promise, it is a reality for 3 million more Americans who can now afford to buy new homes.

In 1979 Alfred Kahn, one of the chief economic advisers to the Carter-Mondale administration, said: "We can not avoid a decline in our standard of living. All we can do is adapt to that." Well, President Reagan rejected the Democrats, gloomy predictions, and brought the message of economic recovery and increasing opportunity. The Republican record has been one of growth, not only for the housing industry, but for all Americans.●

THE BROOKLYN PUBLIC LIBRARY: A TREASURE OF KNOWLEDGE AND COMMUNITY SERVICE

HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 11, 1984

● Mr. SOLARZ. Mr. Speaker, since this is National Library Week, I wanted to call to the attention of my colleagues the wonderful public library system serving my community: the Brooklyn Public Library.

Like libraries all over our country it is a resource for students young and old, but also a major recreational facility that gives our citizens access to lit-

erature, music, movies, and even theater.

Libraries are changing institutions which strive to help us keep up not only with technological advances, but with the needs of our neighborhoods. Thus the Brooklyn Public Library, with the assistance of some Federal funds under the Library Services and Construction Act operates job information and resume writing assistance at its main branch at Grand Army Plaza.

Literacy programs funded by LSCA are provided at six regional library centers, as well as at the main branch in Brooklyn, where volunteers generously assist others to learn this most important skill. Special "children's places" are operated in dozens of local libraries under a \$146,000 LSCA grant where preschool youngsters are introduced to the world of books and reading, and where librarian storytellers hold, even 4-year olds, spellbound for a few wonderful moments. Our "child's places" at the Brooklyn Public Library also provide special services for gifted and talented children, who otherwise might never achieve their full potential.

Our libraries in Brooklyn are used for community meetings and exhibit space for local budding authors and artists. But they also fulfill their traditional role of being a quiet place to study, a place where there is someone, who can help you with that term paper, or with that home repair project, or suggest new hobbies or even how to conquer a foreign language, thanks to the tapes, records, and books that are available.

New York City has come to appreciate just how important our libraries are to the health and well-being of the city. Our local officials have increased funding for libraries to allow them to remain open longer hours, so that more of our citizens could use their facilities. Public spirited New Yorkers have also devoted countless hours as volunteers in our libraries, and as generous fundraisers and contributors who appreciate how important it is to have a good library operating in every one of our communities.

Let me close by saying thank you to all those New Yorkers who help to make the Brooklyn Public Library such a special place. For my part I promise to do all that I can to see that our Federal funding for libraries remains an important item in our Federal budget.●

A CALL TO CONSCIENCE

HON. DENNIS E. ECKART

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. ECKART. Mr. Speaker, as part of the ongoing Call to Conscience Vigil for Soviet Jews, I would like to bring the attention of the House to the shocking decline in emigration of Jews from the Soviet Union and the rising level of anti-Semitism that has been displayed in that nation.

In March, only 51 Soviet Jews were allowed to leave the Soviet Union. Those who remain are subject to harassment for the simple acts of studying Hebrew and gathering with friends and family on religious holidays. Criminal charges and daily, petty harassment of refuseniks has increased dramatically over the past few years. Another disturbing trend is the singling out of certain refuseniks for villification in the government-controlled press. This brings public pressure to bear on these individuals and their families, causing their situation to be particularly difficult.

When the House recesses this week, we will go home to our districts and celebrate the religious holidays with our family and friends. As we exercise this freedom, I hope that we will all thoughtfully reflect on how important this is in our lives.

It is up to each of us as Americans and as public officials to speak out against the Soviets who deny their citizens such fundamental rights as living and worshipping in accordance with their heritage. I urge all Members to take action by adopting a refusenik and by cosponsoring House Resolution 450, which declares congressional support for Solidarity Sunday for Soviet Jewry, our Nation's largest demonstration of support for the rights of Soviet Jews.●

THE SUGAR LOAN PROGRAM

HON. DANIEL K. AKAKA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. AKAKA. Mr. Speaker, in reading the CONGRESSIONAL RECORD of March 22, 1984, I noticed that my esteemed colleague, the gentleman from Massachusetts (Mr. FRANK), inserted an article entitled "Charlestown Subsidizes Oregon." This article appeared in the Boston Globe on March 19, 1984 (page 12). The article charges that the sugar loan program enacted in the 1981 farm bill is responsible for the recently announced closing of the Revere Sugar Co.'s refinery in Charlestown, resulting in a loss of 400 jobs. Moreover, the article suggests

that subsidies to sugar farmers in Oregon are responsible for this closing. Although I share the concern of the gentleman from Massachusetts about the loss of jobs in his State, I want him to know that neither the domestic sugar loan program nor the farmers in Oregon are responsible for this job loss.

First, the Boston Globe is wrong on the facts. Sugarcane is not grown in Oregon. Very little sugar beet is grown in that State. Oregon's production represents less than 1 percent of U.S. sugar tonnage. The State of Hawaii, by contrast, produces about 18 percent of our domestic tonnage even with a recent decline in sugarcane acreage.

Domestic producers of beet and cane sugar have experienced troubled times in recent years. Since 1977, 18 sugar beet processing plants and 6 sugarcane refineries have been forced out of business. Closings have taken their toll in Hawaii. In my district, 550 sugar workers will lose their jobs when the Puna Sugar Plantation closes its doors this summer. These closings are occurring despite the inclusion of the sugar loan program in the 1981 farm bill. If the present sugar program were more generous, this economic hardship would not have to occur. However, the present sugar program serves only as a safety net to protect our more efficient producers. It cannot guarantee that any producer will stay in business.

In Hawaii, we grow nearly 200,000 acres of sugarcane. Thirty thousand jobs are dependent upon this sugar production. Contrary to the suggestion in the Boston Globe article, sugar producers cannot substitute other crops for sugarcane. History indicates that when sugarcane acreage is phased out in Hawaii, three-fourths of the sugar acreage that has been removed from production either remains idle or is used only for pasture. Furthermore, some areas are highly dependent upon this production. On the island of Hawaii, for example, over 80 percent of the island's farm acreage is in sugarcane. Without the sugar loan program, many of our workers would be unemployed today. In areas such as the island of Hawaii where the economy is dependent upon sugar production, these workers would simply have no place else to turn for work. Should a widespread decline in the sugar industry occur in Hawaii, the waste of agricultural and human resources would be devastating.

In 1981 and 1982, the Hawaiian sugar industry suffered losses of \$90 million. Last year, I am pleased to report, producers in Hawaii made a profit of \$29 million, a 2.7-percent return on capital investment. This small profit was due to successful cost reduction efforts and improved prices. Hawaiian producers negotiated a 2-year labor contract with no wage in-

crease the first year and a 3-percent increase in the second year. Many workers continued to be furloughed without pay. Acreage that offered a low return on investment was taken out of production. The industry's refinery, the California and Hawaiian Sugar Co. in California, also achieved savings of \$15 million in operating costs. A successful cost-cutting campaign was launched because it was evident that the domestic sugar loan program would not, by itself, insure the survival of the sugar industry in Hawaii.

Although I am not personally familiar with the Charlestown refinery, I understand that it is an inefficient and outdated plant. I also understand that Revere Sugar Co. will add additional capacity to its refinery in Brooklyn so that the refining at Charlestown can be shifted to New York. Somehow, the Boston Globe overlooked this important fact in its recent article.

In short, Mr. Speaker, the domestic sugar loan program should be commended, rather than subjected to inappropriate criticism. It is one of the few commodity programs that is working as Congress intended—and, I emphasize, this has been accomplished without cost to the taxpayers. The program has fulfilled the legislative mandate to protect U.S. sugar producers in times of low world prices such as we are now experiencing—low prices that are the result of the dumping of surplus production onto the world by Common Market and other countries.

I want my good friend from Massachusetts to know that I regret the loss of jobs in Charlestown, even when it is brought about by corporate strategy. I am saddened to hear of the loss of jobs, whether they be leather working jobs in Massachusetts, automotive jobs in Detroit, steel jobs in Pennsylvania, or sugar jobs in Hawaii. Foreign subsidies and dumping on the U.S. market affect many domestic industries, not the least of which is the domestic sugar industry. This is an issue which this Congress should address. Wrongfully blaming our commodity programs for a loss of jobs when the loss is in fact attributable to the corporate strategy of the Revere Sugar Co. merely evades the real issue.●

NATIONAL HISPANIC
UNIVERSITY ACT

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. ROYBAL. Mr. Speaker, I am introducing today the National Hispanic University Act. Its purpose is to enable the development of an exemplary institution of higher education in the

State of California dedicated to the following objectives:

First, increasing educational resources aimed at enhancing higher educational opportunities for Hispanic and other language-minority students;

Second, fostering greater participation on the part of that student population in such professional fields as education, engineering, business administration, and health and medicine;

Third, enhancing this Nation's multicultural and multilingual resources; and

Fourth, providing for the continued professional development of persons involved in the areas of international commerce and diplomacy.

The bill would direct that annual grants be made to the National Hispanic University for a 5-year period. The greater proportion of the amounts made available would be used to aid students directly. Seventy percent of each year's grant moneys would be allocated to providing scholarships, grants, counseling, and other assistance to students enrolled in the university. The remaining 30 percent would be used to promote the institutional development of the university through faculty development, management, development, and improvement of academic programs, acquisition of equipment, and other related efforts.

There can be little question that Hispanics are grossly underrepresented in every professional field. Statistics tell the story of Hispanics' limited access to higher education. From 1970 to 1980, Hispanic full time undergraduate students increased from only 2.1 to 3.7 percent of total college enrollment. Only 2.5 percent of the total graduate enrollment was Hispanic in 1980, or a little more than 17,000 individuals pursuing graduate and professional degrees. These enrollment figures do not tell the full story. It must also be noted that the attrition rate of Hispanic college students is far higher than that of the general college population, with more than 50 percent of Hispanics failing to graduate, compared to a little more than 30 percent of white college students.

It is my sincere desire and hope that with adequate funding, which this bill would provide, the National Hispanic University would develop its resources to the point where it can make a significant contribution toward providing these deserving students with higher educational opportunities that would otherwise be denied them.●

A TRIBUTE TO ELIZABETH KEHOE

HON. MARTY RUSSO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. RUSSO. Mr. Speaker, Sister Elizabeth Kehoe, member of St. Jude Parish in South Holland, Ill., for 17 years and principal of the school for the past 6, celebrates her 25th anniversary in religious life this month. On April 29, a Mass of Thanksgiving will take place at 1 p.m. in the parish church and a reception will follow immediately in the school gymnasium.

Sister Kehoe's story has been written for this occasion by two of the Sisters of St. Jude and today I would like to pay tribute to Sister Kehoe and share this story with you.

Sister Elizabeth Kehoe was born May 30, 1938 to Charles and Mary Kehoe in Chicago and took her place as youngest in the family following her brothers, Bobbie and John, and her sister, Jean. Chicago was home to the family, with frequent trips to the grandparents and relatives in the country just west of Kankakee. These trips to the farm provided great contrast to the city life of West Pullman and were a source of many happy memories.

School days began in Markham at McClaughery. A short hop across the prairie and the Kehoes were ready for the three R's. The father's occupation and business ventures kept the family mobile and by eighth grade graduation, Sister had attended five grammar schools, both public and private. The family lived alternately between Kankakee and Chicago. High school years were mainly at St. Joseph's in Kankakee where she graduated in 1956. The happy years of high school were augmented by a part-time job at St. Mary's Hospital across the street from the school.

The life of the nurse and the hospital routine did not become an ambition for Sister. Upon graduation she took a secretarial job in downtown Chicago where she worked for a year. Not totally satisfied with the life of the secretary and the glamour of the city, Sister searched for that something more to which she could devote her life. Her contact with her high school teachers, the Sisters of the Congregation de Notre Dame, provided the inspiration she needed to quit her job and to enter the Novitiate of the congregation. She joined the CND Sisters in 1957 at Bourbonnais, Ill. Her religious vows were pronounced in August of 1959. The 2 years of training, though difficult, were years of happiness and life-long friends were made in the days spent in prayer and study.

Upon profession, Sister was sent to teach sixth grade at St. Martin of Tours in Kankakee. Her fondest memories include the Sisters who helped her learn to teach and to live the life of a religious. Amid the times for silence, reading, and prayer, laughter and growth were constant companions.

St. Rose of Lima in Kankakee was Sister's assignment for 5½ years. Here she taught in what was fondly referred to as the "Boys' School," although both boys and girls comprised the classes. School was simpler then, with few frills, but recess was a must and provided time to really know the students. During one particular year, just when the class was becoming very dear, Sister received a change in mid-stream to Bourbonnais to teach seventh grade. Tears were the order of the day, but obedience was important. The Lord called and she answered.

In 1967, Sister was assigned to St. Jude's in South Holland, which has been home to her ever since. During her years at St. Jude's she has served as sixth grade teacher, assistant principal, and principal. Vatican II accompanied her on her journey and Sister has experienced many changes during her years of service to the people of the South Holland-Dolton community. Changes occurred in the church, in religious life, and in education itself.

Sister says of the changes:

They brought new life, excitement and a closer feeling to God's people to whom I have devoted my life. It's had moments of challenge and even trepidation, but all in all, the changes brought growth and contributed to a strengthening of the parish community, the CND community and to the educational community.

She says the high point for Sister over the years was the elevation to sainthood of the foundress of her religious community, St. Marguerite Bourgeoys. Marguerite was a woman who believed in the value of service, the importance of education in a faith setting, and working together to achieve maximum potential.

These are the same ideals that have brought Sister Kehoe joy as she reflects over the past 25 years. Her teaching career and her students have delighted her and enriched her life beyond measure. Sister says the next 25 years will begin with a year of prayer and reflection and she gladly welcomes the challenges and blessings yet to come.●

A CRY FOR FREEDOM

HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. SOLARZ. Mr. Speaker, I rise today to comment on the sorry state

of the Jewish community in the Soviet Union, a community whose bravery and tenacity has astonished the free world, and created a new word in our vocabulary "refusenik."

Why is this small community so severely repressed by the Soviet Government? Because they dare to demand that their government live up to the terms of the Helsinki accords which the U.S.S.R. has signed and because their cries for freedom cannot be suppressed. Despite the terrible power of the Soviet state they continue to press for the right to freely emigrate to join their loved ones in the promised land, Israel. They join together to teach their children Hebrew, and to educate them in the ancient traditions and teachings of our religion. Next Monday when the Passover holiday begins, they will prepare their seders in secret—fearing that the knock on the door will not be a long-awaited guest, but the dreaded secret police coming to raid their homes for evidence of their "treachery"—Bibles, religious pamphlets, religious articles.

Jews who decide to seek permission to emigrate know that they also face the loss of their jobs, their apartments, and even their ration books. Now, to further harass those seeking to leave, visa applications are good for only 6 months, and then the whole torturous application and documentation process must be begun all over. Last year only 1,315 Jews were allowed to leave the Soviet Union to join their families abroad—despite the fact that literally tens of thousands have asked to leave, and hundreds of thousands more clamor for the chance to leave this land of oppression to live freely and openly as Jews in Israel.

Virulent anti-Semitic propaganda circulates widely today in Russia. Long-term refuseniks are increasingly harassed and meted out stiff punishments and sentences for trumped up "crimes against the state." Yet the spirit of the Jewish community remains strong and their commitments to freedom compels them to continue to seek the right to practice their religion to preserve their ancient culture and traditions and to emigrate to the land of their choosing.

When I was privileged to meet with a number of Soviet refuseniks during a trip to the Soviet Union some time ago, I was continually struck by their appreciation of our efforts here in the United States to make human rights a major emphasis in our foreign policy. "You must continue to speak out" they said, "... your Nation is a beacon of hope and encouragement", and Mr. Speaker that is why I rise today to indicate that we here in this magnificent Chamber have not forgotten those prisoners of conscience in the Gulags of the Soviet Union.

The incredible courage of these brave men and women—of Anatoly

Shcharansky, of Ida Nudel, or Yosef Begun, to name but a few—must spur us on to do whatever we can to see that their freedom is returned, and that the human rights of all suffering men and women must be one of the highest priorities of any democracy. Particularly one like ours founded on the principals of individual freedom and religious liberty.

I urge my colleagues to join me in increased efforts to raise the issue of freedom of emigration for Jews in the Soviet Union, as well as those suffering in Syria, Yemen, Iraq, Ethiopia, or refugee camps in Africa. As long as the human rights of any group are proscribed, all of us are diminished, for in the words of the poet: "No man is an island . . . each man's grief is my own."●

NATIONAL DAY OF RECOGNITION OF MAN'S INHUMANITY TO MAN

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 11, 1984

● Mr. GILMAN. Mr. Speaker, I rise today in strong support of House Joint Resolution 247, designating April 24, 1984, as "National Day of Recognition of Man's Inhumanity to Man" in commemoration of victims of the genocide, especially the 1.5 million Armenian men, women, and children who lost their lives between 1915 and 1923 at the hands of the Turkish Government. I cosponsored this joint resolution in the deepest hope that the continued recognition of this atrocity will serve as a chilling lesson to ourselves and our children of the horrors that can be born of hatred and intolerance.

Conceived by the Turkish Government and implemented during an 8-year period, the Holocaust of the Armenian nation is documented extensively in the archives of the United States, Austria, France, Germany, and Great Britain. Throughout the scores of testimony and manuscripts the facts remain irrefutable: 1.5 Armenians were exterminated and 500,000 survivors were deported, resulting in the elimination of a 2,500-year Armenian presence in its historical homeland.

The involvement of the U.S. Government in efforts to aid the Armenians in their fight for survival continues to serve as a proud if not painful comparison between the two nations. Led by the American Ambassador to Turkey, Henry Morgenthau, the United States was at the forefront of protests by many nations, over Turkey's program of race exterminations. An organization known as Near East Relief, established through congressional charter, contributed approximately

\$113,000,000 from 1915 to 1930 to aid survivors of the Armenian genocide while 132,000 orphans became foster children of American families. These acts were appropriate and well-rewarded by the knowledge that we were offering some type of comfort to the survivors of the Armenian genocide during their tremendous time of need. I would hold that one more act of aiding these survivors would be a formal affirmation by the U.S. Government of the Armenian genocide. In that spirit I have cosponsored House Joint Resolution 171, affirming that the policy of the United States shall embrace the Armenian genocide of 1915-23 as a historical event.

During this month, Armenians and their friends throughout the world will once again turn their thoughts and prayers toward their 1.5 million fellow countrymen and women who perished in the wake of a campaign of hatred and horror. I urge my colleagues to support House Joint Resolution 247 so that we may afford this event the significance it deserves by designating April 24, 1984 as "National Day of Remembrance of Man's Inhumanity to Man."●

THE FIRST ALL CHILDREN'S THEATER

HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. WEISS. Mr. Speaker, I would like to call attention to the First All Children's Theater, a marvelous troupe of young people from my district in New York City who will be performing in Washington, D.C., from April 18 through 25. Not only are they the highlighted production in the Kennedy Center's National Children's Arts Festival, but they are the first group of young performers ever to be asked to perform in this annual event.

Audiences will be treated to a widely acclaimed double bill "The Trip" and "Clemintina's Cactus." Dance magazine praised "Clemintina's Cactus" for its high caliber of dancing and described the troupe as "unequivocally the most professional children's theater in New York, from the lighting to the costumes." The New York Times said "The Trip" "retains a communicative magic for an audience beginning with 2-year-olds and has an even deeper appeal for an older audience."

Under the brilliant guidance of Meridee Stein, founder, producer, and artistic director, the First All Children's Theater has been producing sparkingly original musical theater performed by children for children since 1969. They have performed at the Smithsonian Institute in Washington, D.C., Lincoln Center in New York

City, and spent a month touring China in 1982.

The young performers are drawn from various ethnic, social, and economic backgrounds. They are exceptionally talented and highly professional, yet delightfully fresh and original with an inexhaustible fund of energy.

The First All Children's Theater productions are often moving and always entertaining. I recommend their performances at the Kennedy Center as an evening of theater magic for audiences of all ages from the very youngest upward.●

IN HONOR OF JOHN J.
GARTLAND, JR.

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. FISH. Mr. Speaker, oftentimes we find an individual in the community who is involved, charitable, and generous. However, it is rare when all of these attributes are combined with true sincerity and selflessness, and a genuine concern for our community. John Gartland, Jr., a very diligent and dedicated attorney with a large family, despite the obvious constraints on his time, gives a part of himself to help others.

Aside from his activities as a trustee of Marist College, he is the president of the McCann Foundation, and co-trustee of the Cunneen-Hackett Foundation both established for the betterment of facilities and institutions in the Hudson Valley. Jack served on the board of trustees of St. Francis Hospital and the Astor Home for Children, giving his time and expertise to the care of the infirmed and homeless.

Jack received the Dutchess County Service Award and the Astor Home Service Award for his generous attention to the betterment of our community and its citizens. The New York Bar Foundation honored him in 1980 with their achievement award for exemplary service.

Jack's work and dedication to the Catholic Church and membership on the board of trustees of New York Archdiocese Catholic Charities is regarded as the culmination of his career of public service.

I am proud to know Jack and to consider him my friend. He has placed the concerns of others and of our community before his own. His is a life devoted to enriching the lives of all around him, consistently being called on to solve our problems. Are all wealthy in knowing Jack Gartland; for wealth is not measured in how much you are worth, but how much good you can do for others.

On April 27, Jack Gartland will be honored by the Dutchess County

Chapter of the New York State Association for Retarded Children. He is a citizen, in this country, who will serve as an example to us all for his remarkable achievements and sacrifices.●

SLOW PACE OF SUPERFUND
CLEANUP UNDER RECENTLY
PROPOSED LEGISLATION

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. FLORIO. Mr. Speaker, as many Members know, the Subcommittee on Commerce, Transportation, and Tourism of the Energy and Commerce Committee met last week to consider legislation to reauthorize the Superfund program. An amendment was approved by the subcommittee which would reauthorize the program at current funding levels of approximately \$300 million a year, or a total of \$1.6 billion for the next 5 years.

The Tausin-Lent substitute is totally unacceptable to me and, when it is understood by others, I think it will be totally unacceptable to them. I think many Members will be distressed to learn that my analysis shows it would take at least 100 years—a century—to complete cleanup under the funding levels contained in the Tausin-Lent substitute.

The analysis assumes that the EPA dramatically improves its performance in cleaning up these sites. To date EPA has cleaned up only six sites, and close to one-third of the \$1.6 billion has been obligated. At that rate it will take several centuries to complete cleanup. EPA performance under Superfund is obviously inadequate, and any sensible analysis must assume at least a minimum level of competence in the management of the program.

I would like to explain why it will take so long to finish cleanup under the Tausin-Lent substitute. The data used is from the EPA, and the calculations are fairly simple.

The Federal Superfund will have to clean up a minimum of 2,200 sites of the more than 17,000 known sites nationwide, with the States arguing that more than 7,000 will need Federal cleanup. The average cost per site is \$10 million if we assume, as EPA does, that at least 38 percent of the sites involve contaminated ground water. The minimal total cost of cleanup, therefore, is \$22 billion for onsite cleanup.

Although EPA has spent more than 60 percent of the fund for nonsite specific administrative costs, my analysis assumes that no more than 40 percent will be used for nonsite administration. In addition, the analysis assumes that responsible parties will increase dramatically the level of voluntary cleanup. Finally, the analysis assumes

that Superfund must pay long-term operation and maintenance costs for finished sites.

At the Tausin-Lent funding levels of \$300 million per year, it will take more than 100 years to produce the \$22 billion needed for onsite cleanup.

I do not think that the American people are prepared to wait until the year 2084 to clean up hazardous waste sites. Everyone says they are in favor of cleaning up these sites, but the time has come to make a decision whether we are serious or not. I believe the Tausin-Lent substitute is a statement that we are turning our back to the problem of toxic wastes.●

ON THE MINING OF PORTS OF
NICARAGUA

HON. HAROLD E. FORD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. FORD of Tennessee. Mr. Speaker, the mining of offshore areas in Nicaragua was the latest in a series of strange actions that have both our allies abroad and Americans here at home shaking their heads. For many individuals, the mining of a harbor can be thought of as nothing short of an act of war. I speak for many Americans in asking why this vitally important issue was never brought out during hearings held just recently in the U.S. Senate. It is essential that some sort of legislative dialog take place to alleviate the concerns of the American people that we might be engaged in clandestine activities in Central America. The failures of our adventure into Vietnam, which led to the unnecessary loss of over 50,000 lives of American soldiers, is something that we continue to live with and should not be repeated in Central America.

While the mining of Nicaraguan ports certainly puts economic pressure on the Sandinista regime, there are aftereffects to consider. The Nicaraguan people, most of whom having little to do with the government, earn the equivalent of \$800 per year. With barely enough finances to stock their shelves when goods are available for sale, what will they think of America now? Unfortunately, the people will strongly identify with the government trying to get them those goods, the Sandinistas. Administration policies will force that government into even closer relations with Cuba and the Soviet Union. International support will swing to the Sandinistas as well.

Additionally, by informing the World Court that the administration would not abide by any of their future decisions regarding Central America, President Reagan has, in effect, said that the United States will not abide by international law when it does not

suit its purposes. This decision is a blatant admission by the administration that the United States could not win this case on its own merits. Furthermore, knowing full well that the Court has little or no ability to enforce its own decisions, the administration has rendered any future edicts rendered by that international organization meaningless.

Mr. Speaker, the harbor mining and International Court decisions of the administration can be construed in many circles as a recision of several treaties signed in good faith by many parties. If the administration continues such activity, how can we expect other nations to enter into binding agreements with this country in the future?●

MILITARY AID TO CENTRAL AMERICA

HON. RICHARD J. DURBIN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. DURBIN. Mr. Speaker, the Senate recently ended a 2-week debate on military aid to Central America by acceding to the President's request to include \$62 million in military aid to El Salvador and \$21 million for CIA activities in Nicaragua in a bill originally intended to provide relief for famine victims in Africa. Meanwhile, news reports reveal that U.S. funds for covert operations against Nicaragua support mining harbors, and the State Department announces that our country will not abide by World Court decisions relating to Central America.

There is a common theme underlying these developments—namely, that the administration is intent upon proceeding with its current policy in Central America without regard to the increasing reservations of Members of Congress and the American people.

I share one view with the President—that the United States does have vital interests in Central America. However, I strongly disagree with his policy prescription for serving those interests.

Raising the military stakes in the region by mining Nicaraguan harbors or funneling additional military aid to El Salvador without strict requirements for improvement in local human rights will not contribute to the stabilization and growth of the democratic process in the region. It will only heighten tensions, exacerbate human suffering and reduce the moral standing of the United States in the eyes of the local populace.

Setting ourselves up outside the jurisdiction of the World Court will not strengthen our efforts in Central America. It will only erode our claim to leadership within the international

community. It is disingenuous for us to seek the World Court's condemnation of Iran for taking American hostages and then a few years later refuse to recognize that Court's jurisdiction when it stands in judgment of our own actions.

Our pursuit of security objectives in Central America should not come at the expense of our commitment to human rights. It should not be allowed to impair our commitment to end death squad activity or bring to justice the murderers of the four American churchwomen who gave their lives to help the suffering in El Salvador.

It is time to recognize that self-determination in El Salvador and Nicaragua serves the national security interests of the United States, and that, wish as we might, our will cannot be imposed by external force of arms. True self-determination in Central America must evolve from political, not military initiatives.

Mr. Speaker, the latest revelations about our activities in Nicaragua indicate new dimensions and directions in U.S. policy which have not been fully evaluated by Congress. We seen poised on the brink of involvement in Central America beyond any level the American people are currently prepared to support.

To represent our constituents fully, it is Congress' duty to assess the level of our activity—both covert and open—in Central America. As we exercise our constitutional responsibilities, the President cannot fairly criticize the Congress for second-guessing his policies.

If the President has hard information that indicates a serious threat is posed to our national security by the Government of Nicaragua, he has a responsibility to come before Congress and present it. If he does not, he surely has no constitutional authority to engage in activity which has been described as an "act of war" by members of his own political party.

The policy choice facing our country in Central America is not between abandonment and continued drift down the path of military involvement. We desperately need a policy based on the realities of that region which supports, and promotes, the legitimate aspirations of its people.●

PRIVATE BILL FOR THE RELIEF OF JOHN R. SCHMITZ AND WINIFRED D. SCHMITZ OF KENT, WASH.

HON. ROD CHANDLER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. CHANDLER. Mr. Speaker, today I am introducing a private bill for the relief of John R. Schmitz and

Winifred D. Schmitz of Kent, Wash. Mr. Schmitz recently died after being hospitalized for cancer of the spine. I seek to alleviate the undue hardship that has inadvertently been imposed on his widow, the wife of a retired civilian chief engineer who worked on National Oceanic and Atmospheric Administration (NOAA) vessels.

As a NOAA vessel employee, Mr. Schmitz was entitled, by law, to medical, surgical, and dental treatment, and hospitalization at "facilities of the Public Health Service (PHS)." (Public Law 88-71). In 1981, however, Public Law 97-35 was enacted which authorized the closure, transfer, or sale of PHS hospitals by September 30, 1982. As a result of this law there was literally no "PHS facility" available to provide for the hospital treatment of Mr. Schmitz. This means that Mr. Schmitz had to pay, on his own, for certain costs of his hospitalization to which he and others in his situation were entitled until 1981.

I propose that this is an unintended result, if not an unfortunate consequence, of the enactment of Public Law 97-35 and the closure of PHS hospitals. Since Mr. Schmitz believed the Federal Government would pay for these costs, he had no alternate, comprehensive medical insurance coverage other than what he was entitled to under medicare plan A under social security. This plan covers basic hospitalization but does not include doctor's costs and testing.

The purpose of this relief bill is to reimburse Mr. Schmitz' widow for the costs incurred during his illness. Due to this illness, she is in debt and has depleted the family savings in order to pay for her husband's hospitalization.

NOAA is trying to remedy this situation in general by enacting a generic amendment to 42 U.S.C. 253a to cover all retired NOAA vessel employees, ship's officers and their dependents, who are entitled to medical services by Public Law 88-71, but cannot obtain them due to the closure of PHS facilities. This amendment, incorporated in H.R. 3968 and S. 1102, has not yet been enacted.

In the meantime, I urge prompt passage of this bill for the relief of the widow of a valuable retired civilian employee who needs immediate financial assistance.●

THE MINING OF NICARAGUA'S HARBORS—AN ACT OF INTERNATIONAL LAWLESSNESS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. RANGEL. Mr. Speaker, we are witnessing yet another instance of

President Reagan's wild west method of conducting foreign affairs.

The mining of Nicaraguan ports is terroristic and blatantly illegal. President Reagan has granted our Central Intelligence Agency a broad license to wage an undeclared war against another sovereign nation. Because he opposes their form of government, he has seen fit to arm and train an unpopular rebel army, and to use Latin American mercenaries to lay mines in Nicaraguan waters. The result has been a huge loss of life and resources, and severe damage to the ships of several nations—including the Soviet Union and our allies.

This act is a criminal act, pure and simple. No convention or body of international law permits this kind of behavior. If the Soviets decided to mine ports anywhere in the world we would be the first to condemn them for their lawlessness. And rightly so. But here we have a situation where the Administration not only is encouraging the destruction of neutral shipping, but is denying the jurisdiction of the World Court to rule on those acts. This is dangerous, and downright hypocritical.

In defending our Lebanon incursion, President Reagan and his advisors launched blistering verbal assaults on what it termed "state-sponsored terrorism." Mr. Speaker, I ask you: What is the difference between a nation in the Middle East recruiting people to blow up car bombs in Beirut, and us recruiting people to explode mines in Nicaraguan waters? Both are indiscriminate, and both are illegal.

God help us when we glibly break international law as a means of conducting our foreign policy. And God help us when we start believing that our terrorism is more moral than someone else's terrorism. ●

POLISH REFUGEE ACT OF 1984

HON. ROBERT J. MRAZEK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. MRAZEK. Mr. Speaker, today I am introducing the Polish Refugee Act of 1984. I would like to invite my colleagues to cosponsor this humanitarian initiative to aid thousands of refugees who have fled political repression in Poland since the early 1980's.

Following the political crisis of 1981, approximately 50,000 people fled Poland to escape widespread oppression stemming from the crackdown on the solidarity movement and the imposition of marshall law. The lucky few were able to leave with their families, while many others were forced to flee with just a few possessions on their backs. The vast majority of the refu-

gees went to Vienna, where they received assistance from the International Red Cross and other international relief agencies.

After arriving safely in Western Europe, over 10,000 Polish refugees were granted political asylum in Austria, the United States and elsewhere. Yet, despite these efforts, thousands of Poles claiming political asylum in Vienna and other parts of Western Europe were stranded in these countries without a positive, final determination of their residency status.

At the same time, thousands of Polish dissidents arrived in the United States. Our Government determined that all refugees who were in this country on December 23, 1981 would be granted extended voluntary departure status, permitting them to stay in the country on a temporary basis. Yet such a determination failed completely to address the long-term residency needs of these citizens. In 1982, the U.S. Government denied close to 1,000 Polish refugees—90 percent of all claims—political asylum in this country. Currently, there are several thousand Poles in this country who live in fear of the day that their extended voluntary departure status may be revoked. For many, return to Poland would mean harassment, repression, or even imprisonment.

The Polish Refugee Act deals with this problem in several ways. It directs the Attorney General to take the steps needed to assure that Polish refugees inside and outside the United States are able to apply for refugee status under sections 207 and 208 of the Immigration and Nationality Act. Second, it lifts the numerical limitations of specified sections of the act applying to Polish refugees. Finally, the bill provides refugee assistance to Polish refugees in accordance with chapter 2 of title IV of the act.

Mr. Speaker, the plight of Polish refugees fleeing that totalitarian regime in Poland has been long neglected by the citizens and Government of our country. I believe that this measure provides reasonable assistance to these individuals and urge the House to act favorably on this proposal in the near future. ●

A TRIBUTE TO COSTAS COULIANOS

HON. RON de LUGO

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. DE LUGO. Mr. Speaker, I would like to bring to the attention of my colleagues the name of a very special member of my community; his name is Costas Coulianos.

A resident of the Virgin Islands for 44 years, Mr. Coulianos was recently

selected for the Rotary Club's 1984 Man of the Year Award, a well-deserved tribute to a very fine person.

Costas Coulianos graduated from the Poseidon Merchant Marine Academy in his native land of Greece, and spent 30 years at sea as captain of various oil tankers.

In my district, Costas is known to all for his extensive community service and work in many civic groups. He has served as a United Way board chairman, president and treasurer of the USO, district governor of the Rotary Club, and director of the Navy League. He is presently on the Virgin Islands Port Authority's board of directors and has his own company, the Coulianos Maritime Agency, which he founded in 1973. Not surprisingly, he has been listed in the "Who's Who in America."

Costas Coulianos is also a family man, and a good friend to many. This man, who has experienced so much of life and given so much of himself to my community, has a belief which I would like to share with you, and that is that, "Community involvement is the key to productive citizenship."

The Virgin Islands certainly has a productive, but above all, a very highly respected and loved citizen: Costas Coulianos. ●

HUMAN RIGHTS IN THE SOVIET UNION

HON. RICHARD A. GEPHARDT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. GEPHARDT. Mr. Speaker, many of us are aware of the denial of basic human rights in the Soviet Union, especially of the terrible plight of Jewish refuseniks. It is imperative that we not forget this in all of our dealings with the Soviet Union. We must maintain a constant pressure on the Soviets to allow these people to emigrate. With that in mind, I would urge all of my colleagues to read the statement from the Jewish Community Relations Council of St. Louis.

The Jewish Community Relations Council of St. Louis, in conjunction with the National Conference on Soviet Jewry and the National Jewish Community Relations Advisory Council, representing 113 community relations agencies throughout the country, urges that the American government takes every opportunity to act on behalf of five Soviet Jewish "refuseniks." These five cases reflect the ongoing harassment by the Soviet government of members of the Jewish community. Our concern for them and for their right to decent treatment and the right to emigration is ongoing.

The first case is that of former Prisoner of Conscience Grigory Goldshtein, a physicist from Tbilisi, who is accused of "taking advantage of his position" at the Central Bureau of Statistics, and may face a new, three to five year prison term. He has been

informed that his file was transferred to a local prosecutor. He has protested the move with a detailed letter to the First Secretary of the Georgian Republic's Communist Party. Harassment of Goldshtein and the threat of another sentence is a sign of continuing surveillance of committed Jewish activists, which we condemn.

Leningrad refusenik and Jewish cultural activist Mikhail Beizer was threatened with arrest by authorities if he fails to "discontinue his activities." He has taught at private seminars on Jewish history and culture, and conducted unofficial tours of Leningrad's sites of Jewish interest. We protest this interference with Beizer's human right to learn and perpetuate his own culture and religion.

Prisoner of Conscience Victor Brailovsky is due to be released in March. A scientist of international reputation, Brailovsky continues to suffer for his Jewish activism. We express our concern that, once released, he be allowed to emigrate to Israel with his family. We look for a time when his knowledge can be contributed to the West rather than imprisoned in a Jewish jail.

In two cases, we support the emigration of Soviet Jewish individuals who are ill and seek the right to medical care outside the U.S.S.R. Wife of Moscow physicist Naum Meiman, Mrs. Ina Meiman, is gravely ill after undergoing a painful operation for a tumor in October. She was refused permission to leave for Israel where treatment is available.

Nadezhda Fradkova has been hospitalized as a result of a life-threatening hunger strike in protest of the denial of the right to emigration. Rather than being force-fed and under guard, Fradkova should be allowed to leave for Israel. We protest the Soviet government's refusal of medical care.

We commend the agencies working in behalf of Soviet Jews and continue to press for the American government to work on their behalf in all appropriate channels.●

MANUEL ESPINOZA ESQUEDA: A DEDICATED HISPANIC COMMUNITY LEADER

HON. JERRY M. PATTERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. PATTERSON. Mr. Speaker, I am proud to join the Orange County District Council of the League of United Latin American Citizens (LULAC) in saluting Manuel Espinoza Esqueda. Manuel has been selected as the recipient of LULAC's Community Award—a tribute to his many achievements on behalf of the Hispanic community.

I have known and admired Manuel for many years. He grew up in a modest neighborhood in Santa Ana, Calif., where I once served as mayor. The Delhi barrio, as this community is called, instilled in Manuel a strong sense of loyalty, determination, and compassion early in life. It remains a great source of pride for Manuel today. This year, he founded the Delhi Reunion, an organization of friends and residents dedicated to quality edu-

cation for students attending the James Monroe Elementary School.

The Delhi Reunion is only one example of the opportunities which Manuel has initiated for young people. Another is a scholarship program, "Time and Time Again," which he founded in 1978 to assist Mexican-American students in meeting their career goals. Earlier, Manuel dedicated his efforts to expanding scholarship opportunities for almost 400 students as founder of the Gemini Club.

Mr. Esqueda is also committed to assisting the poor of underdeveloped nations. As chairman of the "People to People Program," he raised more than \$300,000 for Santa Ana, Calif.'s sister city located in El Salvador. This assistance enabled residents of Santa Ana, El Salvador to purchase medical equipment, school supplies, and a fire engine.

Manuel Esqueda is a remarkably proud and patriotic American. During 18 years as an American Legion volunteer, he has instructed more than 18,000 individuals applying for citizenship.

His energy and humanitarian spirit are boundless. Manuel has been honored by the Orange County Department of Education, Santa Ana College and the city of Santa Ana for his many years of community service. As Santa Ana's "Man of the Year," Manuel has been acknowledged for his outstanding record of voluntarism and his professional achievements in bank management.

It is no surprise that Manuel Esqueda has been selected to receive the LULAC Community Award. He is a superb representative of LULAC in southern California, who has always sought improved understanding among all peoples. His exemplary record of life-long commitment and dedication to the community merits this tribute.

I ask my colleagues in the House of Representatives to join in honoring Manuel Esqueda.●

THE 20-YEAR ANNIVERSARY OF GREATER CLEVELAND'S SINGING ANGELS

HON. EDWARD F. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. FEIGHAN. Mr. Speaker, this month, Greater Cleveland's Singing Angels celebrate 20 years of making music throughout the world. They have helped to spread joy and hope into the lives of millions of listeners, and their music has enriched the lives of more people than can be imagined.

The Singing Angels, 250 strong, have served as good will ambassador for the city of Cleveland, for Ohio, and for

the United States. Since 1974, when they began to tour internationally, the Singing Angels have expressed our musical heritage to the people of the Far East, Mexico, the Middle East, the British Isles, and Europe. They have also become the favorite of American Presidents—performing at the White House for Presidents Nixon, Carter, and Reagan.

The consolidated voices of 250 youngsters could not create such beautiful strains without the efforts of Bill Boehm, founder of the Singing Angels. Over two decades ago, when Bill discovered the absence of music in the lives of our young people, he formed the group to get the children singing. No one could have foreseen the musical institution that was to develop from his discovery.

I know all my colleagues will join in congratulating Bill Boehm and all the youngsters who have been Singing Angels over the years. Their contribution to the quality of choral singing has been a source of pride and admiration for two decades, and I know we look forward to hearing from them often in the coming years.●

THE CIVIL RIGHTS ACT OF 1984

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mrs. JOHNSON. Mr. Speaker, I am proud to be an original cosponsor of legislation through which Congress will reaffirm its commitment to equal opportunity for all, regardless of race, sex, age, or physical handicap. The Civil Rights Act of 1984, introduced in the House of Representatives with bipartisan support, clearly confirms that discrimination has no place in our society and bars recipients of Federal funds from discriminatory practices.

On February 28 of this year, the Supreme Court handed down a decision which, if we in the legislative branch do not take action, will severely restrict enforcement of title IX of the Education Amendments of 1972, the only Federal law prohibiting discrimination in education on the basis of sex. Unhappily, this decision, in the case of Grove City College versus Bell, also presents serious ramifications for civil rights statutes with parallel language, namely section 504 of the Rehabilitation Act, the Age Discrimination Act, and title VI of the Civil Rights Act, upon which the previous three laws were modeled.

The legislation which was introduced today clarifies the intent of Congress when it passed these four statutes, and establishes in law what is accepted practice with broad support in our society. The purpose of the original title IX legislation was to end

discrimination across the board and assume equal access for women to all programs of an institution receiving Federal funds.

Now, according to the Court, departments in an educational facility can blatantly discriminate if Federal funds are not directly allocated to that specific department, while being forced to provide equal opportunity in isolated programs that receive direct Federal funds. Thus, an institution could receive up to 100 percent of its tuition money from Federal student aid and only the financial aid department would be subject to title IX requirements. Furthermore, a victim of sexual harassment would have to be harassed in the financial aid office or by a member of the financial aid staff to be protected by the statute.

Predictably, the Supreme Court's decision has already created confusion among school districts and universities unsure of its impact, and has the potential to deluge the Department of Education with paperwork as they attempt to trace Federal funds.

And what of the implications for other civil rights laws? Will we return to the practices common before the passage of title VI, when discrimination on the basis of race and national origin was subsidized by Federal dollars; before section 504 allowed disabled people to be integrated into all aspects of American life; before the Age Discrimination Act addressed discrimination in federally funded health care, vocational rehabilitation, adult education, and professional school admissions?

It is disappointing that we in Congress must backtrack to reaffirm the essential legal safeguards provided by these four statutes, but it is incumbent upon us to do so promptly in light of the Supreme Court decision. The comprehensive impact of title IX must be restored in education, and freedom from discrimination on the basis of race, for the elderly, and for the disabled must be assured.●

NATIONAL LIBRARY WEEK

HON. NICK JOE RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 11, 1984

● Mr. RAHALL. Mr. Speaker, this is National Library Week and I wish to recognize and commend all librarians in West Virginia who serve in public and county, high school, and college libraries.

As I was advised earlier this week by a delegation from the West Virginia Library Association, libraries today are into much more than the business of lending books. They are also in the business of literacy programs, computerized information retrieval, and a

wide variety of educational programs. However, their basic purpose remains the free flow of information to any and all people. Indeed, libraries are meeting the new challenges of our age.

Nonetheless, libraries are also saddled with many problems which must be addressed. The elimination of postal subsidies as the administration proposes would threaten mail-a-book programs. In the area of telecommunications, high access charges would jeopardize other services.

One of the major library-related legislative items in the Congress is the reauthorization and extension of the Library Services and Construction Act. Last January, the House of Representatives passed H.R. 2878 to amend and extend LSCA. This legislation is of the utmost importance for library services and construction and I would urge the other body to act expeditiously on this matter.

The Higher Education Act reauthorization will also affect libraries. Title II of this act provides for college library resources, training, research, and development and I look forward to working to make sure any reauthorization bill contains the necessary provisions in these areas.

With respect to the ECIA block grants, it has come to my attention that school library media centers must compete with 27 other programs for funds. It is my hope that in West Virginia, the appropriate authorities would examine the needs of our school libraries with respect to the acquisition and utilization of library resources, textbooks, and instructional equipment and allocate an adequate and reasonable amount of the block grant for these purposes.

Mr. Speaker, libraries are places of discovery, of skill development and of training. During National Library Week, let us examine the requirements of these great institutions so that they may continue to meet the needs of society during every week of the year.●

COMMENDING THE SACRAMENTO POLICE OFFICERS ASSOCIATION

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. MATSUI. Mr. Speaker, I would like to call your attention to the outstanding community service record of the Sacramento Police Officers Association and its current president, Officer Richard Lucero. This association provides members of the police force, especially the street officers, with a voice of representation and insures that the legitimate concerns and interests of police officers who risk their

lives daily to protect the general public are adequately addressed by city officials.

The association was originally conceived in mid-1969—largely to secure an adequate retirement system and retirement benefits for law enforcement professionals. However, it became clear that police officers needed representation on a number of issues relating to work conditions, health benefits, and compensation. So, the association was officially formed and elected its first president, Lt. Richard Gregson. The peace officers group established a lasting dialog with the city council—helping to better attune the police force to the community's needs as well as to better represent the officers' own interests.

Under the able leadership of the current president, Richard Lucero, the association has set new standards in community relations and has become a vocal and influential voice in guiding the department toward "community-oriented policing." Mr. Lucero himself has set an admirable example as a regular volunteer for the Sacramento chapter of the "March of Dimes Telethon" and in his involvement in the Big Brother organization, as well as in his division assignments, where he develops new crime analysis and coordinates proactive patrol programs with the community.

Amid economic hardship felt nationwide, the Sacramento Police Officers Association and its members have flourished while making the city's police force one of the best in the country. In addition to serving the community well, the association has also secured well-deserved improvements in benefits for its members, established stronger and more harmonious ties with the public and encouraged progressive techniques to combat crime and protect the community. Mr. Speaker, I know you will want to join me in applauding the fine contributions this worthy organization has provided and continues to perform for the Sacramento community.●

TAXPAYERS' RIGHTS

HON. CECIL (CEC) HEFTEL

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. HEFTEL of Hawaii. Mr. Speaker, today I have introduced legislation to amend the Internal Revenue Code to give taxpayers the right to record interviews while transacting business with the Internal Revenue Service, as during tax audits. Current practice is for the IRS to permit electronic recordings to be made only in IRS offices, and only with the approval of an IRS manager.

Given the complexity of income tax forms and procedures, many taxpayers need an exact account of their interview with the IRS to assure that they, and their representatives, have a clear understanding—and a clear record—of what has been agreed upon with the IRS officer, what remains in dispute, and what rights and responsibilities they have in the resolution of any question concerning their tax liabilities. Such clarity can be gained only by making a recording of the event.

Under this bill, the IRS staff member who interviews a taxpayer in connection with the assessment of a tax deficiency would be required to conduct that interview at a reasonable time and at a place reasonably convenient to the taxpayer. That could be in the taxpayer's office, as well as in the IRS office. Further, the IRS would be required to allow the taxpayer to record the interview, rather than merely having an option to do so.

Of course, an evenhanded policy requires that the IRS also have the right to record, even if the taxpayer makes no request. That right is given to the IRS, provided that its staff member informs the taxpayer prior to the interview that it will be recorded and provides him with a transcript at the request of the taxpayer and on his reimbursing the IRS for the cost of reproduction.

Before an interview is recorded, the bill provides that the IRS must warn the taxpayer of his legal right to remain silent and that any statement he makes may be used against him. Further, the taxpayer must be told that he has the right to have present an attorney, accountant, or other practitioner who helped him prepare his tax return and is familiar with its contents.

The provisions of this bill are also included in S. 2400. I urge that we in this House work toward the adoption of this important addition to the taxpayer's bill of rights.●

COMMENDING 50 YEARS OF
COMMUNITY SERVICE BY THE
SACRAMENTO SAFETY COUNCIL

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. FAZIO. Mr. Speaker, I rise today to commend the Sacramento Safety Council for 50 years of service to the greater Sacramento community and the State of California.

The Sacramento Safety Council was founded in 1934 under the sponsorship of 11 Sacramento business, and industrial and civic leaders to reduce accidents in Sacramento County. A year

later, in 1935, the council was chartered as a chapter of the National Safety Council and in 1959 the council was incorporated under the laws of the State of California.

Mr. Speaker, the Sacramento Safety Council has served as a model for similar groups around the country. It built the Safety Center of California to provide a facility to train people from throughout California in accident prevention practices, including improved traffic, occupational, home, and recreational safety.

Further, Mr. Speaker, in 1983, the council established the Safety Center Inc. of California to provide accident prevention services to communities throughout the State of California.

The Safety Center has pursued a number of innovative and worthwhile projects. For example, it has constructed Safetyville, a replica of several typical blocks of a community (one-third scale) on a 2.5 acre site, to train school-age children in accident prevention techniques that will help them live healthier and happier lives.

The Safety Center also conducts research and analysis of accident frequency and severity to identify specific priority accident problems. It then develops and operates educational programs to impact these problem areas.

The center has trained over 124,000 persons in accident prevention programs during the past 20 years, saving an estimated 79 fatal accidents and 7,933 disabling injuries, and saving the public over \$71 million in accident related costs.

For good reasons, Mr. Speaker, the Sacramento Safety Council has realized tremendous growth over the last 50 years and today is one of the largest, most progressive safety councils in the Nation.

Mr. Speaker, I ask my colleagues to join me in commending the Sacramento Safety Council/Safety Center on its 50th anniversary of dedicated accident prevention service to the Sacramento Community and the State of California.●

IN CELEBRATION OF
KALAMAZOO'S CENTENNIAL

HON. HOWARD WOLPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. WOLPE. Mr. Speaker, over the past 15 years in various levels of government, it has been my privilege to represent the people of Kalamazoo, Mich. Those who have had the pleasure to live in Kalamazoo know that it is a very special community—one that harbors a deep sense of civic pride.

This week, those of us from Kalamazoo have a little more about which to be proud. This Saturday marks the city's 100th anniversary.

From its humble beginnings in 1829 when the city's first settler, Titus Bronson, laid claim to a small tract of land near the Kalamazoo River, the city has grown into a vital, vibrant, and economically active community.

Today, Kalamazoo is a city of unique economic diversity. It is the national headquarters of the Upjohn Co., one of this Nation's leading pharmaceutical manufacturers. Within the city's boundaries has grown a substantial paper industry. And in factories throughout the city, workers continue to produce essential components for Michigan's recovering automotive industry.

But Kalamazoo is not a place for work alone. The people of Kalamazoo are unique for their determined and enthusiastic support of the arts. Indeed, both the quality and quantity of cultural activity in Kalamazoo rivals that of cities many times its size. Among the treasures in Kalamazoo's cultural portfolio are a prolific civic theater, several summer stock companies, a world-renowned symphony orchestra, and the much-acclaimed Gilmore Art Collection. And Kalamazoo's four colleges—Kalamazoo College, Nazareth College, Western Michigan University, and Kalamazoo Valley Community College—have made the city a center of learning and academic endeavor.

Mr. Speaker, I rise today in celebration of the city's centennial year, and to pay tribute to a truly extraordinary community.●

NATIONAL VOLUNTEER FIRE-
FIGHTER RECOGNITION DAY

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. GILMAN. Mr. Speaker, I rise in support of House Joint Resolution 330, legislation that would designate August 20, 1984 as "National Volunteer Firefighter Recognition Day."

Our country was founded by men and women of courage, dedication and a selflessness born out of a desire to work for the common good of an emerging nation. Americans can still find these qualities amongst our Nation's thousands of volunteer firefighters.

In an era when millions of Americans seem to be searching for the heroes of yesteryear, many need not look farther than their hometown firehouse. There they will find men and women on constant vigil, prepared at a moment's notice to risk their lives for the sake of others.

The volunteer firefighter comes from all walks of life. Among our volunteers one can find lawyers, bankers, bakers, and teachers who at first

glance seem to have little in common. Yet they share a bond and a commitment that has been consummated by the taste of black, gritty smoke spewing from an inferno which once might have been a neighbor's home. The willingness to stand up and challenge such a destructive force comes from an uncommon quality of character which is in fact common place among our Nation's volunteer firefighters.

There are many who believe that we do not pay our municipal firefighters nearly enough. They ask how we can ask a man or woman to pursue a career in which one must turn his life over to uncertainty every working day. This being true, what can we say of our volunteer firefighters? How can we repay these people who willingly enter a world of peril without remuneration, a world that indiscriminately takes them away from family and friends, a world that jeopardizes both their immediate life and long-term health.

In fact, there is no remuneration worthy of the services these courageous people have rendered. There is no accolade that can do justice to the more than 500 brave volunteer firefighters who made the ultimate sacrifice.

At the very least, we in the Congress can offer them homage. We can unite in demonstrating our respect and admiration for these modern day men and women of valor. House Joint Resolution 330 will enable our Nation to demonstrate its appreciation for the security and safety the volunteer firefighter has provided to so many. It will give thousands of communities the opportunity and the impetus to herald these people who so often go unnoticed.

Mr. Speaker, I reiterate my support for House Joint Resolution 330 and look forward to our Nation's celebrations commemorating our volunteer firefighters.●

NATIONAL DRAFTING WEEK

HON. CLAUDINE SCHNEIDER

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mrs. SCHNEIDER. Mr. Speaker, this week of April 9-14, 1984, has been designated as National Drafting Week by the American Institute for Design and Drafting (AIDD). I invite my colleagues to join me today in honoring the more than 360,000 designers and draftsmen in America.

In a society such as our own which places a premium on technological development and innovation, we too often overlook the efforts of the men and women who make our dreams become reality. Over the next 40 years, the equivalent of another America will be built in this country. Yet

before a single cornerstone can be laid, the builders must have precise, accurate plans and drawings. Builders and architects need trained and confident drafters who can put their ideas on paper. And without these skilled individuals, we would have no new homes for our citizens, no new schools for our children, and no new places of business to sustain our economy.

The importance of the drafting and design professions and the exceptional opportunities they make available is well known in my own State of Rhode Island, and we are fortunate to have an outstanding technical school, the Hall Institute, located in Pawtucket. Hundreds of New Englanders have come to Hall for proper and thorough training as drafters, interior design technicians, and computer-aided drafting operators, and have gone on to pursue challenging careers and positions of responsibility. During the past 4 consecutive years, Hall students have distinguished themselves as serious and talented individuals by winning national awards in the AIDD National Drafting Contest.

I am pleased to have opportunity to commend the standards of quality set by the Hall Institute and I wish them continued success in their endeavors. The fine work of Hall students and the dedication of its faculty exemplify the significant contributions which designers and draftsmen make to our Nation.●

BEWARE THE COMMITTEE TO PRESERVE SOCIAL SECURITY AND MEDICARE

HON. LYNN MARTIN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mrs. MARTIN of Illinois. Mr. Speaker, the National Committee to Preserve Social Security and Medicare, under the guidance of former Congressman James Roosevelt, has been mailing to many senior citizens in my congressional district and throughout the country a plea for money to maintain his organization's lobbying efforts.

While there is nothing inherently wrong with direct mail solicitations, the tactics which Mr. Roosevelt has been using to solicit financial support have been questionable at best.

Some seniors in Rockford and northwest Illinois have already received Mr. Roosevelt's mailings. The envelope carries an official-looking seal and a message that the contents are urgent for social security recipients. The main problem with this mailing is that Mr. Roosevelt uses unclear, misleading and incorrect statements to encourage seniors to contribute \$10 to his organization. I have received calls from many

of the senior citizens in my district who are scared that the social security benefits will be immediately terminated if they do not join Mr. Roosevelt's group.

Many of our seniors depend heavily and some entirely, upon social security for their regular income. It is understandable that they are upset, distraught, confused, and angry about the letters. The fact that Franklin Roosevelt's son, and a former Member of Congress, would lead or support this type of work angers me as well.

I am pleased to see that my colleague, Congressman SHERWOOD BOEHLERT, is taking proactive measures to combat the misinformation which the Committee to Preserve Social Security and Medicare had distributed. He has met with James Roosevelt and his attorney to discuss the situation at length and offered advice on how the confusion caused in the past can be avoided in the future. In addition to asking the U.S. Postal Service to examine the case to see if any misuse of the mail system has been made, he has contacted the Justice Department to ask that they intervene in the situation if appropriate.

Mr. Chairman, it would be erroneous to suggest that our social security and medicare programs will need no future reform in order to insure a strong, stable retirement and health insurance system for the generations to follow. Frightening our seniors with scare tactics, however, is not the proper way to address the issue. Taking money from our Nation's elderly under false pretenses needs to be denounced in the strongest terms, and appropriate action must be taken by the authorities if any violations of law have taken place.

I intend to follow this issue closely and am glad to relay that congressional hearings on it are being considered for the near future. Social security and medicare benefits will not be cut just because our senior don't mail in their \$10 dues to James Roosevelt. We simply must not tolerate the deception—overt or covert—of our seniors.●

RESOLUTION CONDEMNING IRAQ AND IRAN

HON. ED BETHUNE

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. BETHUNE. Mr. Speaker, Congresswoman SNOWE and I and several of our colleagues are today introducing a resolution condemning Iraq for using chemical weapons and Iran for its use of human waves of young children and elderly citizens in the Iran-Iraq war.

A United Nations team of chemical weapons specialists confirmed not only

the use of mustard gas, but also the use of nerve agent. Congress should not ignore these violations and the frightening precedent created by this use of chemical weapons.

There have been widespread reports of the use of chemical weapons by other countries, and the confirmation of Iraq's use of these weapons only encourages further use. It is time for us to try and put a stop to the use of chemical weapons.

I believe the President is on the right track with his proposed treaty banning the development, production, possession, transfer, and use of chemical weapons. President Reagan is sending Vice President Bush to Geneva next week to introduce this treaty at the ongoing Conference on Disarmament.

Iran is also to be condemned for its actions in the Iran-Iraq war. The Iranian Government is acting just as despicably as Iraq by sending in human waves of young children and elderly citizens to attempt to win this war.

Both Iran and Iraq have resorted to desperate measures. They have brought human conduct to a new low. These types of actions would not and should not ever be considered by civilized nations.

I hope other Members of Congress will join us in condemning Iran and Iraq for their conduct.●

IN TRIBUTE TO THE SACRAMENTO SAFETY COUNCIL

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. MATSUI. Mr. Speaker, I am honored to pay tribute to the vital services of the Sacramento Safety Council on their 50th anniversary of service to the Sacramento community.

The Sacramento Safety Council was originated in 1934 through the concerns of civic and business leaders to promote safety in all aspects of the community. This dedicated public service organization continues to work diligently today to prevent and eliminate accidents in places of work, recreation, transportation, and in our homes.

The National Safety Council has recognized the outstanding accomplishments of the Sacramento Safety Council as is indicative of their 20 consecutive years of accreditation as an all-purpose chapter. Noteworthy of its many achievements is the construction of the Safety Center of California, a facility to train citizens throughout the State in accident prevention practices. Through the research and analysis of accident frequency and the safety education provided by the Safety Center of California, over

124,000 persons have been trained in accident prevention practices during the past 20 years, averting 70 fatal accidents and 7,993 disabling injuries and contributing to over \$70 million in savings in accident-related costs.

In addition to providing adult safety education, the Sacramento Safety Council has recently constructed "Safetyville," a unique, youth-oriented accident-prevention model program for the United States. "Safetyville," a small-scale replica of a community, teaches children prevention techniques that will help them live healthier and happier lives.

I salute the members and volunteers of the Sacramento Safety Council on their 50th anniversary. This organization's selfless determination and tireless efforts in insuring the safety and well-being of others greatly contributes to the enhanced welfare of our community, our State, and our Nation.●

A. PHILIP RANDOLPH INSTITUTE BANQUET

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. MAZZOLI. Mr. Speaker, on Friday, April 20, 1984, the Louisville Chapter of the A. Philip Randolph Institute will hold its annual memorial banquet honoring the late A. Philip Randolph's many contributions to this Nation.

The banquet's theme—"Register and Vote/Your Future Depends on It"—is a very appropriate theme to honor Mr. Randolph who devoted much of his life to the struggles of working men and women for a better life.

I commend Mr. Booker T. Lester, president of the Louisville Chapter of the A. Philip Institute, all the institute's board members and staff for their outstanding work and service.

Over the years the institute has sponsored many voter education and registration projects in the Louisville area. It has contributed greatly to advancements in the areas of civil rights and labor reform in our community. A. Philip Randolph always will be remembered as one of the Nation's great leaders.

The outstanding work of the institute is truly a fitting legacy of A. Philip Randolph.●

CHARTER FOR THE NATIONAL ACADEMY OF PUBLIC ADMINIS- TRATION

HON. BARBER B. CONABLE, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. CONABLE. Mr. Speaker, as a member of the National Academy of Public Administration, I would like to thank my colleagues in both Houses for the support they gave the legislation chartering the National Academy. The bill, H.R. 3249, passed this body on November 14 last year by a vote of 401 to 2. The Senate passed this same bill by unanimous consent on March 27.

The overwhelming support of a Federal charter for the National Academy is testament to the importance Members of Congress attach to advancing effective Government. Since it was founded in 1967, the nonpartisan National Academy has played a vital role in making our public institutions work better.

All administrations, both Republican and Democratic, have recognized the importance of the sort of experienced, objective counsel on matters of public administration that the National Academy can provide. They have repeatedly called upon the Academy, which is composed of more than 300 high-level practitioners and scholars of public administration. Congress, the judiciary, and State and local governments have also sought its expertise.

The National Academy's studies are not simply academic dissertations that lie on shelves collecting dust; they are thorough analyses with practical recommendations for improving Government. Its official clients have to good effect carried out changes in the way they manage issues as diverse as the commercialization of space technologies, and improving data processing and telecommunications systems. In addition, the National Academy has had broad recommendations for institutional change implemented, even some within the Office of the President.

Like its sister institution, the National Academy of Sciences, it has proven itself an invaluable resource to Government. In this time of budget cutbacks and high deficits, our public institutions more than ever need the expertise it can offer to make Government more efficient and effective.●

FATHER GODFREY MEIERGERD
HONORED

HON. HAL DAUB

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. DAUB. Mr. Speaker, the vitality of Catholic education in this country can be traced directly to the dedicated individuals in the school system who are committed to the highest moral and academic standards for their students.

Father Godfrey Meiergerd, pastor of St. Rose of Lima parish in Hooper, Nebr., is one such individual, and his achievements will be appropriately recognized this month when he receives the Omaha Archdiocesan board of education's prestigious award for outstanding contribution to total Catholic education in the Archdiocese of Omaha.

Father Meiergerd was ordained at St. Cecilia Cathedral in Omaha on May 23, 1942. His service to Nebraska parishes includes St. Mary's Church in West Point, St. Phillip and James Parish near Wynot, Holy Family Parish in Lindsay, and his current position as pastor of St. Rose of Lima and St. Lawrence in Scribner.

In both Lindsay and West Point, father served as superintendent of schools, and while at Central Catholic in West Point, he was instrumental in starting an endowment plan to insure the financial stability of the school for the future.

Father Meiergerd's advocacy of quality education has rightfully earned him the respect of his colleagues and of the entire community. I am pleased to have this opportunity to bring his achievement to the attention of the Congress.●

PERSONAL EXPLANATION

HON. WILLIAM F. CLINGER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. CLINGER. Mr. Speaker, on April 11, 1984, I was absent from the floor of the House of Representatives because I was addressing the Pennsylvania Association of Township Supervisors in Hershey, Pa. Had I been present, I would have voted in the following fashion.

Rollcall No. 79, Journal; the House approved the Journal of Tuesday, April 10, "yes."●

EXTENSIONS OF REMARKS

LOUISVILLE INDUSTRIAL
OPPORTUNITIES CENTER (IOC)

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. MAZZOLI. Mr. Speaker, on Wednesday, April 18, 1984, the Louisville Industrial Opportunities Center, Inc. (IOC) will host its annual Golden Key Awards Banquet in Louisville, Ky. I am delighted that my colleague, congressional classmate, 92d Congress, and Small Business Committee chairman, the Honorable PARREN MITCHELL, will be the guest speaker at the banquet.

The Louisville IOC under the strong leadership of Executive Director, Mrs. Johnetta Marshall, has directed job training and placement for many students over the past 17 years. With the unacceptably high unemployment rate which persists among youth and minorities, the mission of IOC is more important now than ever.

I commend IOC, Johnetta Marshall, her staff and all the businesses and organizations which support IOC over the years. Keep up the good work.●

TRIBUTE TO OSCAR JOHNSON

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. LAGOMARSINO. Mr. Speaker, I appreciate this opportunity to extend recognition to one of my most distinguished constituents on the occasion of his retirement from the Southern California Gas Co.

Oscar Johnson is retiring after 38 years with the gas company, having started in 1946 as a meter reader. He was promoted after 16 months to customer services then rapidly moved up the promotional ladder. In 1972, he became Ventura County district manager, a post he occupies until June 1, 1984.

In addition to his fine job performance with the gas company, Oscar has been very active in many civic organizations including the Ventura County Economic Development Association; Ventura County Council, Navy League; Ventura County Taxpayers' Association; Oxnard Salvation Army Advisory Board; Advisory Committee for the Commission on Human Concerns; Oxnard College Advisory Committee; area manager for Oxnard-Port Hueneme United Way; president-elect of Oxnard Rotary Club; Junior Live-stock Auction Committee of the Ventura County Fair; Economic Development Committees of the Oxnard and Ventura Chambers of Commerce, and Youth Services Network board of directors.

Oscar's tireless work on behalf of the economic, social, and educational development of Ventura County to the benefit of all its citizens is evidenced by this impressive record of community service.

Oscar and his wife, Marjorie, will start his retirement by attending the Rotary convention in Birmingham, England. After beginning his term as president of the Oxnard Rotary Club on July 1, 1984, he and Marjorie will no doubt spend more time visiting their three children and eight grandchildren in California and Texas. I extend to Oscar and Marjorie the best wishes of this body and our hopes for a long, enjoyable, and productive retirement.●

THOMAS FLEAGLE ACHIEVES
RANK OF EAGLE SCOUT

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. YATRON. Mr. Speaker, I would like to take this opportunity to say a few words about Mr. Thomas Fleagle, a constituent of mine from Schuylkill Haven, Pa.

Mr. Fleagle is a fine young man who recently passed his review for the rank of Eagle Scout. This is indeed a tremendous achievement and I am very glad to commend and congratulate him before all of you here today.

The rank of Eagle Scout is not easily achieved and is awarded only to those few who have excelled in many dimensions of citizenship. It is a testimony to a person's character, integrity, intelligence, perseverance, dedication, and loyalty to our country.

I am very happy for Tom and I know he must be extremely proud of this noteworthy and important award. It is young people such as Tom who renew our confidence in the next generation to carry the mantle of leadership in building a better America. I know all of you join with me in congratulating Tom and in wishing him the very best in all his future endeavors. Undoubtedly, Thomas Fleagle will serve as an inspiration to other young Americans.●

A TRIBUTE TO JERRY
WEINTRAUB

HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. LEVINE of California. Mr. Speaker, I rise today in honor of Jerry Weintraub, a close personal friend of mine who will receive the 1984 Big Heart Community Achievement Award

on April 25. Jerry will be honored by the Variety Club of Southern California for his worldwide humanitarianism and compassion for others, and he is most deserving of this prestigious award.

A man of many talents, Jerry is known as one of the most powerful figures in California's entertainment industry. He heads the successful Beverly Hills entertainment company known as Management III and represents a list of clients including Frank Sinatra, John Denver, Bob Dylan, and Neil Diamond. But, more important than that, Jerry has a big heart. Jerry is deeply committed to a list of charitable and cultural endeavors including St. John's Hospital in Santa Monica, Bonds for Israel, and the promotion of cultural exchanges between the United States, the Soviet Union, and China.

Jerry Weintraub is a unique individual, charming, warm, and extraordinarily talented. I am delighted he is receiving this special award.

I ask my colleagues to join me in congratulating Jerry, his terrific wife Jane, and his children, Michael, Julie, Jamie, and Jody, and to wish them many more years of success and fulfillment. ●

IN SUPPORT OF NATIONAL DAY
OF RECOGNITION OF MAN'S
INHUMANITY TO MAN

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 12, 1984

● Mr. MATSUI. Mr. Speaker, the lack of principle and moral vision in this administration's foreign policy extends well beyond the recent debacles in Lebanon and Central America. This week, the administration announced that it is opposed to establishing a National Day of Recognition of Man's Inhumanity to Man. Apparently the ad-

ministration opposes this day of remembrance on the grounds that it would damage our relations with Turkey.

Mr. Speaker, I would indeed hope that our relations with Turkey are firm enough that our country can still remember the victims of genocide. But beyond that, what is happening here is symbolic of what is wrong with the administration's entire foreign policy. Once again, we are refusing to do what is right and stand up for causes that are just with the result that we are damaging our own long-term interests.

By opposing this day of remembrance, the administration is telling the Armenian people that the most powerful and democratic Nation in the world is no longer willing to stand up for the oppressed and the victims of tyranny. I urge my colleagues on both sides of the aisle to support this resolution. ●