

EXTENSIONS OF REMARKS

MEMORIAL TRIBUTE TO
PATRICK M. FAGAN

HON. DENNIS M. HERTEL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 3, 1985

Mr. HERTEL of Michigan. Mr. Speaker, today I would like to pay tribute to one of our most loved public servants, Mr. Patrick M. Fagan, who passed away this afternoon after a long illness.

Seventeen years ago, Patrick Fagan left the Detroit Police Force to serve the people of Grosse Pointe Woods as a public safety officer. Since the beginning of his career, Mr. Fagan did more than could ever have been asked of him. Patrick Fagan was devoted to children and to their safety. He was a crime prevention officer and a traffic safety officer, he served in the youth services department for many years and has served on the substance abuse council.

In addition to his regular duties, he voluntarily attended outside courses on many subjects. Mr. Fagan was particularly interested in magic and public speaking. The department actively supported these pursuits to the extent of actually sending him to learn more about magic so that he could enhance his communication with the children of the community. His interest in public speaking led him to become an accomplished toastmaster and master of ceremonies, serving at many special functions in the community over the years. He was also a member of the local Fraternal Order of Police and served as the State Fraternal Order of Police District Director.

Patrick Fagan's devotion to his community is only an example of the loving nature of this fine man. Even though he was not an avid sportsman, he liked nothing better than to spend time enjoying the peacefulness of the nearest fishing hole.

He was a devoted family man to his wife, Karen and his daughter, Christine.

Although Mr. Fagan was physically affected by his illness, it did not dim his spirit nor dull his loving nature in any way. I, along with his family, friends, fellow officers, and everyone in the community, will always remember the caring deeds and steadfast courage of our special friend, Patrick Fagan.

I respectfully ask my colleagues to join me in honoring this fine man, who was loved by all who knew him.

THE RECREATIONAL MARINE
CRAFT ACT OF 1985

HON. JOHN R. MCKERNAN, JR.

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. MCKERNAN. Mr. Speaker, today I am introducing the Recreational Marine Craft Act of 1985, as a way to draw attention to and rectify one of the more onerous trade inequities that currently exists. The intent of this bill is to reduce Canadian tariffs on sailboats and other pleasure craft—presently about seven times the rate of the American tariff—and to foster greater trade between the two nations.

The United States has long been the world's premier producer of sailboats and other recreational marine craft. These vessels have been recognized for their quality, performance, and reliability; in particular, Maine vessels have an international reputation for their fine craftsmanship. Unfortunately, the inequitable tariffs imposed by the Government of Canada have severely impeded the efforts of United States manufacturers to export their product to Canada.

Trade with Canada is hampered by Canadian tariffs that stand in defiance of fair trade. The existing U.S. tariff on pleasure craft is quite minimal, ranging from 1.6 to 2.4 percent ad valorem, while the applicable Canadian tariff is between 15.6 and 17.5 percent ad valorem. Such a striking imbalance in duties, when coupled with the strong dollar, sharply distorts trade flow between the two countries, to the substantial detriment of American sailboat exporters. On the other hand, Canadian manufacturers have benefited from this relationship: Since 1978, Canada alone has more than doubled its exports of recreational marine craft to the United States, accounting in 1984 for over \$31 million in sales. This situation represents, in the extreme, another trade injustice.

This bill is aimed at trade reciprocity between the United States and Canada for pleasure craft. The bill grants authority to the President to negotiate a trade agreement with the Government of Canada to provide more equitable treatment of United States pleasure craft imports. If such an agreement is not reached within 1 year of the date of enactment, then the duty on Canadian boats would be increased by 30 percent, and increased by 30 percent again 6 months later, and finally increased 2 years after the enactment of the legislation to a level equal to the comparable Canadian rates. In short, the bill provides Canada with the option of lowering its tariff on recreational marine craft, or facing a phased-in tariff increase over a 2-year

period until parity is reached between the two countries' tariff schedules.

This bill is not protectionist legislation. American manufacturers of recreational marine craft must have the opportunity to compete on even terms—with equal tariffs—with our largest trading partner, Canada.

Recently, Canadian Prime Minister Brian Mulroney announced a willingness to seek "the broadest possible package of mutually beneficial reductions in tariff and nontariff barriers" between the United States and Canada. This legislation is completely consistent with that statement, and should strengthen the special trade relationship we have always had with Canada.

I urge my colleagues to support this legislation.

H.R. 3856

A bill to amend the Trade Act of 1974 to promote expansion of international trade in recreational marine craft with Canada, and other purposes

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Recreational Marine Craft Act of 1985".

SEC. 2. FINDINGS.

The Congress finds that—

(1) trade in recreational marine craft between the United States and Canada is being distorted by inequitable tariff treatment under which United States boats exported to Canada are generally dutiable at 15-16 percent ad valorem, whereas Canadian sailboats entering the United States are dutiable at a rate as low as ½ percent ad valorem;

(2) in 1984, as a result of inequitable tariffs and the overvalued dollar, imports of sailboats into the United States rose 13 percent to over \$112,000,000 but United States sailboat exports declined by 22 percent to \$12,400,000;

(3) Canada was the leading source of sailboat imports in 1984, accounting for \$31,600,000 in sales, or roughly double the \$16,000,000 of Canadian sales in the United States in 1974;

(4) the United States recreational marine craft industry is composed of approximately 2,000 establishments employing approximately 40,000 workers; and

(5) the United States and Canadian recreational marine craft industries are essentially similar in terms of wages, level of technology, access to capital, worker health and safety regulations, pollution control requirements, and structure.

SEC. 3. AMENDMENTS TO THE TRADE ACT OF 1974.

(a) IN GENERAL.—Title I of the Trade Act of 1974 (19 U.S.C. 2111 et seq.) is amended by adding at the end thereof the following new chapter:

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

Boldface type indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

"CHAPTER 9—RECREATIONAL MARINE CRAFT TRADE AGREEMENTS AUTHORITY"

"SEC. 191. RECREATIONAL MARINE CRAFT PRODUCTS TRADE NEGOTIATING AUTHORITY."

"(a) GENERAL NEGOTIATING AUTHORITY.—The President may enter into a trade agreement with the Government of Canada which provide for more equitable Canadian tariff treatment for United States recreational marine craft. Such agreement, at a minimum, shall provide for the elimination of—

"(1) differing tariff levels on recreational marine craft trade between the United States and Canada; and

"(2) any Canadian nontariff barrier to United States recreational marine craft.

"(b) FACTORS TO BE TAKEN INTO ACCOUNT.—In negotiating a trade agreement under the authority of subsection (a), the President shall consider the following factors:

"(1) Trade distortions resulting from inequitable tariff treatment by Canada of United States recreational marine craft.

"(2) Adverse employment impacts in the United States recreational marine craft industry.

"(3) The effect of the overvalued dollar in the United States on imports and exports of recreational marine craft.

"(4) The effect of persistently high interest rates in the United States on imports and exports of recreational marine craft.

"(c) AGREEMENT TREATED IN THE SAME MANNER AS AGREEMENT UNDER SECTION 102.—For purposes of subsections (c) through (g) of section 102 and chapter 5 of this title, a trade agreement entered into under subsection (a) shall be considered to be a trade agreement entered into under section 102.

"SEC. 192. EFFECTS IF NEGOTIATIONS UNSUCCESSFUL."

"(a) STAGING OF INCREASED DUTIES.—Subject to subsection (b), if a trade agreement is not entered into under section 191(a) before—

"(1) the earlier of the last day of the 12-month period beginning on the date of the enactment of this chapter, or October 1, 1986, the rate of duty on each Canadian recreational marine craft that is entered after that day and before an increased rate under paragraph (2) takes effect shall be the lower of—

"(A) a rate of duty equal to 130 percent of the rate of duty in effect with respect to a product of that kind on the date of the enactment of this chapter, or

"(B) a rate of duty equal to the Canadian rate of duty in effect on such date of enactment with respect to a like United States product;

"(2) the earlier of the last day of the 18-month period beginning on the date of the enactment of this chapter, or April 1, 1987, the rate of duty on each Canadian recreational marine craft that is entered after that day and before an increased rate under paragraph (3) takes effect shall be the lower of—

"(A) a rate of duty equal to 130 percent of the rate of duty determined under subsection (a)(1)(A) on that product;

"(B) a rate of duty equal to the Canadian rate of duty in effect on the earlier last day referred to in paragraph (1) with respect to a like United States product; and

"(3) the earlier of the last day of the 24-month period beginning on the date of the enactment of this chapter, or October 1, 1987, the rate of duty on each Canadian recreational marine craft that is entered after the day shall equal the Canadian rate of duty in effect on the earlier last day referred to in paragraph (2) with respect to a like United States product, except that each rate of duty established under this paragraph shall thereafter be reviewed on a bi-annual basis by the President and adjusted accordingly to equalize any change made in the applicable Canadian rate.

"(b) Each rate of duty in effect under subsection (a)(1), (2), or (3) shall cease to apply upon such date as may be specified by law implementing a trade agreement entered into under section 191(a).

"SEC. 193. DEFINITIONS."

"(a) For purposes of this chapter—

"(1) The term 'Canadian recreational marine craft' means a recreational marine craft that is manufactured in Canada.

"(2) The term 'entered' means entered, or withdrawn from warehouse for consumption, in the customs territory of the United States.

"(3) The term 'recreational marine craft' means any article described in any of items 969.05 through 696.10, 696.15, or 696.30 through 696.40 of the Tariff Schedules of the United States (19 U.S.C. 1202).

"(4) The term 'United States recreational marine craft' means a recreational marine craft that is manufactured on the United States."

(b) CLERICAL AMENDMENT.—The table of contents to title I of the Trade Act of 1974 is amended by adding at the end the following:

CHAPTER 9—RECREATIONAL MARINE CRAFT TRADE AGREEMENT AUTHORITY

"Sec. 191. Recreational marine craft trade negotiation authority.

"Sec. 192. Effects if negotiations unsuccessful.

"Sec. 193. Definition of recreational marine craft."

SEC. 4. CONSULTATION.

The President shall consult with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives and other appropriate congressional committees, as well as the appropriate committees established under section 135 of the Trade Act of 1974, in carrying out chapter 9 of title I of the Trade Act of 1974.

SEC. 5. CONSEQUENTIAL CHANGES IN THE TARIFF SCHEDULES.

The President shall proclaim such modification to the Tariff Schedules of the United States as may be necessary to implement a trade agreement that becomes effective in accordance with chapter 9 of title I of the Trade Act of 1974.

A PLEA FOR SURVIVAL

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. FLORIO. Mr. Speaker, I would like to direct the attention of my colleagues to a poignant plea for survival made by the refugee Foreign Representative of the South Moluccas, Margaretha Hatu-Syauta, at the Geneva meetings of the Commission on Human Rights this past summer. I would like to thank my former professor, Albert P. Blaustein, of the Rutgers Univer-

sity Law School, for bringing this statement to my attention.

The tragedy of the South Moluccas, now a part of the Republic of Indonesia, is evident in the fact that the minority Moluccan population is struggling to retain its unique culture and traditions, religion, and language, in the face of suppression by the Indonesian Government. When South Moluccas declared independence in 1950, the South Moluccans felt that they would at last have the right of self-determination. However, only a year later, Indonesian armies invaded and conquered and for the last 35 years, the South Moluccans have struggled to retain their identity and have been subjected to violations of their human rights. As a member of the International Parliamentary Group for Human Rights, I was concerned to learn of the situation and I wanted to share with my colleagues the following statement:

THE SURVIVAL OF THE INDIGENOUS PEOPLES OF THE SOUTH MOLUCCAS

(By Margaretha Hatu-Syauta)

We seek survival. We have come among you because you share our values and our objectives. We join with the other indigenous peoples throughout the world in a joint struggle for human rights. We want to learn more about what we can do. We want to help you and we want you to help us.

We, the South Moluccans, are Melanesians. We are Christians. Our indigenous tongue is Ambonese. Our people are native to an island group in the southeastern part of the Indonesian archipelago, north of Australia and east of New Guinea. Our area is one and a half times the size of Switzerland.

But in a world where almost all population groups are growing, ours is shrinking. Once we had a population of three million. Now just over a million are still on the islands, struggling to retain their ethnicity and culture. And they are a conquered people, living under the rule of a non-democratic state—Indonesia. Their indigenous leaders cannot—dare not—travel to international meetings to plead their cause.

Another million South Moluccans are dispersed over the other Indonesian islands, forced to leave their homeland for economic reasons. Still living under the Indonesian dictatorship, they likewise cannot speak out. Alas, most of us fear that they no longer want to speak out; that they have melted into the Indonesian melting pot; and that they no longer survive as indigenous peoples.

A few of us—a scant 50,000—fled as refugees to the Netherlands. There we are free, and from there we can travel to conferences such as this and openly plead our cause. From there our Homeland Mission representatives can and do visit our homeland and bring back the facts—and the pleas from those who are left that we strive and speak for them.

We make no apology for our race, for our ethnicity, for our culture, for our language. Like all cultures, ours has riches which must be preserved. Like all indigenous peoples we have a right to survive with our ethnic beings intact. That is why we are here. That is why all of you are here.

But we are not strong. We are few in numbers. Economically speaking, we are poor. And perhaps we are too adaptable to our surroundings and too readily forsake our tongue, our dress, our habits and our cus-

toms to conform to the dominant cultures under which we live.

And we have lived under too many of these dominant cultures: Arab, Portuguese, Dutch, Japanese and Javanese. That is why our human rights so long have been trampled upon, why our culture is in jeopardy and why the South Moluccan indigenous people are in danger of becoming a lost species of humankind.

Once we would not have needed outside help and international support to preserve our peoplehood. For after the defeat of Japanese imperialism, our colonial masters over what was called the Netherlands East Indies, offered us an independence. The South Moluccas declared independence as a new republic on April 25, 1950, a date prior to the establishment of the Republic of Indonesia.

Sadly, the armies of the Republic of the South Moluccas were no match for the massive forces of the Republic of Indonesia, and our nation was conquered and incorporated into Java-dominated Indonesia. What is left of that nation we once had is a government-in-exile in the Netherlands and a people who would have been prevented from exercising their right to self-determination.

This is bad enough, but the aftermath was worse and is becoming more serious. For the government of Indonesia has adopted (as a matter of official policy) a plan to transmigrate population from overcrowded Java to the smaller islands, like those of the South Moluccas.

The people of Java are not like us. They differ in race, religion, language, ethnicity, culture, etc. They are Malays, we are Melanesians; they are Moslems, we are Christians; they speak Malay, we speak Ambonese, etc. And their transmigration is protected, encouraged and enhanced by a Jakarta-designated governor and a Jakarta-appointed officialdom—virtually all Javanese.

We can give ample testimony as to what that transmigration is doing to the indigenous people of the South Moluccas. We now fear for our very existence as a people. (We can also present legal arguments as to the validity of our nationhood and our rights as a conquered nation under the Laws of War. But that is beyond the scope of this working session.)

The South Moluccan people are one of the recognized "minorities" of the world. We were one of the 44 minorities first classified as such by the Minority Rights Group (London) in their three-volume work on World Minorities. We know that democracy demands majority rule—but the cause of human rights also demands minority rights.

We now share our plight with you and seek your guidance and help in securing our rights and maintaining our existence as indigenous people.

UNITED STATES SHOULD JOIN WESTERN EUROPE IN A MORE CONSTRUCTIVE APPROACH TO CENTRAL AMERICA

HON. MICHAEL D. BARNES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. BARNES. Mr. Speaker, I wish to include for the information of my colleagues the joint communique that was recently issued following a meeting of the Foreign Ministers of the Western European, Central

American, and Contadora countries. The communique outlines a constructive approach to Central America that emphasizes political dialog, economic cooperation, and peaceful solutions. It stands in marked contrast to the Reagan policies. Mr. Speaker, I wish we would follow Europe's example.

The communique follows:

JOINT POLITICAL COMMUNIQUE ISSUED AT THE II MEETING OF MINISTERS OF FOREIGN AFFAIRS OF THE EUROPEAN ECONOMIC COMMUNITY, SPAIN, PORTUGAL, THE CENTRAL AMERICAN GOVERNMENTS AND THE CONTADORA GROUP, HELD IN LUXEMBOURG, NOVEMBER 11-12, 1985

On Cooperation: The Ministers have expressed their hope that this dialogue would contribute to promote a climate of trust within the Central American region, and between Central America and the 12 member states of the European community, so as to facilitate the progressive expansion and development of cooperation. They also stated that the incorporation of Spain and Portugal to the E.E.C. could represent a very important factor in improving the understanding between Europe and Latin America.

On Political Dialogue and Economic Cooperation: The Ministers of Foreign Affairs have reaffirmed their conviction that the political dialogue and economic cooperation thus initiated should contribute:

To endorse efforts leading to put a stop to violence and instability in the region;

To the search for a political, regional, global and negotiated solution, based on the proposals presented by Contadora. This solution must originate from the Central American region and must be based on the principles of independence, non-intervention, self-determination and border inviolability;

To the prompt adoption of Contadora's Act for Peace and Cooperation in Central America;

To create a climate of trust which will allow the Central American countries to live in peace, and encourage mutual cooperation for the purpose of strengthening the region's integration and promoting its economic and social development;

To complete the efforts made by the Central American countries towards regional cooperation to overcome economic disequilibria and social injustice, which, to a large extent, are a result of political instability;

To strengthen, within each country's legal order, the principles which are the basis of democratic institutions;

To promote reconciliation between all countries in the region;

To develop and guarantee in all countries of the region human rights and fundamental liberties, such as respect to human integrity, freedom of the press, civil rights, and religious freedom;

To establish, within the context of Contadora's process, international law and a reliable regional security system which will implement effective decisions and policies leading to stop the arms race, in all its expressions, to establish a system control and reduction of armaments and military personnel, to eliminate foreign military presence, to avoid threatening and destabilizing actions, and to prevent terrorism, subversion and sabotage.

On a Peaceful Solution: The Ministers of Foreign Affairs also reiterated their conviction that the conflicts in Central America cannot be solved by force. They consider that a peaceful solution of the conflicts in

Central America should be based on the principles included in the charters of the United Nations and the Organization of American States regarding the respect for all nations' sovereignty and independence, territorial integrity, non-intervention in the internal affairs of other states, and the proscription of the use of threats or force.

On Support to Contadora: The Ministers of Foreign Affairs of the E.E.C., Spain and Portugal have reaffirmed their support to the Contadora Group and have acknowledged the progress made by the Group on the basis of the September 12, 1985, draft of the Act of Contadora. The participating countries reiterated their will to create the conditions necessary for the signing of Contadora's Act for Peace and Cooperation in Central America.

A TEACHER LOOKS AT TEACHERS' CERTIFICATION AND ASSESSMENT PROGRAMS

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. GINGRICH. Mr. Speaker, today I'm asking my colleagues to examine a letter sent to me from Stephen Hart of Griffin, GA. While he cites flaws in the State education system, his comments reflect the general unnecessary bureaucracy and the subjective and arbitrary way American educators are evaluated.

I urge my colleagues to give careful consideration of this letter so that we can begin reforming the education system in America. Reform is imperative to make sure our children reach their fullest potential under the guidance of the best teachers our country has to offer.

GRiffin, GA,
November 12, 1985.

DEAR SIR: I am an unemployed school teacher very upset with the state of education in Georgia.

I have been involved in education in this state since 1978. As a teacher's aide, I discovered the thrill and satisfaction of teaching children and decided then that I wanted to become a teacher. I was encouraged in my decision all along by the teachers and principals I worked for because they felt strongly that I would make a very capable and caring teacher.

I began to attend a Georgia college in 1980 and decided on Health and Physical Education as a major because I had been dissatisfied with P.E. when I was in school and wanted to make changes (at least when I taught the subject). During my years at college I had to rely on student loans and work three jobs just to stay in school. I mention this because I want to convey how much it meant to me to become a teacher and also, that many people have no family assistance and have to work very hard in order to get an education.

I graduated from college in 1983 and found a teaching position in 1984 at a nearby high school. I was hired to teach Driver's Education and had to attend summer classes for two and a half months, driving 180 miles (round trip) to school every day. My year teaching was the happiest of my life and I was asked to return

the next year. However, the school board dropped the Driver's Education program for financial reasons.

I went to school to be a teacher and at this point I am paying for, and will be paying for a number of years, an education that I cannot use. There is no other profession that I want to pursue though I may, in the end, be forced to.

My major complaints concern the current Teacher's Certification Test and Assessment Program. I have taken the State Merit Test and scored in the top ten percent. I have taken the TCT in Physical Education and in Middle Grades without success.

There is no way to pass the TCT without some preparation and there is no adequate way at this point to prepare for the test. The list of objectives available list reference books which to this date have been impossible for me to locate. I have been to two college libraries (one library was specifically for education) and have been to the public library in my town. I was told by all the libraries that they did not have and could not get the reference books on my list. Their suggestion was to get the textbooks actually being used in the local classrooms which isn't an easy task, but I managed to get 24 textbooks. The textbooks provided the answers to only a few objectives. The major portion of the objectives can be answered only if you have access to the reference books from which the questions were derived in the first place. The State should make sure that the reference books they use to compile their lists of objectives are available to teachers or they should provide the information from those books and include it on the objective lists. The only way in which the current certification test can be a fair one is 1) have a uniform curriculum established for all Georgia college and universities that will prepare students to pass the test their jobs depend on; and 2) there should at least be a book available (as there is for every such test) to help people adequately prepare for the test.

Concerning Assessment, I believe teachers should be assessed on their actual teaching performance by observing them in the classroom and reviewing their lesson plans and tests. It should be possible to judge a teacher's capability in this manner and that is what a teacher should be judged on—their ability to teach. Instead, teachers have to prepare a thick portfolio according to the arbitrary standards of others. In my case, I showed everything I did to my appointed advisor and was told it looked "fine". It became clear to me how arbitrary the whole thing was when I was marked low in "enthusiasm" (this came as a great surprise to the teachers I worked with).

I heard a commentary recently on WSB Radio that stated anyone who was against Governor Harris or the Q.B.E. was against quality education and to quote the commentator: "Let the critics be damned". This has been the general attitude of Governor Harris and his administration—that no one has the right to question or disagree with their policies and methods and that anyone who does is against improvement. This couldn't be farther from the truth. I and every teacher I know favor quality education and want improvement but many of us disagree with the methods being used. I say let teachers teach and keep the government out of it.

Sincerely,

STEPHEN P. HART.

PATRICK J. SULLIVAN SPEAKS ON FREE BUT FAIR TRADE

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. KEMP. Mr. Speaker, I rise today to bring the attention of my colleagues to the testimony recently offered to the Labor Advisory Committee of the Republican Party by Patrick J. Sullivan, the legislative director of the International Longshoremen's Association. Mr. Sullivan addresses the important issue of bilateral trade, and I am sure my colleagues will benefit from his input as he is widely respected in the labor movement.

I commend the following testimony to Members from both sides of the aisle.

BILATERAL TRADE

(By Patrick J. Sullivan)

Any discussion of bilateral trade, or commerce between nations, should include the views of organized labor, most particularly, from the voices of those whose daily lives are involved in transporting these goods from shore to shore.

The International Longshoremen's Association, AFL-CIO as member of the maritime community, feel that bilateral trade and agreements to regulate such commerce desirable in order to achieve an efficient development of the U.S. economy. However, for such agreements to thrive and endure, they must be fair, serving the needs and interests of both parties. Ideally, they would not impinge upon trade economies of other nations or at least take such matters into consideration.

The complications of world trade, governed as it is by political considerations, security problems, as well as, economic necessities require, if not demand, the fine tuning of bilateral trade.

Given the present state of the U.S. economy and the condition of the maritime industry, we strongly believe that there must be equitable trade in order for the U.S. to retain its manufacturing, service, agricultural and maritime base. Tariffs, quotas and non-tariff restrictions may be essential to the process of negotiating with nations that maintain restrictive trade barriers and unreasonable trade surpluses with the United States. It is certain, in my mind, that the United States can ill afford to sacrifice its present world position and future to the niceties of economic theory. The practice of such theory has brought us to the very brink of national economic disaster. The use, therefore, of bilateral trade agreements may well provide a means to control the erosion of our economic status which have been so well manipulated by world market forces.

Those nations which employ dumping, subsidies, and other trade practices have continuously escaped U.S. law enforcement. Many of our industries have been targeted by traders from abroad for market and/or corporate takeover. Such actions have resulted in foreign government ownership rather than foreign private enterprise management. U.S. laws, more strict than those of other nations, place a stigma upon the protection of U.S. industries against predatory foreign targeting. Such action from industry sections abroad abound in the U.S. auto, chemical, steel, textile, shoe, electron-

ics, construction and maritime industries to name a few.

Because the economic interests of other nations may dictate their control of U.S. industries, our nation must constantly review the benefits to the United States of any such action. Bilateral trade agreements may well provide an adequate mechanism for adjusting what may otherwise prove fatal.

While the ILA does not specifically deal in the import and export services, we are a service union—loading and unloading vessels. Trade problems must be considered in negotiations based on practical solutions for specific current problems so that a huge diversified U.S. service industry will not be lumped together inappropriately in multilateral negotiations.

Instead of broad international negotiations on investment rights, emphasis should be placed on encouraging domestic investment by U.S. banking and investment interests.

America needs to explore a more realistic framework for coordinating world trade relationships in sectors characterized by global over-capacity and wide spread import controls abroad. While we ignore the trade regulating controls of other nations, we experience injury to U.S. workers and industries. It is possible that bilateral trade agreements can address such issues more equitably than GATT or the multilateral trade negotiations framework.

While there is much more to be said, we should not be talking about subsidizing the American worker as the national economy disintegrates. We know that you can not get positive numbers for negative numbers, despite some statements to the contrary. We must reverse the current decline of our position in international trade to give some hope for a balanced budget. Bilateral trade agreements, properly negotiated, may well serve that grave necessity.

Finally, we would hope that in negotiating any bilateral trade agreement, the U.S. would uphold and enforce section 307 of the Tariff Act of 1930 which seeks to prevent the importation into U.S. commerce any goods which have been found to be the product of slave or forced labor.

SONNY GROSSO-RENAISSANCE COP

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. BIAGGI. Mr. Speaker, I rise today to pay tribute to a writer, producer, former first grade police detective, a dear and valued friend and extraordinary man, Mr. Salvatore (Sonny) Grosso. Although he is best known for his leading role in the heroin bust which led to the movie "The French Connection" and his highly successful production company, Grosso Jacobson Productions, Inc., Sonny's major contributions benefit the law enforcement community, particularly the New York Police Department of which I am proud to be a 23-year veteran. His many years serving the NYPD launched his present career as movie writer, producer, and sometimes actor, focusing these talents on accurately portraying the daily life of a typical police

officer. His contributions to the law enforcement community often go unnoticed; therefore, today I would like to call the attention of the Congress of the United States to the life and works of Sonny Grosso.

Although Sonny is a native of East Harlem in New York City, he now lives with his mother Lillian, in the Pelham Park area of the Bronx. Family is an important aspect of Sonny's life; he maintains close contact with his sisters, Sis, Baby (Lilian), and Celeste. Originally he had no interest in police work, dreaming of replacing Joe DiMaggio in center field. One day, a friend invited him to apply for a position on New York's Fire Department. Sonny, too involved in his ball game, asked the friend to bring back an application. Fortunately for the law enforcement community, his friend brought back the wrong application—one for the police force. So in 1954, Sonny started walking a beat in Harlem, concentrating on crime prevention with the youth division. From 1958 to 1968, Sonny served on the narcotics bureau, first undercover, then with the field group and then special investigating unit, advancing to first grade detective by 1961. In fact I recommended him for the detective division.

Sonny also worked, as a member of the Permanent Subcommittee on Narcotics, on the revision of State narcotics laws and rehabilitation programs for narcotic addicts. During his 22 years with the NYCPD, Sonny has been recommended for honorable mention and has received one commendation, two meritorious police work, and six excellent police work decorations. Perhaps the most noteworthy accomplishment of his police career was the case he headed, a \$32 million heroin bust, the largest single seizure of pure heroin by a municipal police force, which inspired the book and film "The French Connection." However many of his greatest contributions to law enforcement commenced because of the new career this film generated.

Sonny's involvement in the making of "The French Connection" initiated his induction into the motion picture industry. Sonny combined the knowledge he gathered serving the NYPD with his production skills, gaining him the respect of the production industry and the gratitude of the law enforcement community.

Possibly the best term describing Sonny Grosso is one once used by a journalist—Renaissance Cop. Sonny Grosso is just that—a police officer who has produced movies and television series; who has written two books, "Murder at the Harlem Mosque" and "Point Blank"; who acted in many of his own productions; who has performed as technical advisor on such critically acclaimed films as "The French Connection" and "The Godfather" and well-known television shows such as "Kojak," "Movin' On," "Baretta," "The Rockford Files." Still, in spite of all his work in the production industry, Sonny proudly says he is just a "cop." Sonny's first contributions were advisory, serving as technical advisor and story consultant while main-

taining his career with the New York Police Department.

In 1976, Sonny resigned from the police department and concentrated his attention on producing. His credits include the critically acclaimed "A Question of Honor," based on his book "Point Blank"; "Track-down," based on a true story of a detective who solves the murder case of a young New York City teacher—it is thought that "Looking for Mr. Goodbar" is also based on this story; a recent television movie "Out of the Darkness," relating to the story of detective Ed Zigo, who was instrumental in solving the Son of Sam murder case; and the television series "Night Heat," presenting a realistic view of the big city detective during a typical night shift.

Throughout his productions his conviction to use television and motion pictures as a source of education, not solely entertainment, remains strong. This conviction to educate elevates Sonny beyond the producer who merely uses, sometimes exploits, the police story solely for entertainment.

Sonny plays an important role in determining how the law enforcement community is depicted on television. To quote Sonny, "I think there's enough people around to do shows about the negative aspects of police work. I want to do shows about the positive aspects. I want to do things that educate and tell people, 'Well, maybe you don't like everything a cop does, but here's why he does what he does.'" Sonny's shows might not have the glitz and glamour, or scandal and corruption of some other popular police shows; but, Sonny's shows portray the real-life drama intrinsic to the life of every police officer. The life of a law enforcement officer is filled with controversies, compromises, and life-and-death situations. Sonny recognizes that accurately telling the story of this life is exciting enough. He actively works to bolster the image of the law enforcement profession and to improve the welfare of the courageous individuals who serve in it; he does this by telling the truth.

Once, when asked his profession, Sonny replied, "I'm a cop and I'll always be a cop. It's the greatest profession in the world for me." Sonny, the law enforcement community and my colleagues in the House of Representatives, join me in expressing our thanks and happiness that you do consider yourself a "cop." Sonny, the Renaissance Cop, our admiration and gratitude are yours.

THE EUROPEAN COMMUNITY

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. HAMILTON. Mr. Speaker, I would like to insert my Foreign Affairs Newsletter for November 1985 into the CONGRESSIONAL RECORD:

THE EUROPEAN COMMUNITY

The late 1980's will be an important time in the history of the European Community

(EC). In some respects, the European federation has never been stronger: it has brought prosperity to Western Europe, and with the admission of Spain and Portugal on January 1, 1986, it will include most of Western Europe. But expansion will also make further integration more difficult and could strain EC relations with its trading partners, particularly the U.S.

Despite our traditional support for the EC and its expanding political and economic importance to us, most Americans know little about it. The EC began in the 1950's when Western European nations pledged to integrate their economic and political systems. The most important of a series of founding agreements was the 1957 Treaty of Rome, which formed the European Economic Community (EEC), or the Common Market.

At its founding, many hoped that the EC would become a "United States of Europe." That goal is still distant, but the EC has had impressive successes, particularly in economics. Trade barriers between members have been breached, bringing the EC closer to a true common market and making it the single largest trading power in the world today. In agriculture, the Common Agricultural Policy (CAP) has made Europe self-sufficient in food. And in monetary affairs the European Monetary System has initiated its own currency, the European Currency Unit (Ecu). The Ecu is now a clearing system for the currencies of all EC members, but it might someday be used across Europe.

The EC's progress in the political area lags behind its accomplishments in economics. France's nationalism strained the EC in the 1960s and, more recently, national concerns have thwarted attempts to settle budget differences and coordinate agricultural policy. Bitter disputes have erupted over the cost of the CAP, which consumes about 1/3 of the EC budget but primarily benefits large producers, such as France. Integration will be more difficult after Spain and Portugal join the Community.

Attempts are underway to strengthen the EC's institutions and the process unifying Europe. Removal of remaining impediments to the movement of goods through the EC are being considered. Another reform would simplify EC decision-making by replacing the current requirement for unanimity among Community members with a system enacting proposals with a simple majority. A third area of reform would strengthen the EC's governing bodies—particularly the European Parliament. More than any other EC institution, the Parliament symbolizes the hope for a united Europe. Yet its powers are small compared to those of the U.S. Congress. The Parliament is reviewing ways to strengthen its legislative role and to make other EC officials more responsive to it.

U.S. support for the EC has long been based on the belief that the Community—by fostering a stable and prosperous Europe—serves broader U.S. interests by promoting democracy and containing communism. In part, the EC's success could not have occurred without U.S. backing. But confrontation with the EC over a series of economic and political issues has led some Americans to argue that the U.S. must take a tougher stand toward the EC.

Perhaps the greatest source of tension between the U.S. and the EC is the Common Agricultural Policy. With its substantial subsidies, the CAP encourages surplus production, forcing the EC to push into third world markets formerly dominated by the U.S. CAP policies, along with the strong

dollar, also caused U.S. farm exports to the EC to drop from \$9.1 billion in 1981 to \$6.4 billion in 1984. Spanish and Portuguese participation in the CAP is expected to cost the U.S. some of its \$2 billion in wheat and corn exports to those two countries. The EC is now considering restrictions on imports of U.S. soybeans and some non-grain livestock feeds.

The U.S. and the EC have serious trade problems in addition to agriculture. The longstanding controversy over EC steel exports to the U.S. is coming to a head. The U.S. steel industry already has surpluses and stiff competition from cost-effective third-world steel producers. European producers have also entered the U.S. market to unload their surplus steel. U.S. producers are urging import quotas, particularly on the highly-subsidized European steel. In high technology, Europe denies U.S. telecommunications marketers the same access that their own producers enjoy in U.S. markets. High-tech industries are for the first time asking Congress for retaliation against the Europeans.

Though less explosive than the trade disputes, there have also been disagreements over political issues. Efforts to create a European political position have succeeded on some issues, such as Central America, the Middle East or South Africa. In certain cases, particularly over Central America, this united European position was strongly critical of U.S. policy. Furthermore, some Europeans' support for a common European defense doctrine raises questions about how the Atlantic Alliance would be affected. The importance of our ties is reason enough for the U.S. to view settlement of these issues with the same concern as military issues before NATO.

In spite of the tensions between the U.S. and the EC, we should continue to support the Community. In the years ahead, it will be much easier for the U.S. to resolve disputes over political and economic policies with a unified Europe than with a continent economically fragmented and torn by internal dispute.

In a broader sense as well, a strong European Community continues to serve U.S. interests. Economic prosperity, social stability, and strong democratic governments will encourage peace and security in the Community and will enable Europe to play a larger role in assisting the growth and stability of democratic governments elsewhere.

WORLD HEALTH ORGANIZATION

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. MARKEY. Mr. Speaker, I would like to bring to the attention of my colleagues the recommendations made by the World Health Organization [WHO] at their worldwide conference on health care held in April of this year.

The WHO recommendations, entitled "Appropriate Technology for Birth," show the need for adequate prenatal care of expectant mothers and the importance of having a well-developed health care planning program before, during, and after the birthing process. It encourages families to explore different options for delivery and commends the services provided by mid-

wives in assisting in births at home or in hospitals. With the rising cost of health care in the United States, alternative options to child care should be explored. Individuals pursuing careers in midwifery have long been ignored and the WHO recommendations urge us to take a second look at this underutilized profession.

[From the Lancet, Aug. 24, 1985]

WORLD HEALTH ORGANISATION

APPROPRIATE TECHNOLOGY FOR BIRTH

In April, the European regional office of the World Health Organisation, the Pan American Health Organisation, and the WHO regional office of the Americas held a conference on appropriate technology for birth. The conference, held in Fortaleza, Brazil, was attended by over 50 participants representing midwifery, obstetrics, paediatrics, epidemiology, sociology, psychology, economics, health administration, and mothers. Careful review of the knowledge of birth technology led to unanimous adoption of the recommendations which follow. WHO believes these recommendations to be relevant to perinatal services worldwide.

Every woman has the right to proper prenatal care and she has a central role in all aspects of this care, including participation in the planning, carrying out, and evaluation of the care. Social, emotional, and psychological factors are fundamental in understanding how to provide proper perinatal care. Birth is a natural and normal process, but even "no risk pregnancies" can give rise to complications. Sometimes intervention is required to obtain the best result. In order for the following recommendations to be viable, a thorough transformation of the structure of health services is required together with modification of staff attitudes and the redistribution of human and physical resources.

GENERAL RECOMMENDATIONS

Health ministries should establish specific policies regarding appropriate birth technology for the private and nationalized health services.

Countries should carry out joint surveys to evaluate birth care technologies.

The whole community should be informed of the various procedures in birth care, so as to enable each woman to choose the type of birth care she prefers.

The mother and her family should be encouraged to practise self-care in the perinatal period and develop the understanding of when and what help is required to improve the conditions of pregnancy, birth, and afterwards.

Women's mutual aid groups offer valuable social support and a unique opportunity to share information about birth.

The health team must foster coherent attitudes to ensure continuity in the monitoring of birth and the perinatal team should share a common work philosophy in order to ensure that staff changes do not jeopardize continuity of care.

Informal perinatal care systems (including traditional birth attendants) must coexist with the official system and a collaborative approach must be maintained for the benefit of the mother. Such relations, when established in parallel, can be highly effective.

Professional training should pass on new knowledge of the social, cultural, anthropological, and ethical aspects of birth.

The perinatal team should be jointly motivated to enhance relationships between mother, child, and family. The work of the team can be affected by interdisciplinary

conflicts, which should be systematically explored.

The training of health professionals should include communication techniques in order to promote sensitive exchange of information between members of the health team and the pregnant woman and her family.

The training of professional midwives or birth attendants should be encouraged. Care during normal pregnancy, birth, and afterwards should be the duty of this profession.

Technology assessment should involve all those using the technology, epidemiologists, social scientists, health authorities, and the women on whom the technology is used.

Information on birth practices in different hospitals, such as rates of caesarean section, should be available to the public.

Research on the structure and numbers of the team attending at birth should be conducted, at regional, national, and international levels, consistent with maximising access to appropriate primary care and maximising normal birth outcomes and improving perinatal health, cost effectiveness, and the needs and desires of the community.

SPECIFIC RECOMMENDATIONS

The wellbeing of the new mother must be ensured through free access of a chosen member of her family during birth and throughout the postnatal period. In addition, the health team must provide emotional support.

Women who give birth in an institution must retain their right to decide about clothing (hers and her baby's), food, disposal of the placenta, and other culturally significant practices.

The healthy newborn must remain with the mother whenever possible. Observation of the healthy newborn does not justify separation from the mother.

Immediate breastfeeding should be encouraged even before the mother leaves the delivery room.

Countries with some of the lowest perinatal mortality rates in the world have caesarean section rates of less than 10%. There is no justification for any region to have a rate higher than 10-15%.

There is no evidence that caesarean section is required after a previous caesarean section birth. Vaginal deliveries after a caesarean should normally be encouraged wherever emergency surgical intervention is available.

Ligation of the fallopian tubes is not an indication for caesarean section. There are simpler and safer methods for tubal sterilisation.

There is no evidence that routine fetal monitoring has a positive effect on the outcome of pregnancy. Electronic fetal monitoring should be carried out only in carefully selected cases related to high perinatal mortality rates and where labour is induced. Research should investigate the selection of women who might benefit from fetal monitoring. Meanwhile, national health services should abstain from purchasing new equipment.

It is recommended that the fetal heart rate be monitored through auscultation during the first stage of labour, and more frequently during expulsion.

There is no indication for shaving pubic hair nor for an enema before delivery.

It is not recommended that the pregnant woman be placed in a dorsal lithotomy position during labour and delivery. Walking should be encouraged during labour and

each woman must freely decide which position to adopt during delivery.

The perineum should be protected wherever possible. Systematic use of episiotomy is not justified.

The induction of labour should be reserved for specific medical indications. No region should have rates of induced labour higher than 10%.

During delivery, the routine administration of analgesic or anaesthetic drugs (not specifically required to correct or prevent any complication) should be avoided.

Artificial early rupture of membranes, as a routine process, is not justifiable.

Further investigation should evaluate the minimum special clothing required for those attending birth and the newborn.

IMPLEMENTATION OF RECOMMENDATIONS

The above recommendations acknowledge differences between various regions and countries. Implementation must be adapted to these special situations.

Governments should determine which departments should coordinate the assessment of appropriate birth technology.

Universities, scientific societies, and research groups should all participate in the assessment of technology.

Financial regulations should discourage indiscriminate use of technologies.

Obstetric care that technicizes technological birth care and respects the emotional, psychological, and social aspects of birth should be encouraged.

Government agencies, universities, scientific societies, and other interested groups should be able to influence the excessive and unjustified use of caesarean section by exploring publicizing its negative effects on mother and infant.

WHO and PAHO should promote a network of evaluation groups to assist countries in adopting new technologies developed by more advanced countries. This network will in turn constitute a focal point for the dissemination of information.

The results of technology assessment should be widely disseminated in order to change the behavior of professionals and the attitudes of the general public.

Governments should consider the development of regulations to permit the use of new birth technologies only after adequate evaluation.

National and regional conferences on birth, to include health providers, health authorities, users, women's groups, and the media should be promoted.

WHO and PAHO should designate a year during which attention is focused on promoting better birth.

IN TRIBUTE TO ERNEST FITZGERALD

HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. LEVINE of California. Mr. Speaker, the current issue of *People* magazine contains a profile of a remarkable man, Ernest Fitzgerald. I have admired Mr. Fitzgerald and his work for many years. During the 3 years I have served in Congress I have had the opportunity to meet and work with him, and my respect for him has grown.

Mr. Fitzgerald embodies everything our public employees should strive to be. He is

scrupulously honest, unstinting in his pursuit of waste and fraud in public spending, and unafraid to stand up to the Pentagon bureaucracy and his superiors in defending the national interest and the public interest.

I bring this profile of Ernest Fitzgerald to my colleagues attention and take this opportunity to honor a dedicated and patriotic public servant.

The article follows:

A. ERNEST FITZGERALD—HIS COMMITMENT TO CUTTING COSTS HAS MADE HIM NO. 1 ON THE PENTAGON'S HATE LIST

(By Peter Carlson)

To anyone who sat transfixed before a TV during the Watergate hearings, it was a familiar scene—the august committee room, the Congressmen punctuating questions with probing forefingers, the witness squinting under the hot television lights. This time the inquisitors were members of the House Subcommittee on Oversight and Investigations; the witness was Secretary of the Air Force Verne Orr, and the subject was “The Harassment of A.E. Fitzgerald.”

Rep. GERRY SIKORSKI of Minnesota. It is my understanding that you have praised Mr. Fitzgerald for assisting in saving dollars for the taxpayers. Would it be an exaggeration to say we're talking about millions of dollars?

Secretary ORR. I think that's no exaggeration.

SIKORSKI. On Nov. 3, 1983 I believe you told Senator Grassley in his office that Mr. Fitzgerald is “the most hated person in the Air Force.” Do you recall that?

ORR. Yes, sir.

The “most hated person in the Air Force” observed this dialogue without a trace of emotion. A. Ernest Fitzgerald is not a demonstrative or flamboyant man. At 59, he has gray hair, wears gray suits and gray-framed glasses, drives a gray car. He is a career government bureaucrat, and he carries the customary tool of his trade—the briefcase. But Fitzgerald's briefcase is not gray. It is a big brown leather satchel that looks as old and as battered as a pony express saddlebag. And when he sits in a congressional hearing room and reaches into it to pull out a document, people in the Pentagon squirm.

Ernie Fitzgerald's official Air Force job title is “management systems deputy” but he is famous as the Pentagon's premier whistle-blower. At a congressional hearing in 1968 he revealed a huge cost overrun on the Air Force's controversial C-5A transport plane. Since then he has testified more than 50 times before congressional committees, telling of various other overruns, screwups and rip-offs. “Committing truth,” he calls it, with a characteristically wry grin.

Fitzgerald's testimony has earned him high praise on Capitol Hill. “He's tremendous,” says Sen. William Proxmire. “He's one of the very few people in government who has made a difference, and he's done it in an astonishing way.” The Pentagon is of course less enthralled with Fitzgerald. Over the past 17 years the Air Force has responded to his candor by demoting him, denying him access to documents, swamping him with busywork, investigating his private life, even firing him. But Fitzgerald has always managed to fight back, using two powerful weapons—lawsuits and a cutting country wit. “I carried on a long legal fight in the courts,” he told the House subcommittee last month in his Alabama drawl. “I used to

say I was the only bureaucrat in the world suing for more work.”

Fitzgerald didn't set out to become a whistle-blower; it happened almost by accident. A native of Birmingham, he served in the Navy during World War II, then returned home to earn a degree in industrial engineering at the University of Alabama in 1951. He worked as an industrial engineer for various companies—concentrating mostly on the aerospace business—until the Air Force hired him as an in-house cost-cutting manager in 1965. Fitzgerald was so eager to get at the “stupendous waste” he had seen in weapons systems that he took a \$10,000 pay cut (agreeing to a \$23,000 salary) to go to the Pentagon. He soon learned that his job wouldn't be easy. Defense contractors are often huge companies with powerful friends, and the Pentagon does not encourage employees to fight them. As one general told Fitzgerald with no hint of irony, “inefficiency is national policy.”

Then in the fall of 1968 came the now-legendary C-5A affair. In 1965 the Pentagon had awarded Lockheed the contract to build 120 of the huge cargo transport planes for about \$3 billion. But the costs kept rising, and by 1968 word had spread that the final price might be closer to \$5 billion. Senator Proxmire heard those rumors and called several Pentagon officials, including Fitzgerald, to testify before his Joint Economic Committee. At meetings in the Pentagon, word went out to the witnesses: Play dumb. At another meeting, in the Fitzgerald home, there was a different reaction. “I told him that I didn't really think I could live with a man I didn't respect,” recalls Fitzgerald's wife, Nell, 57, “and if he went over there and lied, I'd have no respect for him.”

The next day Proxmire asked Fitzgerald if the C-5A might really be \$2 billion over budget. Fitzgerald waffled for a while, spinning out a long paragraph of bureaucratese, before finally committing truth: “Your figure could be approximately right.” That seemingly innocuous statement changed Fitzgerald's life forever. When he returned to his office, his secretary asked, “Have you been fired yet?” No, not yet. First the Air Force began harassing Fitzgerald, opening his mail, excluding him from meetings and investigating his private life, which failed to yield any scandal. Then officials stopped him from working on big-weapon contracts and put him to work auditing a military bowling alley in Thailand. In January 1970 his job was abolished and he was out on the street. Fitzgerald is shy about revealing the private side of his story, but his wife remembers trying to explain the firing to the couple's children—Nancy, then 13, John, 10, and Susan, 6. “The children were upset of course,” she says. “But we told them that there was nothing to worry about, that everything would be all right—all those little fairy tales.”

Fitzgerald believed those fairy tales himself. He thought he could simply return to the private sector at a higher salary—“go back on the gold standard,” he said. But it didn't work out that way. “I was blackballed,” he says. “I couldn't get work in a field where I'd had no problem getting work before.” So he hit the lecture circuit, wrote a memoir of his Pentagon experience—*The High Priests of Waste*—and did some consulting work for Proxmire's Joint Economic Committee. He also sued to get his Air Force job back.

In 1973, after four years of legal battles, the Civil Service Commission ordered the

Pentagon to reinstate him. It was a transient victory; the Air Force immediately transferred him to a lesser post. "It was a paperwork job, eyewash for the public," he says. "I was specifically excluded from looking at the purchase of big weapons, which was my specialty." So in 1974 Fitzgerald sued again. After another eight years he won again, regaining his old job and being awarded \$200,000 in legal fees. Today Fitzgerald earns almost \$70,000 as one of the highest-ranking career bureaucrats in the Air Force—the civilian equivalent of a three-star general. "I like to think of it as a six-star general—three on each shoulder," he says with a laugh.

Meanwhile, in the aftermath of the Watergate scandal, the infamous White House tapes revealed that it had been Richard Nixon who fired Fitzgerald. "I said, 'Get rid of that son of a bitch,'" Nixon was heard telling his aides. Fitzgerald promptly sued Nixon for violating his constitutional rights and later received \$142,000 from the former President in a negotiated agreement. That was a sweet victory and he smiles when recalling it. "I went down to my law firm and said, 'What do you mean a check? I thought it would be small bills in a brown paper bag.'" Then he erupts in a bellow of laughter.

Victories over Nixon and the Pentagon have made Fitzgerald a legend or, as the New York Times once called him, "a folk hero to federal employees." He doesn't consider himself a hero, just a man doing his job. And he keeps at it. From 1982 to 1984 he compiled studies documenting huge markups of labor costs by six major defense contractors. Among his findings: At Boeing direct labor costs on the cruise missile were \$14 per hour, but the Pentagon was charged \$114 for an hour's worth of work; at Rockwell International costs on the B-1 bomber were \$15 an hour, and the government was charged nearly \$200 for the work. Fitzgerald also helped to uncover some of the now-famous spare-parts scandals—the 34-cent plastic stool-leg cap that cost the Air Force \$916.55; the seemingly simple six-inch airplane maintenance tool that cost \$11,492. "Fitzgerald is impeccably honest and extremely competent," says Rep. John Dingell, chairman of the House Subcommittee on Oversight and Investigations, which frequently uses Fitzgerald as an investigator. "He's an expert in government procurement, and he has a superb nose for things that just don't smell right."

When Fitzgerald testifies before Congress, which is frequently, he generally comes bearing bad news. Those outlandish prices for spare parts are nothing unusual, he claims; billing for huge items like jet engines involves the same astronomical markups. And the rip-offs will continue, he says, as long as the Pentagon, which spends nearly \$1 billion every working day, pays its bills by reimbursing contractors for any allowable expense they can document. As an alternative, Fitzgerald advocates a "should cost" approach, in which contracts would specify the proper cost of each item and contractors would be held to that price. "As long as the system is not changed," he says, "you'll have these horror stories."

Fitzgerald leaves that grim message with a healthy dollop of humor. "When you see a beautiful jet flying overhead," he once said, "you're seeing a collection of overpriced parts flying in close formation."

Not surprisingly the Pentagon doesn't think this is funny. "Ernie has the capacity to really irritate people," says his boss,

Richard Carver, the Air Force's assistant secretary for financial management. "He has a kind of antagonistic way of doing things." Fitzgerald's ideas—particularly "should cost"—are valid, Carver says; the problem is his lack of credibility. "The average guy in the Air Force is persuaded that Ernie is more interested in headlines and raising heck than he is in getting the job done."

And so the Pentagon's war with Ernie Fitzgerald continues. Last year the Air Force twice refused to allow Fitzgerald to give official testimony to Senate committees about Pentagon purchasing and auditing practices. Fitzgerald's superiors suggested that he testify as a "private citizen," which he refused to do. Ultimately the Judiciary Subcommittee on Administrative Practice and Procedure subpoenaed him to testify in his official capacity, and Sen. Charles Grassley of Iowa personally delivered the subpoena to Fitzgerald's Pentagon office, accompanied by TV cameramen. In his testimony Fitzgerald accused the Air Force of withholding important information from him. After another controversial appearance this year, Carver gave Fitzgerald an unfavorable annual job performance evaluation, complaining that he "lacked overall direction." Carver later withdrew the evaluation, but the controversy led to the recent "harassment" hearing.

At that hearing Fitzgerald charged that the Air Force had cut his authority in violation of the 1982 court order that restored his job. "I've been diverted into bureaucratic busywork," he said.

"Any day Mr. Fitzgerald doesn't feel that he has the authority given him by the court," responded Secretary Orr, "he can go back to the court."

"I suppose that's what I'll have to do," Fitzgerald said a few days later. "But I don't want to. It's a very grueling procedure."

Indeed it is, and many of Fitzgerald's colleagues wonder how he can keep up the fight after so many long, frustrating years. "I'm surprised he hasn't thrown in the towel and gone off somewhere," says Senator Grassley. "I'm surprised he doesn't have an ulcer. I'm surprised he can still laugh." But many of Fitzgerald's colleagues believe it is laughter that has saved him. Fitzgerald agrees. "Some people come in here and get all outraged at the injustice of it all," he says as he carries his huge briefcase through the halls of the Pentagon, heading for a meeting on Capitol Hill. "They can't let go of it. They get obsessed. I can let go of it."

Fitzgerald heads down a stairway, then pauses at a window. Outside in the Pentagon courtyard is a little gazebo that serves as a snack bar during good weather. "I have a fantasy about that place," he says, smiling. "I see the Joint Chiefs of Staff making their last stands in there, besieged by an army of angry taxpayers." His grin grows wider, more mischievous. "They're in there, the Joint Chiefs, surrounded by sandbags and they're saying, 'We won't let 'em take us alive.'" And then Ernie Fitzgerald throws back his head and lets out that mad cackle that keeps him sane.

A "STAR WARS" COVER-UP

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. GREEN. Mr. Speaker, I would like to bring to the attention of my colleagues an article in the December 3 New York Times by Flora Lewis. This op ed piece deals with the x-ray laser beam project of the strategic defense initiative—a project which has respected members of the scientific community charging fraud and coverup.

This article comes at a particularly appropriate time, as my distinguished colleague from Massachusetts, [Mr. MARKEY] and I are circulating a Dear Colleague pertaining to this same project. We are asking Members of the House to join us in a letter to Secretary of Defense Weinberger urging that the December test of the x-ray laser beam project be postponed.

I urge you to first read the excellent New York Times article, reprinted below, and then to join us in the letter to Secretary Weinberger.

A "STAR WARS" COVER-UP

PARIS.—The hyper-selling of "Star Wars" has gone far beyond the childish crayola spot aimed at the general public on TV, beyond the vague claim made to businessmen and allies by the program director, Lieut. Gen. James A. Abrahamson, of progress at an "incredible pace." It has gone to the point of covering up scientific failure in a way that endangers the honesty of research.

Some of the scientists involved are bursting with frustration. They don't know how to cope with this government disinformation campaign. A top official at Livermore and another at Los Alamos, the two national labs where the key research takes place, have resigned, though they are too discreet to explain their decisions.

Ray Kidder, a physicist at Livermore, was quoted in The Los Angeles Times as saying: "The public is getting swindled by one side that has access to classified information and can say whatever it wants and not go to jail, whereas we [the skeptics] can't say whatever we want. We would go to jail, that's the difference."

Energy Secretary John S. Herrington, however, has both denounced the doubters for hurting the national interest in speaking up and called it just a "little squabble" among scientists.

Mr. Herrington said that the next test, scheduled in Nevada this month and named "Goldstone," was going "full speed ahead" despite clear evidence that it cannot be properly measured with existing instruments. The X-ray laser, pet project of the physicist Edward Teller and the centerpiece on which he sold Star Wars to President Reagan, is the current focus of many of the scientists' distress.

It was Mr. Teller himself who leaked last April that a test took place on March 23, and his cronies put out word that it was highly successful. It wasn't. It turned out that the monitoring instruments themselves were excited by the X-rays to emit light. Therefore the brightness they measured was much greater than what the device actually produced and the result was com-

pletely unreliable. One scientist in the program concluded that "instead of a weapon we have a toy."

Undaunted, Mr. Teller went to Mr. Reagan and wangled another \$100 million for the project, including this month's test, which will probably cost \$30 million. Participants urged a delay until the measuring problem could be solved, which would take six months to a year. That was rejected on the grounds that loss of momentum would be politically unfavorable, even though the test is almost sure to be futile in the circumstances.

Furthermore, although the Administration keeps saying its antimissile program is nonnuclear, the X-ray laser relies on a nuclear explosion for its energy. Insistence on continuing these tests is a major reason Washington won't even listen to the Soviet proposal for a comprehensive test ban.

There are other well-grounded scientific doubts about the X-ray laser. The assumption that it can kill Soviet missiles while they are being boosted rests on their current technology; they take three to five minutes to burn out and carry warheads some 200 miles above the earth. But American experts know that it wouldn't be hard, nor inordinately expensive, for the Russians to accelerate burning time, bringing it down to some 50 seconds and completing the boost at 50 or 60 miles high.

X-rays can't penetrate the atmosphere, and at that altitude they wouldn't get through even if the loss of shoot time could be overcome. But nothing else has been developed as far, so X-ray lasers remain the chief hope for boost-phase missile defense.

The willful distortion of research is a scandal, reminiscent of Stalin's support for Trofim Lysenko's phony theories of genetics because they were politically pleasing. The result set Soviet biology back a generation.

The American physicists working on the Strategic Defense Initiative aren't threatened with the gulag, but they are being put in a demeaning position that undermines their integrity. It isn't a violation of their high security clearance to say that, but it could be if they gave out details to support their stand.

They have been arguing inside the program for some time, to no avail. Apparently they haven't been able to get through to President Reagan to let him know what is happening. That is why their concerns are seeping into public print, despite the gag rule.

Apart from the other arguments for and against Star Wars, if it isn't based on good science it can never be anything more than what President Reagan calls it, his "dream." But it could be a devastating nightmare, sapping the authenticity of American science.

TRIBUTE TO CONGRESSMAN GEORGE H. MAHON

HON. G.V. (SONNY) MONTGOMERY OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 3, 1985

Mr. MONTGOMERY. Mr. Speaker, I rise to pay tribute to the gentleman from Texas, Representative George Mahon. I enjoyed serving with Mr. Mahon in the Congress and I also knew him because he and his wife Helen lived on the same floor of the

same apartment complex for the last 8 years.

He was a very thoughtful and kind man, both in his work and in his personal life.

He served in this Chamber for 44 years and was chairman of the Appropriations Committee for 14 years, longer than anyone else in the history of the Congress. There is no doubt that he will be long remembered for the very dedicated work he performed in this House.

He was a great American and I will miss him.

WEIZMANN INSTITUTE OF SCIENCE HONORS BRAM GOLDSMITH

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. WAXMAN. Mr. Speaker, it is with a great deal of pleasure that I call to your attention an outstanding American, respected citizen of Los Angeles and longtime personal friend, Bram Goldsmith.

On December 8, 1985, Bram Goldsmith will receive the highest honor of the Weizmann Institute—the Weizmann Award in the Sciences and Humanities. The Weizmann award has been conferred only 16 times since the Institute's founding in Rehovot, Israel, in 1934. The last recipient was British Prime Minister, Margaret Thatcher.

The Weizmann Institute is ranked as one of the 10 leading scientific research centers in the world. Founded by Dr. Chaim Weizmann, Israel's first chief of state, the institute is Israel's main source of future scientists, awarding half of the science doctorate degrees in the country.

Through the research done at the Weizmann Institute, many scientific breakthroughs have been accomplished. Weizmann researchers are currently engaged in approximately 700 projects including studies of cancer and other diseases, genetic engineering, biology of aging, physiology of human fertility, and brain chemistry, plus research into earthquake and pollution control, solar energy, improvement of agricultural crops and applied research in all areas of high technology. Major progress has been made in the fight against drug and alcohol addiction, immune dysfunction in the elderly, cystic fibrosis infirmity, chronic myeloid leukemia; in the area of bioengineering, Weizmann scientists have developed an externally rechargeable cardiac pacemaker, an ultrasonic scanner for diagnosing breast cancer and a magnetic drink for the diagnosis of ulcers. Creating new hope for famine areas, the institute has developed an improved strain of protein-rich wheat which requires 20-40 percent less water to cultivate.

Bram Goldsmith serves on the international board of governors of the Weizmann Institute and is vice president of its Los Angeles support committee. He and his wife have endowed a professional chair

in applied mathematics at the Rehovot campus.

One of the country's leading bankers, Bram Goldsmith and his wife, Elaine, have lived in Los Angeles since 1951. Renowned as chairman of the board and CEO of City National Bank and City National Corp. and real estate specialist, Bram Goldsmith is equally prominent as one of Los Angeles' leading philanthropists. In addition to his work on behalf of the Weizmann Institute, Bram Goldsmith is a board member of the National Conference of Christians and Jews, Cedars-Sinai Medical Center and the Los Angeles Philharmonic Association. He is former regional board chairman of the United Way, and past president of the Jewish Federation Council of Greater Los Angeles and national chairman of the United Jewish Appeal.

I ask the Members to join with me in congratulating Bram Goldsmith not only for the honor now being bestowed on him by the Weizmann Institute but in recognition of a life of contribution to our society as a whole.

TRIBUTE TO CONGRESSMAN GEORGE H. MAHON

HON. DAN ROSTENKOWSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 3, 1985

Mr. ROSTENKOWSKI. Mr. Speaker, I rise to join my colleagues in expressing my deep respect for George Mahon, now departed. In honoring his memory, we honor a giant of the House and a man of incomparable personal contribution to the service of his country.

I consider it a vast privilege that I served 20 years in the House with George Mahon. He had already been here 24 years when I arrived as a freshman, and he rose to the chairmanship of the Appropriations Committee soon thereafter. When I was asked to chair the floor debate on military appropriations the first time, I knew I was in for a challenge, and I got one; but more importantly, I got an education. My teacher was George Mahon, and I never had a better one. It got to be that I looked forward to chairing that debate, just for the chance to learn what George had to impart.

To this day, people who watched George work marvel at his mastery of the rules, the process, the inner-workings of the House. What was even more marvelous to me was his love of the House, and of its history, its traditions, and its role in the American way of Government.

The result was that George Mahon has no peer in the annals of this body for his steadfast and unpretentious dedication to serving his constituents and his country. We have in him a role model of principle, candor, and tirelessness in public office.

We will miss George Mahon greatly, and we will never forget him.

THE DEFENSE BUILDUP

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, December 4, 1985, into the CONGRESSIONAL RECORD:

THE DEFENSE BUILDUP

Since 1980, the U.S. has spent over \$1.1 trillion on its military arsenal, both nuclear and conventional, to improve our overall defensive capability and to keep up with the Soviets. That is about 36% more in real (i.e. inflation-adjusted) terms than we spent in the previous 4 years, and is the fastest rate of expansion in the defense budget in peacetime since World War II.

The overriding question is what improvements in U.S. military capabilities have been obtained with this build-up. Spiraling cost increases for many weapon systems, reports of waste and fraud by defense contractors, and charges of Pentagon mismanagement have led many to question whether we are getting our money's worth.

No single measure or group of measures can fully capture the effects of increased funding on national security. Parts of the defense budget—intelligence, communications, classified programs, for example—are difficult to evaluate. Most studies agree that we are better able to defend ourselves. Yet, these studies raise worries that the allocation of significant resources has only modestly improved key areas like force structure, personnel, modernization, and readiness.

FORCE STRUCTURE

The current buildup has focused on replacing outdated equipment, both conventional and nuclear forces, rather than enlarging the U.S. arsenal and forces. Except for the Navy, where plans for 600 ships anticipate a new role for seapower, low growth is planned for strategic and conventional forces.

PERSONNEL

Between 1980 and 1985, military pay rose by 44%, more than the private sector average, and personnel policies were enhanced. The quality of personnel entering the services (especially the Army) and the retention of experienced soldiers have improved. The number of recruits with high school diplomas rose from 55% to 93%. Full-time, active-duty personnel, however, rose by only 5%.

MODERNIZATION

U.S. military strategy continues to rely on technology to match a larger Soviet arsenal. From 1980 to 1985, investment funding, which includes research, weapons procurement, and military construction, rose 96%, and now consumes nearly half of the military budget.

Increased funding has caused concern about how we allocate the resources. Expenses for purchase of modern equipment have been up, but the number of weapons bought is not much greater than before because of the sophistication and cost of the new weapons. The weapons procurement budget grew by 91% between 1980 and 1984, but inventory grew by only 2.9%. In some critical areas—sealift ships, antisubmarine warfare aircraft, airlift aircraft, and air defense missiles—inventories have declined. Some expansion will occur in future years

as a result of equipment funded, but not yet delivered.

Another concern is that too much of the defense budget has been allocated for nuclear systems at the expense of conventional weapons. To modernize the U.S. nuclear arsenal, the Pentagon is developing five nuclear weapons systems: the MX and Midgetman land-based missiles, the B-1B and Stealth bombers, and the Trident II submarine-based missile. Under current estimates, the total cost of these new systems could top \$180 billion by the mid-1990s. The President has also asked for \$26 billion by 1989 to research the proposed Strategic Defense Initiative, the space-based defensive system to counter a nuclear attack.

There are also concerns that the Pentagon is not spending funds effectively, often getting less for more. The Pentagon bought 30% more tanks and combat vehicles than from 1977-80, but the budget increased by 147%. Missile purchases were up by 6%, but cost 91% more. Aircraft increased by 9%, while the budget rose by 75%. Congress must ask if funds for costly, but only marginally better, equipment should go instead for less expensive weapons to expand inventories. Also, the Pentagon had predicted that increased production would improve efficiency and gradually lower costs, but in many cases price per unit has gone up. Of 15 major weapons purchased in 1985, costs of 12 increased by at least 10% compared to 1977-1980.

Finally, despite a 63% increase in funding for basic technology, U.S. superiority over the Soviets declined modestly between 1980 and 1985, according to a Defense Department ranking of fifteen basic technologies. In three technologies—electro-optical sensors, microelectronic materials, and submarine detection—the U.S. is losing its clear advantage. Only in the area of radar sensors did the U.S. gain an edge.

READINESS

Funding for operation and maintenance increased by 34% over five years, with only slight improvements in the Pentagon's own measures for troop and equipment readiness. The Defense Department contends that U.S. force sustainability has doubled from 15 to 30 days. War reserve stocks of munitions (including ammunition, bombs, and missiles) have been increased by all the services. Yet, as a percentage of requirements, stocks of secondary items like spare parts, medical supplies, fuel, and food have diminished since 1980 for all services except the Air Force.

In each of these areas, the evidence suggests that much more money has not necessarily meant much better defense. With notable exceptions, performance measures in key military areas have changed little. Thus, I am not persuaded that we have received full value for the large increase in spending. I have concluded that rapid defense buildups are no way to strengthen the national defense. Cyclical boom and bust in military budgets does not pay off in real improvement in military capability. A planned, steady stream of funding for military programs better assures a quality fighting force and the equipment it needs. We must understand the importance of preparing for a long-term effort and building a consensus for strong defense. That means, among other things, the defense growth rate must be sustainable, both politically and economically, and the wasteful spurges of defense spending followed by disenchantment with Pentagon mismanagement and inefficiencies must be avoided.

BHOPAL, A YEAR LATER: WHAT DID WE LEARN AND WHAT REMAINS TO BE DONE?

HON. JOHN F. SEIBERLING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. SEIBERLING. Mr. Speaker, 1 year ago yesterday, on December 3, 1984, a human and environmental tragedy occurred in Bhopal, India, as a result of chemical (methyl isocyanate) releases from a Union Carbide plant. The 1-year anniversary of that tragedy is an appropriate time to reflect on our responsibilities in assisting developing nations and on our role in preventing environmental deregulation worldwide; what have we done to prevent future incidents like that in Bhopal, and what steps still need to be taken?

We cannot ignore the environmental consequences of our development assistance; we must also assist nations in developing their own expertise in environmental crisis management. There is an encouraging movement among many Members of Congress toward designing legislation that will encourage sustainable development assistance. Others are concerned with preventing environmental degradation and preserving biological diversity.

The Subcommittee on Public Lands, which I chair, held a successful hearing in early October of this year on the international conservation programs of the Department of the Interior and Forest Service. We learned that while their existing international programs are often well executed, the agencies lack enough legal mandate and direction to provide sufficient and coordinated international technical assistance. Furthermore, the agencies confirmed what we already knew; namely, that the issues confronting the United States in conservation and resource protection are not limited to our borders. When we assist other nations with these problems, we are also benefiting the United States. For example, many of our native songbirds are in danger of extinction because their winter habitats in Central and South America are rapidly being destroyed.

These issues are not limited to the Western Hemisphere. For example, on the Interior Committee's recent trip to the Soviet Union, we were pleased to see that they share our interest in protecting both resources and people from environmentally unsound activities.

An Environmental and Energy Study Institute Task Force, of which I am a member, has issued a report titled "A Congressional Agenda for Improved Resource Management in the Third World: Helping Developing Countries Help Themselves". It calls on us to enact new initiatives to strengthen resource management and promote long-term sustainable development in Third World nations. We need to act on those concerns with all the nations of the world.

Senator JOHN GLENN and I are currently drafting legislation that is intended to clarify the legislative mandate of the many U.S. agencies who could contribute their expertise to international environmental and development programs. We hope to establish a mechanism for more effective coordination among those many agencies.

The world is now aware of what is needed to prevent tragedies like that in Bhopal and steps are being taken to initiate programs that will encourage environmentally sound and sustainable assistance. But we have a long way to go. Congress needs to focus on an examination of the effectiveness of international assistance, and remain dedicated to ensuring that our assistance provides for sound resource management and sustainable development.

TRIBUTE TO HON. GEORGE H. MAHON

HON. WILLIAM H. NATCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 3, 1985

Mr. NATCHER. Mr. Speaker, as a member of the House of Representative Appropriations Committee, I perhaps, feel a little deeper the loss of our former chairman, George H. Mahon, than some who were not fortunate enough to have shared such a close relationship with this outstanding Member of Congress. One of the nicest things that has happened to me since I have been a Member of Congress, is the opportunity I have had to serve on the Appropriations Committee with such a man. He administered the affairs of the committee with a firm judicial hand.

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 not in the best interest of our people. Words are inadequate to fully appraise George Mahon's tremendous capacity for loyalty and love of his country. In every position he held, either private or public, he achieved distinction. His service in all of his assignments was marked by a high sense of conscience and duty. George Mahon possessed the outstanding moral and intellectual qualities necessary for the position of chairman of the Committee on Appropriations. As a Member of the House from Texas, he had those qualities that are essential for leadership—sound judgment, patience, perseverance and unyielding adherence to the principles and policies advocated by his party for the welfare of the country.

I have served as a member of the Committee on Appropriations for a period of 30 years and am now serving as the subcommittee chairman of the subcommittee that makes recommendations for the Departments of Labor, Health and Human Services, and Education. Our friend George Mahon was very much concerned about the bill that we report from our subcommittee. As chairman of the subcommittee that makes recommendations for the Depart-

ment of Defense, he was always in favor of a strong United States, believing that this was the best system to maintain peace throughout the world.

I have lost a true friend and this country has lost an outstanding statesman. To his lovely wife and family, I extend my deepest sympathy in their bereavement.

R. EMMETT TYRRELL ON REAGANOMICS

HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. COURTER. Mr. Speaker, I would like to bring to my colleagues' attention a recent article by R. Emmett Tyrrell, Jr., on the success of President Reagan's economic policies. This discussion points out, quite accurately in my opinion, the benefits of the 1981 tax rate reductions on productivity and growth. More importantly, Mr. Tyrrell notes that tax rate reductions are not the cause of our deficit problem. The deficit has been primarily caused by the high interest rate policies of the Federal Reserve Board which caused the deep recession of 1981, 1982, and the undisciplined spending in Congress.

I hope Members of this body will remember these words and exercise some restraint when tempted to add to our overflowing pile of debt.

[From the Washington Post, Nov. 25, 1985]

REAGANOMICS: SOME "FAILURES"!

(By R. Emmett Tyrrell, Jr.)

It is a well-known and oft-lamented fact that people just do not follow current events very carefully. A less well-known fact is that commentators and politicians do not either. That is the kindest way to account for why so many Americans even in the upper altitudes of power say things that are palpably untrue and occasionally even preposterous.

Consider the widespread belief throughout Washington that soon "Mr. Reagan must be forced to confront the failure of his economic policies." "Failure of his economic policies"—what can this mean?

By most standards Mr. Reagan's policies have been a prodigious success. Compare the Reagan economy with its predecessor. Today more people are working than ever before, and unemployment is where it was in fiscal 1980. Then, the rate of inflation was 12.4 percent. Today it is 3.2 percent.

The prime rate is under 10 percent. In calendar year 1980 it was 15.2 percent. Productivity was declining at 0.5 percent in fiscal 1980. In fiscal 1984 it was growing at 3.2 percent. I know it is only normal to long for the good old days, but who would long for the economy of the late 1970s when he's had Ronald Reagan's?

Moreover it compares very favorably with that of its fabled trade partners. From the end of 1982 to mid-1985 this country's industrial output climbed at a yearly rate of 8.8 percent, as opposed to 8.6 percent for Japan and 4.8 percent for West Germany. In sum, these are palmy times.

Of course, those who murmur about "the failure" of Reagan's economic policies do not have such broad considerations as un-

employment, inflation and productivity in mind. They are thinking solely about the federal budget's enormous deficits.

Many conservatives have always worried about deficits, but now liberals, too, have come to scowl at them as Calvin Coolidge and Grover Cleveland once did. They fear that these deficits will bring economic ruin, and they blame them on the Reagan administration's military buildup and 1981 tax cuts, the latter of which were supposed to encourage economic growth and increase government revenue.

Actually no one knows for a certitude how much of a problem our present deficits portend. The Mount Everest of debt that Washington has accumulated is nothing to wink at, but aside from onerous interest payments, the consequences remain speculative. However, those who follow current events diligently know that government revenue was up almost 10 percent last year.

The 1981 tax cuts are not the cause of our deficits, nor is military spending. Rather the culprit is rising federal spending, which fattens apace with Congress' noble goals. The failure is not with Ronald Reagan's policies but with those of Congress. Despite the grieving over the Reagan administration's budget cuts, the federal government consumes a higher percentage of our gross national product today than during the Carter years.

As University of Maryland economist Melville J. Ulmer has noted, federal revenue from 1980 to 1984 rose by a brisk 29 percent, despite the Reagan tax cuts. This is more than the growth in the population and the price level combined; it is a very significant rise in real receipts per capita.

Unfortunately, during this period government outlays grew even faster, by 44 percent to be precise; and defense was not the villain. Nondefense spending amounted to three-fourths of the total budget, rising by 37 percent from 1980 to 1984.

With this vast expansion in government spending it would have taken a 50 percent increase in both individual and corporate income taxes to balance the budget. Imagine how those gigantic taxes would crush our economy, to say nothing of the world economy.

It is, then, quite erroneous to say that Ronald Reagan's economic policies have been a failure. They did not cause the huge deficit we face, nor is it clear that this deficit is the sign of a sick economy. As economist Alan Reynolds observes, "The purpose of an economy is not just to balance the government's budget but to increase wealth and job opportunity."

By those enlightened standards the Reagan policies are a success. The president's only failure that I can perceive is that he has failed to persuade Congress to restrain its impulses to spend, but that is not what his critics have in mind.

NEW ENGLAND'S "ECONOMIC MIRACLE"

HON. STEPHEN L. NEAL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. NEAL. Mr. Speaker, a recent Wall Street Journal article entitled "The Frost Belt's Revenge," by Bernard L. Weinstein and Harold T. Gross, takes note of the New

England "economic miracle"—the sudden turnaround in the fortunes of the Northeastern States.

In most of the Northeast, unemployment is below the national average, new companies and jobs are being created at an impressive rate, housing starts are up, and population growth has resumed. In contrast, many Southern and Sun Belt States have had high unemployment and economic reversals recently. We should take this opportunity to demolish the myth of Sun Belt boom and Frost Belt decline, and to acknowledge that every region has economic strengths and weaknesses.

More important, those of us from the Sun Belt can learn an essential lesson from the New England economic revival. As Messrs. Weinstein and Gross put it: "It is by now generally accepted that New England's 'economic miracle' has come about in large part because of the quality of its human capital. For generations, New Englanders have invested heavily in public education with the result that the regional work force is literate, trainable, and retrainable. By this standard, the Sun Belt's near-term future appears far from promising."

Our Southern States recently have made a strong effort to improve their schools. But we have a long way to go if we are to prepare our citizens for the economy of the future. It is popular now in some States to smile a lot and cut taxes instead of taking the long view and investing for the future. If we are wise, however, and if we hope to have our own economic miracle, we must make that investment in public education.

At this point, Mr. Speaker, I would like to insert in the RECORD the article by Messrs. Weinstein and Gross which appeared in the November 19, 1985, edition of the Wall Street Journal. I commend it to my colleagues, especially those from the South.

The article follows:

THE FROST BELT'S REVENGE

(By Bernard L. Weinstein and Harold T. Gross)

A decade ago, U.S. politics became embroiled in debate over the causes and implications of an apparent transfer of economic vitality from the Northeast and Midwest to the Southeast and Southwest. In a public-policy climate characterized principally by a concern for redistributive equity rather than economic growth, the back-to-back recessions of the past 10 years or so became sources of regional conflict as differing rates of population, job and income growth were seen increasingly to distinguish a declining Frost Belt from an emerging Sun Belt.

Now fortunes have changed to a considerable degree, and with them, one hopes, some premises of national policy making.

HIGH-WATER MARK

The last decade's conflict in large part was over the geographical distribution of federal dollars. The high-water mark in this interregional battle for dollars probably was achieved about three years ago when the industrial-policy debate reached its crescendo. Although most industrial-policy proposals did not address regional issues per se, they found their greatest support in the Frost Belt and had only lukewarm appeal in the

Sun Belt. Since the Reagan landslide in 1984, the industrial-policy debate has waned, though the administration's proposal to eliminate the deductibility of state and local taxes has generated considerable hand-wringing among high-tax states, principally in the Frost Belt.

Still, the Sun Belt-Frost Belt wars seem to have ended, primarily because of the two regions' growing resemblance to each other: Many parts of the Frost Belt are returning to prosperity, while the Sun Belt has collapsed into only a few "sunspots." Since 1980, for example, eight Sun Belt states have experienced net out-migration, while five Frost Belt states have shown net immigration. Ten Sun Belt states have lost jobs since the start of the decade, a consequence mainly of the structural decline in the refining, petrochemical, shipbuilding, automobile, textile and steel industries, while seven Frost Belt states have posted employment gains.

The best example of this regional identity crisis, however, is found in the recent role reversals of New England and Texas. During the 1970s, New England and Texas were seen by many as archetypes for the Frost Belt and Sun Belt. Between 1970 and 1980, for example, New England's population, on average, grew by less than 0.5% a year, while Texas's population increased at an average rate of 2.7% annually. Similarly, non-agriculture employment in New England grew by only 2% a year during the same period, while in Texas job growth went up at an average annual rate of 6.2%. More important, New England's manufacturing work force grew by only 0.3% a year between 1970 and 1981, while Texas's manufacturing employment expanded at an average annual rate of 4.5%. The gap in per-capita personal-income growth between New England and Texas offered additional evidence of relative decline and prosperity. From 1970 to 1980, per-capita income in New England grew at an average annual rate of 13.8%, compared with 16.7% in Texas.

More recently, however, the tables have turned rather dramatically. With respect to population growth, for example, although Texas's 1983 to 1984 growth rate of 1.3% remains nearly double New England's 0.7%, the difference between the two regions' rates of growth has narrowed considerably. A more telling indicator of change lies in a comparison of growth rates between their most prominent metropolitan areas: From 1982 to 1984, Boston's population grew 1.8%, while Houston's declined 1.2%.

A similar pattern has emerged in employment trends in the two regions. In sharp contrast to the norms of the previous decade, the rate of civilian employment growth between 1983 and 1984 was the same for both New England and Texas. In fact, from September 1984 to September 1985, nonagricultural employment grew more slowly in Texas than in the U.S. as a whole. For the first time in 15 years, Texas's unemployment rate of 8.1% exceeds the nation's by a wide margin; while Massachusetts currently posts the lowest unemployment rate in the nation at 3.8%. In fact, 10 of the 19 Sun Belt states currently show unemployment rates above the national average, while in the Northeast only one state exceeds the national norm. Moreover, between 1983 and 1984, new business incorporations increased 11.5% in New England, but declined nearly 2% in Texas. From the second quarter of 1984 to the second quarter of 1985, personal income in Texas grew 6.6%,

slightly below the national average and well below New England's 7.6% and Massachusetts's 8.1%.

Perhaps the best indicator of the regions' comparative prosperity, however, is found in residential construction. In the Northeast, housing starts were up 29% for the first half of 1985, and in Boston, 4,600 new housing units will be completed in 1985, doubling the 1984 total. In Dallas, which is arguably the healthiest housing market in Texas, housing starts were down 21% for the first half of 1985. Furthermore, for the first half of 1985, Texas led the nation in mortgage foreclosures.

With slight variations, the same trends that now characterize Texas are repeated throughout most of the Sun Belt states: Although some of the Sun Belt's current economic ills may be attributed to the national business cycle or the strong dollar and its impact, they are a reflection principally of the structural change that is under way in many of the region's manufacturing industries, particularly those tied to the energy sector. In short, the Sun Belt is experiencing the "deindustrialization" that once seemed peculiar to the Frost Belt as layoffs, plant closings and "capital flight" become increasingly common. Indeed, economic development has now become a priority for communities across the Sun Belt and, ironically, most look to New England as the example to be followed.

It is by now generally accepted that New England's "economic miracle" has come about in large part because of the quality of its human capital. For generations, New Englanders have invested heavily in public education with the result that the regional work force is literate, trainable and retrainable. By this standard, the Sun Belt's near-term future appears far from promising.

Generally, the Sun Belt states have long neglected their public education systems, with regard both to funding and to academic standards. This legacy of neglect, despite recent reforms enacted by many state legislatures, may hamper the region's ability to compete in the national and international marketplaces. Once again, a comparison of New England and Texas is revealing.

Only 16% of Texas's adult population are college graduates, slightly below the national average and well below Massachusetts' 20%. Further, only 62% of the adult population in Texas have graduated from high school, considerably below the national average. Only 68% of ninthgraders in Texas complete high school, and Texas ranks fifth from the bottom among all states in combined SAT scores. As the U.S. moves further into what is sometimes called a postindustrial society, the Frost Belt will continue to reap returns on its long-term investment in human capital. Most of the Sun Belt states, in contrast, are only now beginning to invest seriously in their educational systems, an investment that will not pay off for at least a decade.

FLIP-FLOP IN FORTUNES

What are the lessons of the past 10 years? Certainly, the rise and fall of the Sun Belt suggests that simplistic analyses and judgment about the economic health and outlook for U.S. geographic subregions should be eschewed by academics, journalists and policy makers. Indeed, the recent flip-flop in regional economic fortunes has undermined conventional perceptions of growth and decline, and the casual taxonomy that has cast the Sun Belt as "winners" and the

Frost Belt as "losers" in the competition for jobs, income and investment.

More important, the speed with which this transformation has occurred raises serious doubts about the efficacy and equity of federal assistance, whether targeted to regions or industries, as a response to "problems" that are not really problems at all but simply evidence of a continuous restructuring in the American economy.

ISRAEL'S ESPIONAGE INVESTIGATION

HON. HOWARD WOLPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. WOLPE. Mr. Speaker, I wish to commend the Government of Israel for moving decisively to investigate the espionage incident which has threatened to harm relations between our two countries. The sweeping policy issued by Prime Minister Peres, on behalf of his government, should remove any concerns that Israel will tolerate any spying activities against the United States. Israel's long standing and formal policy against such activities is intact—indeed, it has been strengthened and reaffirmed by these unfortunate events.

Clearly, there is no place, in the special relationship that characterizes the ties between the United States and Israel, for either country to run clandestine operations against the other. Espionage is incompatible with, and does fundamental violence to, the spirit of trust and intensive cooperation that guides our political, economic, and military ties. It is a standard, incidentally, that must not only bind Israel, but also the United States. We must respect Israel no less than we demand such respect for ourselves.

The arrest of two Americans on charges of supplying Israeli Government officials with classified information has dismayed all responsible parties in both the United States and Israel. It is critically important, in order to put this incident fully behind us, for our authorities to have access to those in Israel allegedly involved in this affair, and for all stolen documents to be returned to the United States. Israel's pledge to cooperate fully with our law enforcement officials is especially welcome and helpful. Moreover, Israel's pledge to dismantle totally any Government entity associated with these activities, and to pursue and resolve all questions "to the last detail," will assure a complete accounting, and prevent these matters from ever recurring.

People of goodwill toward Israel should have no doubt that the Israeli Government will get to the bottom of this affair and punish those responsible. It takes great moral and political strength—traits peculiar to democracy and to Israel's unique heritage—to critically examine alleged wrongdoing, and reaffirm the commitment to justice and the rule of law. Those who question Israel's resolve to exact justice in this matter should be reminded of the work of the Kahan Commission, regarding the

massacre of Palestinians by the Phalange in Lebanon, and the criminal trials in Israel of those who perpetrated terrorism against Arabs. Israel does not abdicate its legal and moral responsibilities to either itself or any other nation—and will not do so in this instance.

In taking the measures that he has, Prime Minister Peres has demonstrated once again his wisdom, courage, and fundamental decency as a leader of his country. The past several days have been no less difficult for the Prime Minister and his colleagues than they have for our Government. We in the United States who value and cherish our relationship with Israel should fully support the correct and careful initiative the Israeli Government has taken to redress the mistakes that occurred, and to repair our relations.

REGARDING GENERAL REVENUE SHARING

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. HORTON. Mr. Speaker, 1985 has been a difficult year for those of us who worked to establish general revenue sharing and are committed to its reauthorization. Although we defeated efforts to eliminate and reduce funding through the House and Senate Budget resolutions, we were unable to secure the full \$4.6 billion appropriation authorized for this year.

Instead, the Treasury appropriations bill, recently signed by President Reagan, provides only \$4.185 billion, or 8.5 percent less than we authorized. In order to allow the localities who depend on this funding to better adjust to the reduction, I offered an amendment to ensure that the cut would be taken from the last quarterly payment.

Because of the critical role GRS plays in the budgets of the towns in my district, I have endeavored to update them regularly on the program's status. The response and support I received demonstrates the importance of general revenue sharing and the unique role it plays in the budgets of towns and townships across the Nation.

I recently received a letter which describes the need for revenue sharing more simply and clearly than any I have ever read. It is well worth reading and I commend it to your attention.

The letter follows:

TOWN OF NILES,

Moravia, NY, November 19, 1985.

HON. FRANK HORTON,
Washington, DC.

DEAR CONGRESSMAN HORTON: I received your letter of Nov. 14, 1985 regarding The Revenue Sharing Program. The Niles Town Board and I want to thank you for your efforts to continue this vital program and share your views regarding same.

We realize that feedback, especially from Towns, is minimal unless we have a complaint. We thought a letter of appreciation is in order for all your efforts in our behalf and we would like to inform you what we

have done with FRS funds in more recent years.

In 1980 we used these funds to replace our Town pick-up truck. A more important use is just coming to completion. For many, many years we stored our salt/sand mixture for ice control in a huge pile outdoors. Now it is housed in a 40 by 70 shed, completely out of the weather, removing the pollution threat it once posed. This project was funded with FRS and general Town Funds, approximately 90 and 10%. Without the FRS funds this project would probably not have been done.

Thank you again for your help and like you, we are sorry to see this program terminated.

Sincerely yours,

GEORGE R. KOMER,
Supervisor.

LA SALSA—A UNIQUE LOS ANGELES EXPERIENCE

HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. LEVINE of California. Mr. Speaker, one of the things which has made America great is the desire of our people to own their own business, to sell a better product, and to make their community a better place in which to live.

La Salsa is the embodiment of that tradition. Founded by Howdy Kabrins in 1979, this fast growing chain of restaurants began as a small, 500 square foot, restaurant at the famous corner of Pico and Sepulveda Boulevards in Los Angeles. This La Salsa is not a fancy restaurant. There are only two tables and a counter where people can pull up a stool and eat. When it was first founded, La Salsa served soft shell tacos and a few side dishes and appetizers. It immediately became one of my favorite restaurants.

La Salsa quickly developed a reputation for the quality and authenticity of its food. It was, and remains, unique although imitators have sprung up all over southern California. This is perhaps the most compelling testament to the success and impact of La Salsa.

The La Salsa restaurants have developed a reputation for being not only among the finest Mexican restaurants in the city but one of the best restaurants of any kind in the city of Los Angeles. Its menu has grown. The restaurants now serve a wide variety of very tasty Mexican dishes. Each is prepared in the unique tradition of La Salsa. By next year there will be eight La Salsa restaurants all over Los Angeles. Food critics, magazines, and guide books have singled out La Salsa for the unique quality of the food served in the restaurants.

In creating his dream, Mr. Kabrins says that he set out to bring to the United States the finest quality peasant foods of Mexico. People come from all over southern California to satisfy their cravings at La Salsa. It is not unusual for visitors to Los Angeles to head straight for La Salsa from Los An-

ges International Airport. I know it is always one of my first stops.

According to Mr. Kabrins, his vision for his restaurants was inspired by an old Mexican saying: "La unica democracia en Mexico son las taquerias donde no hay barreras sociales, no hay preferencia." Translated that means: "The only form of democracy in Mexico is found in the taco stores, for there are no social barriers when eating tacos." The La Salsa restaurants are the embodiment of that saying.

Mr. Speaker, I rise today to pay tribute to Howdy Kabrins and his dream. I urge my colleagues to join me in saluting Mr. Kabrins and the unique cuisine of Mexico he has brought to Los Angeles.

**ANNIVERSARY BANQUET FOR
BISHOP CURTIS DOUGLAS GILMORE**

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. RODINO. Mr. Speaker, it was my pleasure to attend an anniversary banquet honoring my good friend Bishop Curtis Douglas Gilmore on Sunday, November 24, 1985 in Newark. Bishop Gilmore has been the pastor of the St John's Unified Freewill Church for the last 16 years. During these years he has had the privilege of ordaining 17 ministers who are now pastoring their own churches. Bishop Gilmore is a community minded individual who has helped the church meet the needs of its members as well as those of the community.

At the end of 1986 Bishop Gilmore and the St John's Unified Freewill Church, with a membership of 350, will be celebrating groundbreaking ceremonies for an extension to their church.

During this memorable anniversary Banquet scripture reading was given by Elder Carl Burnett, pastor, Mission of Hope UFW Baptist Church; the invocation and blessing were given by Dr. Sturley Brooks, Th.D., pastor, Emanuel Hope UFW Baptist Church; the toastmaster was Elder Hilton Rawls, pastor, St Paul UFW Baptist Church; the keynote speaker was the Reverend Reubel Caldwell, and the Benediction was given by Dr. Dorenza A. Gerrell, Th.D., pastor, Christ Temple UFW Baptist Church.

I would also like to take this time to give thanks to the chairperson, Novella Wooten and the cochairpersons, Mary Singleton and Laura Uzell and the Committee for making this anniversary banquet possible. It was my privilege to participate in honoring such a fine individual as Bishop Curtis Douglas Gilmore.

**TRIBUTE TO CESAREO R.
PELAEZ**

HON. NICHOLAS MAVROULES

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. MAVROULES. Mr. Speaker, I would like to take this opportunity to recognize the outstanding theatrical accomplishment of Cesareo Pelaez, professionally known as Marco the Magi. December 8, 1985, marks the 1,000th performance of his production of "Le Grande David and His Own Spectacular Magic Company." One thousand consecutive performances is a truly unprecedented accomplishment by a resident magic company in American theatrical history.

The show's first production schedule was set in 1976 at the Cabot Theater in Beverly, MA. Since then, it has risen to world acclaim. Feature articles on Beverly's resident magic company have appeared in Time, the Christian Science Monitor, National Geographic, Yankee magazine, the Boston Globe, and the Boston Herald among others.

The ensemble of "Le Grand David and His Own Spectacular Magic Company" has been invited to perform at the annual Easter Monday egg roll festivities at the White House. This invitation has been extended for the past 4 years, beginning in 1982.

In recognition of his outstanding work, Cesareo Pelaez/Marco the Magi has received the Magician of the Year Award—1980 which is the highest award of Hollywood's prestigious Academy of Magical Arts. In addition, Mr. Pelaez has been inducted into the Society of American Magicians Hall of Fame in Hollywood, CA, and he is currently the president of one of the oldest and most distinguished magical fraternities, the Society of American Magicians.

In addition to his roles as producer and star performer of the magic show, he is an associate professor in psychology at Salem State College, in Salem, MA. His tremendous drive and creativity has resulted in the production of one of the most stupendous magic shows in the world today. His success is the quintessential example of the American theme: turning one's dream into reality. I ask my colleagues today to join me in commending Cesareo Pelaez for his spectacular work.

**GOLDSTONE X-RAY LASER TEST
SHOULD BE DELAYED**

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. MARKEY. Mr. Speaker, sometime this month, a nuclear test, code-named Goldstone, will be conducted at the Nevada test site as part of the star wars X-Ray Laser Program.

Plans for this test are apparently going forward despite classified reviews by the Los Alamos National Laboratory, the prestigious Jason Group of senior defense scientists, and scientists within the Lawrence Livermore Laboratory that have identified serious technical programs with the device used to measure the performance of the X-ray laser.

The administration should delay the planned Goldstone test until it has rectified these technical problems. It should not be rushing to continue expensive X-ray laser tests that may yield little useful data.

Mr. Speaker, I would like to call to the attention of my colleagues several articles which have recently appeared in the press detailing this disturbing situation.

The articles follow.

[From the Los Angeles Times, Nov. 12, 1985]

**SCIENTISTS DISPUTE TEST OF X-RAY LASER
WEAPON**

(By Robert Scheer)

LIVERMORE, CALIF.—The Lawrence Livermore National Laboratory is proceeding with plans for a \$30-million test of its nuclear-driven X-ray laser weapon despite charges from other government scientists that there are serious flaws in the experiment's design, The Times has learned.

The decision to proceed with the top-secret test, code-named Goldstone, next month at the Nevada nuclear test site also ignores warnings from some of Livermore's own experts—as well as from scientists at the government's other weapons lab at Los Alamos, N.M.—that a design error in a key measuring device used in all past tests has caused it to give false readings.

The X-ray laser weapon has been the most publicized element in President Reagan's Strategic Defense Initiative, or "Star Wars" program. But past claims for the weapon's success have now been called into question, including the most recent \$30-million test, which was conducted in March and code-named Cottage.

Goldstone and Cottage are part of a five-year-old series of tests in which Livermore scientists are attempting to transform the power of the nuclear explosion into X-ray lasers. If the laser can be focused into sufficient brightness, they might provide a beam of light lethal enough to destroy satellites or missiles in space.

Three months after the reportedly successful Cottage test, scientists at the Los Alamos weapons lab reviewed the highly classified data and warned Livermore officials that the results had been distorted because the device used to measure the laser's intensity cannot provide accurate readings and, therefore, should not be used.

WOULD DELAY PROGRAM

Los Alamos scientists urged Livermore to develop a new mechanism to measure the laser, which would have caused an estimated delay of six months to a year in the program.

An independent internal Livermore review conducted by physicist review conducted by physicist Joseph Nilsen reached the same conclusion as the Los Alamos scientists. Nilsen's classified report was circulated in the lab on June 27. Nevertheless, when George H. Miller, the lab's deputy associate director, went to Washington in July to brief the SDI office on progress in the X-ray pro-

gram, his presentation ignored the error in the experiment.

According to one source, confirmed by others—all of whom requested anonymity—scientists working on the program "were furious because Miller used the old view graphs (color slides of data) on the experiment, which did not take into account the new distributing findings."

Repeated attempts to reach Miller for comment were unsuccessful.

Key scientists working on the X-ray laser project held a series of meetings at Livermore last summer and some urged a postponement of the December test to solve the physics problems in the measuring device. But lab officials accepted the arguments of test proponents that a delay would have unfavorable political repercussions for the program.

"Miller didn't want to delay it because it would look bad," one federal scientist charged.

At that point, according to sources who were involved in reviewing the experiment, Los Alamos scientists complained to the SDI office about the experiment's flaw.

Also, a federal scientist tipped the prestigious Jason Group, a 26-year-old committee of senior scientists, with whom the Defense Department consults on military projects involving complex technologies.

On Sept. 27, a Jason delegation visited Livermore to examine the problem and endorsed the critique of the Los Alamos scientists with whom they had conferred the day before.

ADDITIONAL \$60 MILLION

Despite the warning from Los Alamos, the SDI office recently awarded Livermore an additional \$60 million, largely because of the lobbying efforts of physicist Edward Teller, a Livermore consultant and the man often credited with having sold the President on "Star Wars."

The Times has learned that the warning from Los Alamos scientists is not the first time that Livermore scientists were aware that the laser measuring device was flawed.

A major study conducted by Livermore scientist George Maenchen was widely circulated at the lab in August of 1984 raising points similar to those of the Los Alamos study and advising caution.

Measuring the results of such tests, which are conducted at the Nevada test site, is an extremely complicated procedure. A nuclear bomb is placed at the bottom of a 30-foot-tall canister filled with various instruments. Protruding from the bomb are rods, which when agitated by the explosion, are intended to emit X-ray laser beams in the fraction of a second before they are vaporized, along with everything else near the bomb, including the measuring device.

DEVICE THROWS LIGHT

Measuring devices in the canister attempt to determine the intensity of the X-ray lasers produced in the blast. But the measuring device that gathers the rays and reflects their light also heats up in the course of the experiment and throws its own light, which can itself be confused with an X-ray laser.

"As a result, now five years after the test, we still don't have the conclusive test to prove that there ever was an X-ray laser," said one federal scientist. He, like most informed observers, believes that some form of X-ray laser has been produced. But he argues, that its brightness has not been accurately measured. If extremely high brightness—far beyond anything now

claimed, is not eventually attained—the experiment will have no military usefulness.

This was also the conclusion of the Los Alamos study conducted by scientists Jack C. Comly, Donald E. Casperson, Nelson M. Hoffman and Gottfried T. Schappert. The Times obtained an unclassified abstract of their study that mentioned problems with the measuring device.

The full classified report of their study was presented at a nuclear explosives design physics conference at Livermore Oct. 28-Nov. 1.

SDI chief scientist Gerold Yonas, who was contacted by The Times, said he "will not comment on classified matters." But he said "substantial progress has been made in the Livermore X-ray laser program. Support of the program is continuing."

The X-ray laser program at Livermore continues to expand at a rapid pace and enjoys increased funding from the Department of Energy, which sponsors the lab and the SDI office. But the program's pace is the subject of much controversy at Livermore.

Sources contend that most scientists involved in the program agree on the need for research, but they argue that the program has fallen victim to politics and that the search for "spectacular results," in the words of one such critic, "has overridden careful physics."

"Pressure to go faster," one federal scientist said, "means making mistakes like relying on a calibration system they didn't fully understand which gave a false large signal, so after five years, we still don't know what they have."

TELLER PROTEGE

Critics charge the pressure to race ahead comes largely from a faction within Livermore headed by Teller protege Lowell Wood. Although Wood is not formally in charge of the X-ray laser research, his critics and supporters agree that he has immense indirect influence over the project. This influence is buttressed by his connection to Teller and the high-level access both men enjoy within the Reagan Administration.

Sources within Livermore say that there was a great deal of tension between Wood and the lab's former associate director, Roy Woodruff, who recently "requested reassignment," but insists he is "satisfied with the technical progress of the program." According to one colleague at the lab, Woodruff, who had overall responsibility for the X-ray laser project, said he was tired of Wood's "end runs to Washington."

Despite repeated attempts to reach them, Wood and Teller declined comment.

Woodruff's responsibilities have been assumed—at least temporarily—by Miller, who was more supportive of the decision to go ahead with the December test.

[From the Los Angeles Times, Nov. 13, 1985]

SHADOW OVER "STAR WARS"

The results of scientific experiments can only be as valid as the accuracy of the instruments used to measure them. This elemental truth appears not to have been taken very seriously by researchers in one of the major areas of the "Star Wars" program: the quest for an X-ray laser capable of zapping attacking Soviet missiles.

As staff writer Robert Scheer reported in The Times on Tuesday, the Lawrence Livermore Laboratory is proceeding with plans for a \$30-million test of a nuclear-driven X-

ray laser despite warnings by other government scientists that a key measuring device is faulty and inaccurate.

The experiments involve exploding nuclear devices underground and converting the energy that the explosions release into a powerful X-ray laser beam. As a strategic defense weapon, a nuclear-pumped laser would have to be developed in space because X-rays cannot easily penetrate the Earth's atmosphere. For the same reason, the laser would have to catch rising enemy missiles after they had entered space.

Assuming that such a device can be built, there are practical objections. As generally perceived, a fleet of nuclear-armed laser devices would have to stand guard in permanent Earth orbit. Since the nuclear pump is really a bomb, we aren't sanguine at the prospect of dozens or hundreds of these bombs—some American, some Russian—whizzing around overhead. Critics also note that nuclear pumped lasers would probably blow up other parts of a defense system that were anywhere near them. And nobody has explained why Livermore is spending more than \$100 million a year on nuclear X-ray laser research when the President says that the defense shield would be non-nuclear.

Those problems all lie in the future. The immediate problem is that project managers at Livermore are claiming dramatic success in underground tests while scientists at the Los Alamos weapons laboratory warn that the tests may not be valid because the device used to measure the laser beam's intensity had a serious design flaw. An internal review by other scientists at Livermore agrees with the Los Alamos assessment of the test results.

Rather than accept the six-months-to-a-year delay that waiting for a new mechanism would involve, the program managers at Livermore are going ahead with plans for a new test. Critics charge that political considerations were a major factor in the decision.

Whatever the motive, it is self-evident that millions of taxpayer dollars should not be thrown away in a test that cannot be accurately and reliably calibrated. The Administration should put further tests on hold until the measuring-equipment problem is solved.

[From Valley Times, Nov. 18, 1985]

"STAR WARS" LASER TO BE TESTED

(By William Scobie)

LOS ANGELES.—At a secret site in the Nevada desert early next month, the spearhead of President Reagan's new "star wars" antimissile system faces a crucial test.

It is the futuristic X-Ray Laser Cannon, designed to zap incoming Soviet missiles from the sky, and it's the brainchild of physicist Edward Teller, so-called "father of the H-Bomb."

The multi-layer "peace shield" defense system being built around the unproven beam weapon will cost an estimated \$26 billion over the next five years, a staggering \$1 trillion over the next two decades.

Soviet leader Mikhail Gorbachev last week told a group of Nobel laureates in Moscow that Reagan's insistence on his "star wars" strategy will be "the most pressing question" at Tuesday's summit talks.

But a growing consensus of U.S. scientist—including many admirers of Teller—feels that Gorbachev has little cause for alarm. They argue that the "star wars"

system and especially Teller's laser "baby," simply won't work.

Rebel scientists at California's Lawrence Livermore Laboratory and at Los Alamos Weapons Laboratory in Nevada last week leaked word that next month's \$30 million laser test, which requires a thermonuclear explosion, is being pushed ahead for political reasons, despite known flaws in the mechanics of the experiment that render it largely worthless.

Teller is guru to a powerful faction in the internal battle for fame and funds in the "star wars" empire. They are attempting to transform the power of a nuclear explosion into X-ray laser beams to destroy missiles and satellites in space.

After a test last March, scientists from Los Alamos, Livermore and Washington agreed that the device used to measure the laser's intensity could not make accurate readings. To produce a new and more reliable mechanism might take a full year.

Yet some Livermore scientists working on the project charge that proteges of Teller failed to inform "star wars" chiefs in Washington of the alleged experimental flaws.

Teller, a brilliant physicist renowned in the scientific community for his historic 1950's dispute with Robert Oppenheimer over the morality of building thermonuclear weaponry, is fervently anti-communist. He is widely credited with "selling" the "star wars" concept, especially its Buck Rogers-laser weapon centerpiece, to the White House, where he is a frequent guest and known to have the president's ear.

But since Reagan first enunciated (with a beaming Teller in attendance) his vision, in March 1983, of a non-nuclear "peace shield" defensive system that would forever protect the United States against nuclear assault, the famous physicist has faced many rivals and critics.

Chief among his establishment opponents is retired Gen. Daniel Graham, a former director of U.S. military intelligence who created "Project High Frontier." With missionary fervor and money from conservative think tanks, Graham has worked to sell the administration on a Strategic Defense Initiative (SDI).

[From the Oakland Tribune, Nov. 17, 1985]

OFFICIAL CONFIRMS STAR WARS X-RAY LASER TEST PROBLEMS

ATLANTA.—Air Force Lt. Gen. James Abrahamson, the head of the Pentagon's Star Wars research effort, confirmed Friday that technical failures marred an underground nuclear test, aimed at developing an X-ray laser, one of the key components in President Reagan's Strategic Defense Initiative.

Federal scientists had initially hailed the March 23 test at the government's Nevada test site as a breakthrough in the development of the experimental laser weapon by the Lawrence Livermore National Laboratory.

But anonymous reports in Science magazine of defective equipment and miscalibrated sensors began to surface last month—shortly before the resignation Nov. 1 of Roy Woodruff, the senior scientist in charge.

"Relatively, we could see that the power was there and the rest of the systems worked," Abrahamson told reporters Friday in Atlanta, in the first public confirmation of the difficulties. Although the results of the test are classified, he said, "it did not let us know some of the absolute levels of performance that we wished to know."

Although, "there were, on one nuclear test, some problems with some of the calibration equipment," Abrahamson emphasized that "the problem was completely separate from some of the important breakthrough areas that we have been achieving."

Abrahamson and U.S. Sen. Sam Nunn, D-Ga., the Senate's ranking Democratic military affairs expert, were among senior officials and policy analysts who met here for a conference on Star Wars proposals just four days before Reagan is scheduled to meet with Soviet leader Mikhail Gorbachev.

DISTINGUISHED FLORIDA PUBLIC SERVANT JOSEPH CRESSE

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. FUQUA. Mr. Speaker, one of our Nation's most distinguished State government public officials plans to retire on December 31, 1985. Joseph Parker Cresse, of Tallahassee, FL, is a public servant's public servant.

And when he leaves as a commissioner of the Florida Public Service Commission, having served since January 1, 1979, including the chairmanship from 1981 to 1983, he will have devoted over 30 years of his life to the citizens of the State of Florida.

Over those three decades, Joe Cresse has been at the forefront of State government policies which have responded to the tremendous growth of Florida, now the sixth largest State in the Union.

He has worked diligently and effectively to improve the management and performance of State government for the benefit of 12 million Floridians.

"Joe Cresse is an individual who has given unceasingly of his time and devoted his career to sound government for his fellow Floridians," Gov. Bob Graham said when he recommended Cresse for the National Governors Association's award for distinguished service to State government. He received the honor August 4, 1985, at the NGA meeting in Boise, ID.

A native of Frostproof, FL, born October 7, 1928, Joe graduated from the University of Florida with a degree in accounting in 1950, and served in the U.S. Army for 2 years during the Korean conflict after which he became a junior accountant with Price Waterhouse & Co. in 1953.

In February 1954 he began his State government career as assistant State auditor in the State capital, Tallahassee. From that time on, he was known as an innovator who worked to streamline governmental procedures.

In March 1960 Joe started his career in the budget process of the State as a budget analyst in the State budget commission, with primary responsibilities for health, welfare, and correction programs.

From 1964 to December 1975, he was assistant State budget director, and then served as State budget director from 1975 to 1977, adding a second title, assistant secretary of the department of administration from 1977 to January 1979 when Gov.

Reubin Askew named him to the public service commission.

Joe was in the budget area of State government for 18 years, and on leaving that key arena his staff presented him a plaque which epitomizes his outstanding career:

Presented to Joseph P. Cresse, Budget Director State of Florida. In appreciation for the privilege of working for a man whose: Judgment is sound and wise; Leadership is exemplary and inspirational; Analytical ability is awesome; Sense of fairness is legendary and Integrity is beyond question. Joe Cresse has no peer in State Governmental Finance. We will miss you and always hold you in high esteem.

During his tenure as State budget director, Joe helped organize the career service system for State governmental employees, implemented program budgeting and worked for the passage of a biennial budget law. He was instrumental in developing the Florida Education Finance Program, an education funding program designed to provide equal educational opportunities for every child.

A distinguished alumnus of the University of Florida, 1981, he has been the president of the Southeastern Association of Regulatory Commissioners, 1984-85, and selected as a member of the executive committee of the National Association of State Budget Officers, 1976-78.

He has been active in the National Association of Regulatory Utility Commissioners at the highest levels, serving on various committees and on its executive committee.

Joe has been honored by resolutions of commendation by both the Florida house and senate.

Nancy and I extend our very best wishes to Beverly and Joe Cresse and their family on this significant event in Florida State governmental history. A career public event retires after 30 years of splendid service to his State and Nation. A public servant's public servant!

TRIBUTE TO ROBERT E. KALLMAN

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. LAGOMARSINO. Mr. Speaker, recently the Secretary of the Interior named Robert E. Kallman of Santa Barbara, CA to become his assistant for 17 Western States. I praise this appointment and know Bob Kallman will provide sound advice and good common sense to the policies of the Department that are so important to the West.

It is my pleasure to have known Bob Kallman for many years. He is a dedicated public servant with proven political skill to solve complex and often controversial problems. As a member of the Santa Barbara County Board of Supervisors since 1975, he has provided true leadership to local government seeking to deal responsibly and with integrity on many matters

which are also the jurisdiction of the Department of the Interior, like offshore oil and gas exploration and development, energy transportation, the maintenance of air quality in our coastal communities, and marine resource protection.

Bob Kallman brings to his new job a sensitivity for the problems of local government and individual communities affected by Federal policies. In addition to serving as a member of the Santa Barbara County Board of Supervisors, and twice as chairman of the board, he served on the Santa Barbara Board of Education for 6 years, as president of the Southern California Regional Association of County Supervisors, on the State council on developmental disabilities, on the Department of the Interior OCS Policy Committee, the California State Coastal Commission, and the South Central Coast Regional Coastal Commission. He served on city park, recreation, police and fire commissions, to name only a few of his many public appointments. Bob Kallman's record of civic involvement, including the Council for Retarded Children and the Navy League, would occupy a whole page of the CONGRESSIONAL RECORD.

As a businessman who successfully owned and operated a major landscape nursery in Santa Barbara, CA, he appreciates the needs and concerns of the taxpayer who ultimately foots the bill for Government's policies.

While his sound judgment and steady hand will no doubt be greatly missed by the county government in Santa Barbara, Bob now takes on new challenges of regional and national significance. I have no doubt he is up to that challenge. As a member of the House Interior and Insular Affairs Committee, I look forward to continued work with Bob Kallman on OCS energy matters, national park, public lands, and natural resource issues. In the days ahead, I'm certain many of my colleagues will find Bob Kallman a pleasure to work with and to know.

H.R. 1083, LOW-LEVEL RADIOACTIVE WASTE POLICY AMENDMENTS ACT

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. UDALL. Mr. Speaker, I am having printed in the RECORD an amendment to H.R. 1083 which represents a consensus reached on the bill by the principals of the committees of jurisdiction: Mr. LUJAN, Mr. MARKEY, Mr. DINGELL, Mr. BROYHILL, Mr. MOORHEAD, and myself. Having resolved the differences between our committees—the Committee on Interior and Insular Affairs and the Committee on Energy and Commerce—we will together request the support of the House for this amendment and for passage of the bill.

H.R. 1083, the Low-Level Radioactive Waste Policy Amendments Act, lays a founda-

tion of rules for operation of a new system of State and regional low-level waste disposal facilities. Should the House agree to the set of rules set out in H.R. 1083, we will then request support for passage of seven bills ratifying interstate compacts developed to carry out the policy set forth in H.R. 1083 and the Low-Level Radioactive Waste Policy Act of 1982.

Ratification of the interstate compacts would, under amendments adopted by the committees, be effective subject to the continued adherence of the compacts to the Low-Level Radioactive Waste Policy Act and other Federal law. Disposal capacity will be available at sites now receiving low-level waste until December 31, 1992. Beginning January 1, 1993, States which operate disposal facilities under the auspices of a regional compact ratified by Congress will be authorized to close those facilities to waste not generated within the compact region.

During the 7-year "interim access" period, low-level waste generators' access to the three currently operating disposal facilities will be somewhat limited. Nuclear utilities have been given allocations for space at the facilities which assume that the volumes of waste being sent for disposal will be reduced. The capacity available for nonutility generators also assumes a reduction, albeit a smaller reduction, in the volume of waste sent for disposal.

Access to the facilities will be available to generators only to the extent the States and compact regions in which they are located achieve specified objectives in the development of new disposal capacity.

The essential goals of H.R. 1083—assurance of availability of disposal capacity until new sites can be developed, assurance that new sites will be developed in a timely manner, and assurance that interstate compacts can be ratified and carry out State responsibilities in a manner benefitting interstate commerce—have been retained and reinforced by each committee's recommendations and by the consensus amendment I am presenting today. I am submitting our joint explanation of the amendment, which follows:

EXPLANATION OF CHANGES CONTAINED IN CONSENSUS SUBSTITUTE TO H.R. 1083 AGREED TO BY MESSRS. UDALL, LUJAN, MARKEY, DINGELL, BROYHILL, AND MOORHEAD

The text of H.R. 1083 as amended by the Committee on Interior and Insular Affairs served as a basis for consideration of the bill by the Committee on Energy and Commerce. The Energy Committee further amended the bill and reported the text which has largely served as the basis for development of a consensus substitute resolving the differences between the committee recommendations.

Care was taken by the committees to improve the technical quality of the bill during each step of consideration. Much re-drafting has occurred which does not reflect differences in policy or intent. For example, the Interior Committee bill drew a distinction between the definition of low-level radioactive waste in effect for Federal regulation and other Federal purposes, and such definition as it describes those substances for which states are responsible. While the

former may be administratively changed, the latter may be changed only by amendment of the act. The Energy Committee retained the distinction between definitions but did not as a technical matter consider it necessary to define the Federal terms except for purposes of one section. The definition for Federal purposes is assumed not to be affected by the definition for state purposes which is included in Section (1) of the bill.

A description of the manner in which the significant differences between the bills are resolved in the substitute follows.

Equitable Allocation of Disposal Capacity: The Interior bill provided for the annual allocation of disposal capacity at the three existing sites through the agreement of the three States in which the sites are located. The Energy bill had no comparable provision. The substitute provides a trigger mechanism that permits States to refuse access to waste if they are accepting their annual limit. However, if all three sites have reached their annual limit, all sites must increase the capacity made available in successive 10 percent increments. Priority is given to waste within the compact region.

Emergency Access: Both bills contained provisions for emergency access. The substitute generally follows the language of the Energy bill, but includes the restriction contained in the Interior bill that no site will be required to provide emergency access in any year for more than 20 percent of the total volume of waste accepted in the previous year, nor will a site be required to accept waste in excess of its capacity or license.

Mixed Waste: Both bills provide for the resolution of conflicting regulations relating to hazardous waste that is also low-level waste. Such mixed waste is subject to regulation under the Solid Waste Disposal Act and the Atomic Energy Act of 1954. The substitute is a hybrid of the two bills. Language in the Energy bill providing for the resolution of conflicting regulations and the development of guidelines to consolidate procedures is retained. Language in the Interior bill providing for the development of joint regulations for mixed waste is included in a modified form providing that the joint regulations will become effective upon approval by Congress.

Rebates: Both bills provide states where sites are now taking low-level waste for disposal with authority to place a surcharge on waste admitted to the sites which is generated outside the state's compact region. The Energy Committee bill provides that a portion of such charges collected by the sited states will be refunded to non-sited states which meet specified goals for development of new waste disposal sites. The consensus bill adopts the rebate as a useful incentive for state development of disposal capacity in a timely manner. The rebate for meeting the final goal of operation of a new disposal site, which is double the rebates for other goals in the Energy Committee bill, is, however, reduced from 50 percent of the collected fees to 40 percent of the collected fees.

Miscellaneous: The substitute includes language providing that 11.9 million cubic feet of disposal capacity will be available for utility waste, and 7.7 million cubic feet for non-utility waste. This allocation was implicitly assumed by both bills.

PUERTO RICO AND THE CBI

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. FASCELL. Mr. Speaker, on November 9 of this year, the Honorable Rafael Hernandez Colon, the distinguished Governor of Puerto Rico, addressed the Conference on Democracy for the English-speaking Caribbean, which was held in Bridgetown, Barbados.

Governor Hernandez spoke positively and constructively about the Caribbean Basin Initiative [CBI]—a program which I have long considered one of the most important foreign policy initiatives of the Reagan administration and one which I have consistently supported. The Governor not only discussed the tax incentive plan known as section 936, which provides a tax credit for corporations that invest and produce in Puerto Rico, but also described the so-called twin plant concept in considerable detail.

I was particularly struck by this observation in the Governor's speech:

The siren song Marxism has been heard in the Caribbean for almost three decades. The people who have followed it—or had it fastened upon them—have found only oppression, frustration and economic failure. But we cannot be content with merely pointing a direction of our own and mark out a path toward a common Caribbean prosperity.

Mr. Speaker, the economic destiny of Puerto Rico is not only inseparably linked with our own, it provides the example for the rest of the Caribbean. It is the testing ground for the eventual success of the CBI because Puerto Rico is our responsibility. We must succeed in Puerto Rico if we are to get the governments and the people of the region to follow our lead—and not that of Fidel Castro and Daniel Ortega.

For this reason, I believe Governor Hernandez' comments are of major significance and merit the serious attention of all Members of this body. I ask unanimous consent to include in the RECORD at this point the full text of the Governor's address:

The text of the address follows:

STATEMENT BY THE HONORABLE RAFAEL HERNANDEZ COLON, GOVERNOR OF PUERTO RICO

I am honored to be here with you. I come on behalf of the people of Puerto Rico, who share your high hopes for the future of the Caribbean Basin Initiative. And I bring with me, to this meeting which will make history, our own special heritage of progress and partnership with the United States.

Our Commonwealth is a unique link between that country and the Caribbean. For most of a century, we have been part of the United States; for nearly half a century, the policy of the federal government has explicitly and especially encouraged private enterprise to invest in Puerto Rico, to develop our potential, to create productive work for our people. The United States has helped Puerto Rico to help itself. We have asked for opportunity, not a handout; for a chance, not a guarantee—and the distance

we have come is powerful testimony to the virtues of freedom and the vitality of free enterprise.

Now, with President Reagan in the forefront of our effort, we seek to forge that same kind of fruitful partnership in the wider arena of the Caribbean. The United States has given a new and greater pledge to this region—to defend liberty not simply with armaments, but with the far stronger appeal to the yearning for a better and fuller life.

Today the Caribbean Basin is the testing ground—and the entire world is watching what we do here. Your nations are the nearest neighbors of the greatest nation of this hemisphere, the leader of the forces of freedom around the globe. If we fail or falter here, others elsewhere will question the capacity of a free society. But if we succeed, the Caribbean and the Caribbean Basin Initiative will become a model everywhere—and the most powerful rebuke to those who suggest that human beings must choose between liberty and bread.

The siren song of Marxism has been heard in the Caribbean for almost three decades. The people who have followed it—or had it fastened upon them—have found only oppression, frustration and economic failure. But we cannot be content merely with pointing to the mistakes and missteps of others we must point out a direction of our own and mark out a path toward a common Caribbean prosperity.

President Reagan has recognized that the United States cannot exist as a continent in isolation from the concerns and aspirations of this region and this hemisphere. All of us whose shores are touched by the Caribbean Sea are involved inextricably in one history and one destiny. And all of those who live here, from Florida, along the great archipelago to Barbados, and across to Central America, must claim their rightful place under a single Caribbean sun of progress and economic growth.

I come from a Commonwealth whose citizens recognize a special responsibility to this endeavor. In a very real sense, Puerto Rico has been the beneficiary of an earlier Caribbean Initiative by the United States—the tax incentive known today as Section 936, which provides a tax credit for corporations that invest and produce on our island. Because of this provision, we launched "Operation Bootstrap" in the 1940's. Since then, we have stumbled occasionally, as every economy must; but in the long view, we have moved clearly and steadily forward. To any who say that free institutions cannot break chains of poverty and bring freedom from want, we reply: Let them come to Puerto Rico. In light of our own experience, with an understanding of what we have gained and what we can give, we have enlisted fully in the Caribbean Basin Initiative. Just as the United States cannot exist as a continent in isolation, we cannot and do not regard Puerto Rico as "an island, entire of itself," disconnected in geography or separate in its future and its fate from the rest of the Caribbean.

So in my Inaugural Address as Governor, less than a year ago, I announced a plan to share the benefits of Section 936 with the nations of our region. We have committed to the Caribbean Basin Initiative \$700 million of funds deposited in our Development Bank by Section 936 corporations. The funds are available on concessionary terms to companies starting or expanding twin plants—manufacturing enterprises in Puerto Rico and complementary facilities in another Caribbean island or country.

All of you welcomed this step—as helpful to your own countries, and vital to President Reagan's initiative. Many of you have welcomed me, as I have crisscrossed the Caribbean, discussing the twin plant concept, and bringing delegations of potential investors to your nations. The concept has offered greater promise as the months have passed—and it has assumed greater importance because the United States Congress did not pass the President's full Caribbean program. In this first stage of that historic Initiative, the Puerto Rican contribution has already become a Caribbean necessity. The twin plant concept has become a key to our new alliance for economic growth. We have made real progress already, but we still face real problems. And I am here today to report on both the gains we can count and the barriers we confront.

First, the good news—which is very good indeed. So far, twenty-four major companies have committed themselves to twin plant projects, provided section 936 is preserved unchanged. Their commitments will mean \$114 million in new investments and 15,000 new jobs for the Caribbean. If President Reagan and Congress will permit us to transform these commitments into bricks and mortar, machines and jobs the result will be a welcome increase in Caribbean employment—and an increase of more than 50 percent in new U.S. investments since President Reagan's Initiative. And all this has been set in motion in only the first ten months.

In Grenada alone, the twin plant concept will more than triple new American investment under the Reagan plan. So far that total equals \$1.2 million—which will yield 118 new jobs. That is progress, but the twin plant concept could move us so much farther toward prosperity. Four pharmaceutical firms—and two other companies—have made commitments to twin plants likely to bring an additional \$4.2 million and 430 more jobs to Grenada.

For them, for all the people we represent there today, hope is the heart of the Caribbean Basin Initiative. And the twin plant concept can transform hope into reality, aspiration into achievement—not only in Grenada, but in every island and land of the region. We now have twin plant pledges for investments in eight different countries. One project, for example, will manufacture nurses caps in Grenada and Puerto Rico; another involves finishing shoes in Puerto Rico from undersoles made in the Dominican Republic. The Intel Corporation has plans to put an additional \$40 million into its computer operations in our Commonwealth and here in Barbados. And eight other 936 companies have made commitments to twin plants, and will soon determine the specific size or site of the investments.

The \$114 million already pledged for twin plants will generate more than \$38 million a year in wages in the Caribbean Basin. And we are not talking simply about statistics, or corporate earnings, or economics. We are talking about people ready to earn their own way, to build a future for their families—and in the process, strengthen their countries. We are talking about keeping the truest promise of America—and proving that it can come true for America's closest neighbors. We are talking about individuals, with their own sense of pride and initiative, who want to make freedom and free enterprise work for them.

In Puerto Rico, we feel strongly about this purpose and the prospects of the Caribbean

Basin Initiative. Therefore, we have decided—and I am announcing today—that if section 936 is preserved unchanged the Commonwealth is prepared to commit an additional \$140 million of the Development Bank deposits to finance additional twin plants outside Puerto Rico. This new capital will be allocated primarily to financing those investments in Eastern Caribbean countries that can be shown to benefit the economy of Puerto Rico. And it will increase our commitment to a total of \$840 million, available for twin plant projects in this region.

What we offer, in sum, is a plan to create new investment equal to more than all U.S. investment in all the beneficiary nations of the Caribbean Basin Initiative since the start of the program. The twin plant concept can double the impact of President Reagan's great step toward a more secure and prosperous Caribbean.

With so much confidence in what we can accomplish, with so many corporate pledges in hand, with so few setbacks so far, we should be moving ahead swiftly, without concern or delay. But there is a threatening cloud on the bright horizon of the twin plant concept. That cloud has shadowed our efforts from the beginning.

The twin plant concept depends fundamentally on the fate of 936. That section attracts the investments which create the wealth—which in turn is deposited in our Development Bank and which will be directed to twin plant projects. Without 936, we will not have the necessary capital—and we will not have a single company—to invest in twin plants. Without 936, half of all the resources marshalled for President Reagan's historic initiative could be lost—and it is hard to see how that loss would be replaced.

The case is so compelling that one almost wonders why it has not already carried the day. Surely the Administration does not want or welcome a situation in which its major domestic initiative—tax reform—is at war with one of its major foreign policy initiatives—the effort to strengthen the societies and the economies of the Caribbean and Central America. The price of progress at home cannot and should not be retreat abroad.

Reasonable questions have been raised about the twin plant concept and Section 936—and we have provided answers which are not only reasonable, but clearly right.

Some have asked—how much have you really achieved? In fact, the scale of the initial projects compares favorably with the original corporate investments in Puerto Rico that have now become our most important industrial plants. With projects of this size, we began "Operation Bootstrap"—and with such projects, the nations of the Caribbean can also begin to lift themselves up. We are at the starting line now, and we must not turn from the best opportunity we have had in a generation to reach sustained regional economic growth.

Others have questioned—how certain can we be that the commitments we have from 936 companies will actually be kept? Our answer is unequivocal: We are prepared to see to it, by every necessary means, that the twin plant pledges will be met. We are prepared to condition new tax exemptions which the Commonwealth grants to 936 enterprises on fulfillment of these commitments to twin plants. And we are prepared to enter into an Executive Agreement with the Treasury Department to ensure that this will be done. In any event, why would 936 corporations fail to honor their word—

when that would jeopardize the very existence of Section 936?

There are those who say that Puerto Rico is late in recognizing its common bond with and responsibility to the rest of the Caribbean. To those I say: there is a new administration in Puerto Rico; and we appreciate that the waters that wash your shores reach ours as well; the problems that beset your people and mine can often be tackled best when we work together.

There are those who question the sincerity of our commitment to twin plants in your countries as well as in Puerto Rico. To those I say: there can be no more credible commitment than one that is based on enlightened self-interest. We are convinced that our best hope for preserving section 936 over the long term is your avid defense of it because by the actual creation of jobs in your countries you perceive that this provision is also in your self interest.

So let me convey to you a request as well as a pledge—that you will help us to save Section 936—so that we in turn can help your nations to help themselves. Many of you have spoken out, and I hope you will continue to be heard. For I am convinced that your voices and your views will be heeded in Washington.

I am convinced that President Reagan and the Congress agree with us that the history we make or fail to make in this region, in this generation, will have a shaping influence on the history of our hemisphere and all the world.

There are forces with a great stake in our failure. They are fighting their subversive wars now in Central America, cloaking their plans for oppression with the words and symbols of progress. They have been driven from Grenada, but there and across the Caribbean they wait to put their roots down once again. They will have that chance only if we blunder away our own chance for change.

The whole, long struggle of our hemisphere has been an effort to move forward and upward, against the odds. As Simon Bolivar once said, to those who doubted his ability to move his men through the Andes Mountains, "Where a goat can pass, so can an army."

We here, assembled in this Conference, are the peaceful army of Caribbean progress. I know we can prevail—for I have seen in my life what has come to pass in Puerto Rico. So let us now join with each other in saying to the United States: We are committed to the Caribbean Basin Initiative. We need the investments to make it work—in the form of President Reagan's own program and the twin plants which can result from Section 936. We will use the resources wisely; we will build a future of liberty and economic opportunity. Give us the tools to make the climb—and together, we shall reach the high mountains of our own best hopes.

GUY CHARLES THRORER

HON. CHALMERS P. WYLIE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. WYLIE. Mr. Speaker, I ask my colleagues to join me in paying tribute to a member of our defense community for his outstanding contribution and dedication to the protection of our country. Too often in

our outrage over abuses in the spending of public funds in defense contracts, we neglect to recognize those who make substantial contributions in effecting savings.

Guy Charles Throner is the type of individual who is deserving of such public recognition. Mr. Throner has previously been honored by the prestigious American Defense Preparedness Association on two separate occasions: the first time when he was awarded the Bronze Medallion in 1974 and this year when he was presented the coveted E. Simon Award Silver Medal. I thought it only fitting that he be honored through the CONGRESSIONAL RECORD for the many advances in defense technology he engineered.

Mr. Throner serves as the manager of the Ordnance Systems and Technology Section of the Battelle Columbus Laboratories. In his present position with Battelle, Mr. Throner leads a group of internationally recognized scientists and engineers in advanced R&D on weapons and space technologies. In that role, Mr. Throner has conducted and managed activities in diverse fields of science and technology. He is an active inventor, with over 300 inventions to his credit, in such fields as explosive metal forming, high-speed instrumentation, medical devices, oil field equipment, agricultural and construction equipment, laser technology, and weapons and space technology.

Mr. Throner's most significant contributions have been in so-called shaped charged technology. Beginning in 1946, he pioneered numerous key developments that were vital to advances in this important munitions concept. In 1949 he was responsible for the first use of linear shaped charges in missiles, for development of explosive wave shaping, for introduction of aluminum shaped charges in antiarmor applications, and for the use of aluminum-zinc and copper-zinc warhead experiments. He solved the problem of fragment spalling in discrete fragment warheads, and his patented technique is used in many of today's active missile systems.

Mr. Throner is also responsible for the invention and development of the Air Force aimable cylindrical warhead for anti-aircraft missile applications, which is perhaps the most capable nonnuclear explosive munition for antitarget application yet developed and represents the technology the experts tell me we can expect to continue in the future.

The scope of Mr. Throner's work ranges from deep sea to outer space. Certainly, Mr. Throner's contributions to military technology are extraordinary and it is only fitting that he be congratulated and that his work be appropriately recognized.

LOW-LEVEL WASTE CONSENSUS
BILL DEVELOPED

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. MARKEY. Mr. Speaker, I am pleased to report that we now have a compromise version of H.R. 1083, the Low-Level Radioactive Waste Policy Amendments Act of 1985. The bill had been reported by the Committee on Energy and Commerce and the Committee on Interior and Insular Affairs. The bill reported by the Committee on Energy and Commerce generally followed the Interior bill, but made a variety of substantive and technical drafting changes. Although the reported bills were similar to each other, and both were reported unanimously, it was necessary to resolve the differences between the two bills prior to consideration on the House floor.

As a result of negotiations among the committee and subcommittee chairmen and ranking minority members, we now have a consensus bill that fairly reflects the work of the two committees. I commend my colleagues for their efforts. I believe that the consensus bill, like the bills reported by the two committees, will receive unanimous support.

As is the case with all compromises, no one receives everything they are seeking. However, all parties will gain from the passage of this bill. States without operating low-level radioactive waste disposal facilities will avoid the possibility of an arbitrary cutoff of access to existing facilities beginning next year. In return, sited States have received the assurance that after a 7-year transition period they will not be required to continue accepting waste from outside their compact region. Most importantly, the public health and safety will be protected under the provisions of this bill.

In order to permit enactment of this legislation prior to the end of the session, it is our intention to consider the bill, H.R. 1083, as amended by the consensus substitute, under suspension of the rules, next week. The consensus substitute is printed in today's CONGRESSIONAL RECORD as an amendment to H.R. 1083.

It is also our intention to pass the seven bills providing congressional consent to the various interstate compacts providing for the disposal of low-level radioactive waste. These bills have also been reported by both the Committee on Energy and Commerce and Committee on Interior and Insular Affairs in slightly different forms. A consensus amendment to these bills has also been developed.

The consensus bill developed as an amendment to H.R. 1083, the Low-Level Radioactive Waste Policy Amendments Act of 1985 follows the language of the Energy and Commerce bill, as reported, with several changes. A brief joint explanation of the significant changes in the Energy and Commerce bill that were incorporated into the consensus substitute accompanies a

EXTENSIONS OF REMARKS

statement in today's RECORD by Interior
Committee Chairman Udall.

OCS OIL AND GAS
DEVELOPMENT

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. LAGOMARSINO. Mr. Speaker, lately there has been a great national debate over the issue of OCS oil and gas development off the coast of California. Proponents of blanket moratoriums cite pressing safety and environmental considerations as justification for blanket moratoriums. However, since 1970 a total of fewer than 840 barrels have been lost out of over 5 billion barrels produced from the entire Federal OCS. Studies by the National Institute of Science and University of California at Davis among others have repeatedly shown that tanker traffic, municipal and industrial waste, and natural oil seeps (which is particularly concentrated in my district) account for the vast majority of marine oil pollution. Since oil discharges from offshore platforms are insignificant, blanket OCS moratoriums would not result in any significant reduction in total oil discharges. The environmental damage caused by foreign tanker traffic carrying imported oil could be greatly reduced by greater domestic production.

Mr. Speaker, I urge my colleagues to review the following letter I received from Mr. W.W. Hewston, who is president and CEO of Measurement and Control Engineering of Ventura, regarding the economic havoc caused by blanket moratoriums and the safety record of OCS energy personnel.

MEASUREMENT AND
CONTROL ENGINEERING,

Ventura, CA, November 18, 1985.

HON. ROBERT J. LAGOMARSINO,
House of Representatives, Washington, DC.

DEAR MR. LAGOMARSINO: Having received your October 7, 1985 letter expressing your support of additional OCS Tracts for oil and gas exploration I would appreciate the opportunity of expressing a few additional comments.

The recent election in Santa Barbara County indicated almost a two to one voter approval of the current practices by the Santa Barbara County Supervisors with respect to offshore oil. Also, a recent listener poll by Santa Barbara radio station KRUZ showed that 73% of the listeners were in favor of offshore development.

Do to the decline in offshore exploration activity it has been necessary that my company reduce it's work force by 42% with a resulting loss in excess of \$750,000 per year of payroll to the local economy. My company certainly does not stand alone in having to reduce personnel since the exploration activity has declined.

Being a third generation citizen of Ventura County, I know the value of the energy industry and what it represents to the local economy. The environment has never been better since I was a kid getting tar on my feet at the beach.

Safety and pollution are one of our utmost concerns; our organization for sever-

December 4, 1985

al years has certified offshore operating personnel in order to meet OCS-5 requirements. It is our direct observation that all oil field operating personnel working offshore are not only aware of the environment and safety but work diligently to prevent any adverse conditions from progressing to a problem.

I would urge your continued support of Offshore Exploration on the West Coast. After all, oil is only where you find it, not necessarily where we might want it to be.

Very truly yours,

W.W. HEWSTON,
President and CEO.

STATEMENT OF JOSE RODOLFO
ROSALES AGAINST THE
COUNTER-TERRORISM BILL

HON. TERRY L. BRUCE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. BRUCE. Mr. Speaker, recently I met with Jose Rodolfo Rosales, a native of El Salvador. Jose is a fourth year medical student at the University of El Salvador and the vice president of the General Association of Salvadoran University Students. This past summer, Jose's name was published in the student newspaper as one of the targets for a Salvadoran death squad. After an attempt on his life, Jose was encouraged to come to the United States. His request is that the Congress not approve the counter-terrorism bill.

In Jose's opinion, aid through the counter-terrorism bill will only enhance the ability of the state security forces and the death squads to repress the civilian population.

Meanwhile, President Reagan has determined that the Salvadoran Government has made significant progress in eliminating human rights violations. Therefore, he is again encouraging the Congress to make assistance available to the state security forces of El Salvador.

The consistent discrepancy about what is really going on in El Salvador makes me question the effectiveness of our foreign policy. For 4 years Congress has accepted the President's certification of improvements in El Salvador, and responded by approving some form of military aid. Yet documented evidence by Salvadorans such as Jose suggest that few, if any improvements have occurred. In fact, Jose described many examples of increased violence by the military, the resurrection of the death squads, and the continued bombings of innocent civilian populations.

I wish that each one of my colleagues had the opportunity to meet with Jose. His description of the current situation in El Salvador would make most of us reconsider the role the United States is currently pursuing. There seems to no consistent proof that our military aid has produced needed reforms.

Mr. Speaker, Jose had prepared a formal statement which was to have been presented to the House Foreign Affairs Committee

as part of its report on counter-terrorism. Through a course of events however, his words were not presented. I'd like to share with my colleagues what Jose has to say about the Salvadoran dilemma. Mr. Speaker, I ask that Jose's statement be printed in the RECORD at this point.

Thank you Mr. Speaker.

The statement follows:

1. I, Jose Rodolfo Rosales, native of El Salvador, Central America, 28 years of age am a fourth year medical student at the Faculty of Medicine at the University of El Salvador, San Salvador.

2. I am the Vice-President of the General Association of Salvadoran University Students (AGEUS). I am presently in the United States on a west coast tour of universities and colleges. I have visited 40 campuses to establish ties and support between these U.S. institutions and the National University of El Salvador.

3. On July 12, 1985, the Secret-Anti-Communist Army (ESA), published a death list including the names of eleven (11) university students, staff and workers, threatening them as follows:

"All of these traitors of the people have been condemned to death and we give them until Saturday the 20th of this month to be forwarned that from that day on our beloved military squads will put the execution orders into effect."

4. On July 20, 1985, the Christian-Democratic Party of President Jose Napoleon Duarte published a statement justifying the communique published by the death squad.

5. I was one of the students named in the death list.

6. On July 28, 1985, an attempt was made on my life but I was protected by a group of North American students and professors who were visiting the university at that time.

7. On or about August 7, 1985, a second attempt on my life was carried out. I narrowly escaped from being shot while I was walking in downtown San Salvador. However, a woman standing close by was injured.

8. Eight (8) out of the eleven (11) individuals threatened have already left the country.

9. On July 24, 1985, one of the other 2 students who stayed in El Salvador, Antonio Quezada was shot at.

10. On August 5, 1985, another attempt on Mr. Quezada's life was carried out.

11. These life-threatening acts are not isolated cases facing the university community. During the last eleven (11) months, 55 students have been killed by the Salvadoran armed forces and the death squads; 9 students have "disappeared" by the government forces and 24 have been incarcerated. Thirteen (13) of the latter have been released after intensive international pressure.

12. On June 20, 1985, the General Secretary of the University, Ana Gloria de Montoya; the President of the Engineering and Architecture Department, Ing. Manuel Canas Lazo; University worker, Salvador Ubau, President of AGEUS, Antonio Quezada and myself met with Ricardo J. Lopez, Ministry of the Treasury, to discuss the financial situation facing the university including the lack of funds to pay the salaries of the administration, the faculty and the workers. Mr. Lopez at that time stated that President Duarte's financial priorities were the needs of the war and not higher education.

13. Mr. Lopez's statement is disheartening, particularly when a significant portion of

the university campus and the equipment were totally destroyed during the June 26, 1980 military occupation of the University which lasted until May, 1985.

14. Threats continue to be carried out daily by the state security forces. These state security forces appear on campus uninvited, driving vehicles with blackedout windows and with shotguns visible. They stop students and ask them about other students whose names appear on lists they carry with them.

15. At this time, I would like to request that the Congress not approve the Counter-Terrorism Bill since the aid will only enhance the ability of the state security forces and the death squads to repress the civilian population in general and the University population in particular.

I, Jose Rodolfo Rosales, swear under penalty of perjury that the above statements are true.

BRIDGE FEASIBILITY STUDY

HON. FRANK J. GUARINI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. GUARINI. Mr. Speaker, I am introducing legislation which would set aside funds to study the transportation facilities, services, and needs for cross-Hudson travel between New York City, New York, and northern New Jersey.

The principal arteries which serve the New York/New Jersey metropolitan area are seriously overcrowded, and no longer adequately serve the needs of the bistate community. There are two tunnels and a bridge which were built when traffic between the two States was manageable. Urban growth and suburban expansion have put pressure on all forms of transportation within the region. While additional and widened roads, increased mass transit facilities, and larger carpools have helped speed travel for a greater number of commuters, the structures which carry them across the Hudson River remain unchanged.

In recent years, extraordinary congestion at the entrances of the Lincoln Tunnel, Holland Tunnel, and George Washington Bridge has become common during the rush hours. Between the hours of 7 and 10 a.m. the Lincoln Tunnel, built in 1937, is used by 65,000 bus riders and 16,800 automobile passengers. Eighty-seven percent of these people are bound for New York City's central business district. The Holland Tunnel, opened in 1927, transports an average of 8,200 motorists and 2,700 bus passengers at peak hours, with 70 percent of its traffic headed for downtown Manhattan. The George Washington Bridge, completed in 1931, carries nearly 40,700 motorists and 5,700 bus passengers. Thirty percent of these commuters travel to the Wall Street area.

The number of all trans-Hudson commuters is expected to increase by 50,000 between now and the year 1990. This will bring the total amount of people moving across the river to 265,000 during the daily rush hour. As renewed economic prosperity

benefits New York and New Jersey, the amount of vehicles traveling between the two States will continue to grow. The rise in trans-Hudson travel has actually outpaced Manhattan job growth in recent years. Between 1979 and 1982, the number of commuters from the New Jersey suburbs increased by 11.6 percent, while net employment in New York City rose by 1 percent. The congestion which now plagues the entrances to our bridges and tunnels will become an impediment to the successful development of the area. It is important that the quality of transportation improves with the increasing number of people who depend upon it.

My bill would require the Secretary of Transportation to study tangible solutions to this problem. This study will look into the most appropriate facility to serve travelers. It does not limit the Secretary to consider conventional modes of travel, and encourages the exploration of innovative methods for dealing with this critical situation.

Mr. Speaker, as the present structures serving transportation between New York and New Jersey are operating beyond normal capacity, it is essential that we prepare to meet the future need of the area. Our commitment to expand and improve access between the two States is the only practical way to accommodate continued regional economic growth. A study would determine the appropriate design standards for facilities to unburden the already overcrowded arteries into the city. It is time to plan for the fullest potential development of this great metropolitan area. I respectfully urge my colleagues' support for this timely legislation.

WHY I LOVE AMERICA

HON. JIM CHAPMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. CHAPMAN. Mr. Speaker, each year, the American Legion, Post 30, in the First Congressional District of Texas, which I proudly represent, conducts an essay contest on the subject of "Why I Love America." Only high school students from Lamar County, TX, may participate, and the first through third place winners receive medals, and scholarships when he or she enrolls in college. I am rising today to pay special tribute to the first place winner of the 1985 essay contest, Ms. Cescily Manning. Through the use of her heart and her pen, Cescily has written a tremendous essay showing us all why she is so proud to be an American.

Too often we hear that young people are apathetic and blatantly hostile to our country's offerings, but I can tell you this is just not so. There are many young Americans like Cescily who have considerable strength and character, and I feel very comfortable in knowing that one day they will lead our Nation to even higher planes than did our forefathers.

I would like to share Cescily's essay with you because I believe she speaks for many Americans. She speaks with the refreshing touch of youth, and her words may help remind those of us in the older ranks of America about the freedom that we sometimes take for granted. In Cescily's words:

I love America for the lives of those who paid the supreme sacrifice in defending her, those lives that are represented by the red, white and blue of the American flag.

WHY I LOVE AMERICA

America, land of the free and home of the brave, the land of opportunity. This may sound like a far-fetched claim, but it is every bit true, and I love everything about this country and what it stands for.

The United States of America is made up of people from every nationality and race. Because of this, the population is sometimes referred to as the "melting pot." Many of these people are immigrants that came to this country looking for a new life because America offered them opportunity and freedom. In America any person with a little hard work and a true desire to succeed can lead a happy and prosperous life.

America is a nation whose citizens have many freedoms. In America we are able to gather in meetings to discuss freely our ideas on any matter from the government to our leisure time activities. We have the right to gather in churches and worship the God of our choice in the manner we choose, without fear of arrest and possibly even execution. The press in America has the right to publish the truth, even if it is critical of the government or any governmental policy, without fear of arrest or prosecution. These are but a few of the rights that we, as citizens of this great country, have. I also love America for the great patriotism she inspires. As I watch the flag being raised at the football games every Friday night, I am reminded of just how lucky I am. I am also reminded of the many, many Americans who gave their lives for the freedoms that the flag represents.

I love America for the blood that has been shed in the countless battles fought to keep our freedom and to prevent the spread of tyranny. I love America for the lives of those who paid the supreme sacrifice in defending her, those lives that are represented by the red, white, and blue of the American flag.

America is my home. I love the country and everything it stands for. I love her for the rights and freedoms we all enjoy. I love her for the sacrifices made in her name and for the warm and caring spirit that flows through each American. It is this spirit that draws us together, helping and supporting one another. This feeling is stronger at times than it is at others, but it is always there. These reasons are why I love America.

**EDWARD GIBSON TO BE
HONORED IN QUEENS**

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. ADDABBO. Mr. Speaker, after nearly 30 years of service to the New York City Board of Education, Edward Gibson is retiring from the school system.

During his tenure with the New York City school system, Mr. Gibson has worked tirelessly to improve the quality of education for our city's youngsters. On December 16, many of his friends and colleagues will be gathering at a retirement dinner to thank him for his three decades of service to education in New York City.

I would like to share with my fellow Members the following proclamation that will be read at the retirement dinner being held in his honor:

PROCLAMATION

Whereas: Edward Gibson has had a distinguished career with the New York City Board of Education, spanning from 1953, where he began as a substitute teacher, and retiring as Administrator of Reimbursable Programs-Community School District 28 in May 1985. This period included a two year stint in the United States Army; and

Whereas: In the course of his 29½ years with the New York City Board of Education, Edward Gibson gained tenure as a Regular Teacher, Assistant Principal, and Principal, thereby expanding his scope of influence and involvement in education; and

Whereas: Edward Gibson has shone as an example of professionalism, serving the principles of education and social responsibility through his many efforts to advance the disadvantaged, he always worked in inner city schools—Harlem, Bedford Stuyvesant, and South Jamaica. He is one of the original teachers in the More Effective Schools Program; and

Whereas: Edward Gibson skillfully managed the Federal Title I, Title II, Title III, Title IV, Title VII Programs, State Quality Incentive, Community Education Centers as well as other Federal and State Special Education Grants, bringing about an awareness and raising consciousness of the needs and objectives these programs address; and

Whereas: Edward Gibson has further tirelessly devoted his consummate talent and energy to the special problems of youth employment, education, health and recreation in his participation in many organizations. He has been affiliated with Scouting since 1961 to the present. He is the founder of the Explorer Post #38 of Grace United Methodist Church. He has worked in Child Day Care Centers, Vacation Playground, After School Programs, St. Albans Little League, as well as training Blacks for administrative positions; and

Whereas: Edward Gibson has generously contributed his time to activities involving his membership in various professional and social organizations such as Block Association, Omega Psi Phi, Phi Delta Kappa, Phi Mu Alpha, Jazz Knights, National Association for the Advancement of Colored People, New York Association of Black School Supervisors and Administrators, Association of Assistant Principals, Council of Supervisors and Administrators, United Federation of Teachers, and the Association of Compensatory Educators; now, therefore, be it

Resolved: That the United States House of Representatives praises Edward Gibson for his distinguished service both in the private and public sectors, honors him on the occasion of his retirement from the New York City Board of Education, and takes this opportunity to congratulate him.

Signed this sixteenth day of December in the year nineteen hundred and eighty five.

JOSEPH P. ADDABBO,
U.S. House of Representatives.

**THE UNITED NATIONS AND
HUMAN RIGHTS**

HON. PETER H. KOSTMAYER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. KOSTMAYER. Mr. Speaker, as we observe the 40th anniversary of the founding of the United Nations, it is important to review the performance and effectiveness of that body on the entire spectrum of vital international issues. Perhaps no issue is as critical as the world's approach to human rights. Jerry Shestack, a Philadelphia attorney and president of the International League for Human Rights, is uniquely qualified to shed a much needed perspective on this subject, having served as the U.S. representative to the UN Commission on Human Rights during the Carter administration:

PROPOSALS FOR U.N. HUMAN RIGHTS REFORMS
(By Jerome J. Shestack)

The lip service that heads of state are giving to freedom and liberty during this 40th anniversary of the United Nations cannot hide the fact that the UN's record in securing observance of human rights is pitiful.

More than 50 governments still practice torture. There is severe repression in the Soviet Union, South Africa, Chile, Paraguay, the Philippines, and many other places. The UN has been apathetic in addressing these abuses and certainly ineffectual in curing them. Yet, there are simple reforms in this area which the UN can adopt to advance human rights.

The failure of the UN to advance human rights lies not in a lack of substantive standards of international law. Ever since the Universal Declaration of Human Rights, pioneered by Eleanor Roosevelt in 1948, and the subsequent adoption of numerous human rights covenants, there has existed a solid base on international human rights standards. Indeed, that is the UN's most significant achievement in this area.

But rights without remedies are hollow, and the UN's unwillingness to focus on means to secure international human rights is a critical failing of that body. No one expects the UN to be able to establish an enforcement system the way an individual nation can. But what the UN can do is to concentrate on fact-finding and public exposure of human rights abuses. Even the most offending nations dislike seeing the public spotlight focused on their abuses. In the absence of any judicial system of enforcement, public exposure has proved to be the best means available to persuade governments to stop, or at least reduce, their human rights violations.

To that end, here are some noncomplicated reforms that are possible to achieve:

The UN should establish a High Commissioner on Human Rights. At present, the UN secretariat in the human rights area is weak, timorous, and underfinanced. Too often it bows to pressure from repressive blocs. A high commissioner (patterned after the UN High Commissioner for Refugees) should be empowered to coordinate all UN human rights activities, convene needed emergency sessions of the Commission on Human Rights, send out fact-finding missions, present key human rights issues to

the UN bodies, and issue forthright reports on human rights violations. Proposals to establish an independent and vigorous high commissioner have been on the UN agenda for many years. A concerted effort by pro-human rights nations could bring it to pass.

The UN Commission on Human Rights now receives many complaints of human rights abuses by particular nations. These complaints are kept secret and considered in confidential hearings. Under UN practice, the world never learns the details of the most egregious human rights violations being considered by the commission. The UN must open those hearings to the public. Such public exposure is critical to marshal pressure on abusing governments.

Many nations that grossly violate human rights do not allow the UN investigatory bodies to enter their territory to investigate the condition of human rights. This is intolerable. The General Assembly should require every nation to allow access to UN investigatory missions. Such missions can be extremely useful. The widely publicized report by the Inter-American Commission on Human Rights on disappearances in Argentina during the junta dictatorship was a powerful influence in stopping such disappearances.

The UN should establish a corps of objective trial observers with the right to attend and report on political trials in any nation. Where such observers have been present, experience shows they have had a beneficial effect on the fairness of the proceedings.

These are modest steps. While far from a panacea, they would begin to make the UN an effective force of world opinion against human rights abuses. By enacting these reforms, the members of the UN could help make this 40th anniversary one that human rights advocates, too, can celebrate.

SOVIET LABOR CAMPS THRIVING

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. LAGOMARSINO. Mr. Speaker, Americans unanimously share a commitment to human freedoms and human rights. This Congress has taken a forceful stance on this important issue in our dealings with the Soviet Union, expressing solidarity with President Reagan that human rights remains of central concern to the American people.

We should operate under no illusions about human rights in the Soviet Union, however. Protestations by Members of this body, and others, usually fall on deaf Soviet ears. Clearly, spokesmen for the Kremlin, and even General Secretary Gorbachev himself, are more concerned with maintaining their stranglehold on political power than with insuring universal freedoms for the Soviet people.

In fact, the Soviet Communists have established what can only be considered the world's largest prison camp system. Despite Soviet rhetoric, Soviet labor camps are full of political and other prisoners, many of whom committed such heinous "crimes" as speaking out against repression inside the Soviet Union, teaching Hebrew and other

faiths, criticizing the Kremlin's genocidal war in Afghanistan, and similarly "dangerous" and "irreconcilable" crimes.

Mr. Speaker, we in this body have the moral responsibility to speak out for those who cannot speak for themselves. The millions who are being illegally and oppressively incarcerated at the hands of Communists demand that we speak out. We have no alternative. As Winston Churchill once said, "The worst crime is not to tell the truth to the public."

At this time, I would like to bring to the attention of my colleagues the following article by Bill Gertz of the Washington Times, entitled, "Labor Camps Thrive Despite Soviet Rhetoric, Experts Say." It is informative and should serve to open our eyes as to the nature and expansiveness of the Soviet gulag system.

The article follows:

LABOR CAMPS THRIVE DESPITE SOVIET RHETORIC, EXPERTS SAY (By Bill Gertz)

The Soviet system of forced labor and imprisonment is flourishing despite the Soviets' recent efforts to obscure human rights violations, according to experts on the subject.

The Reagan administration continues to condemn the system, citing a critical 1983 interagency report, according to a government official who asked not to be identified. The report finds the forced-labor system to be a prime instance of Soviet failure to live up to obligations under international treaties and conventions.

"In maintaining its extensive forced labor system to serve both the political and economic purposes of the state, the government of the Soviet Union . . . is contravening the U.N. Charter and failing to fulfill its solemn undertakings in the Universal Declaration of Human Rights and the Anti-Slavery Convention of 1926," the report says.

The report says the Soviets are holding 4 million political prisoners and other criminals in the labor camps. In the Soviet Union, criticizing the state is a crime punishable by up to 10 years in a labor camp.

President Reagan is expected to bring up the subject of Soviet rights abuses in meetings today in Geneva.

"An essential element of the administration's concern is that the Soviets' use of forced labor for political and economic purposes violates fundamental human rights," said the official.

The Soviets have mounted a "counter-human rights campaign" to distract attention at the summit from Soviet rights abuses, according to Georgetown University Professor Roy Gordon. The Soviets have accused the United States of violating the rights of Jews, blacks, American Indians and migrant farm laborers.

A new Soviet pamphlet says Jews in the Soviet Union are treated better than any other nation, according to Herbert Romerstein, an expert on Soviet propaganda at the U.S. Information Agency. The pamphlet, which amplifies remarks made in France recently by Soviet leader Mikhail Gorbachev, also contends that Jews are mistreated in the United States, Mr. Romerstein said.

"They are obviously counter-attacking on the human rights issue" to support their "allegations of the mistreatment of the [American] Jews," Mr. Romerstein said.

The administration estimates the Soviets run 1,100 forced labor camps, but other ex-

perts say the number of camps could be as high as 4,000.

Experts describe the Soviet forced-labor camp and prison system as a vast subculture within Soviet society. Its inhabitants include political prisoners—religious believers, Jews trying to emigrate, dissident scientists and artists—and other lawbreakers, such as petty criminals and murderers. They share a fate in what has become known as the Gulag Archipelago, a term coined by a famous Russian emigre, writer Aleksandr Solzhenitsyn.

Avraham Shifrin, another leading chronicler of the Soviet prison camp system, says in his "Guidebook to Prisons and Concentration Camps" that the system consists of more than 2,000 labor camps in which most inmates work in freezing temperatures and live on starvation diets.

Besides the regular camps, Mr. Shifrin says there are several categories of special camps.

These include 119 camps for 10- to 18-year-old males and for women with children. Fifty-five camps are "psychiatric hospitals." In these, the Soviet secret police, the KGB, can place prisoners for up to three years without legal proceedings. Forty-one are "extermination camps," in which prisoners are forced to work at extremely hazardous jobs.

Mr. Shifrin, who says his father died in a camp for the crime of telling an anti-Stalin joke, writes that the extermination camps come in three varieties. In some camps prisoners work in uranium mines and uranium enrichment plants with no protective gear. In others, prisoners work in nuclear weapons plants and on nuclear submarine reactors. In others, they mine mica, polish glass or work with laquer enamels in unventilated areas.

Prisoners who work in the extermination camps "face a virtually certain death" after several months, wrote Mr. Shifrin, who spent 10 years in the camp system and now lives in Israel.

Experts say it is difficult for Americans to imagine the harshness of the Soviet prison-camp system when in the United States convicts share television sets and can maintain bank accounts.

"If such a thing [as the Gulag] existed here, corresponding to our population, there would be 2,000 camps into which people disappeared, about which no one spoke, and whose existence we denied constantly to the outside world," said Martin.

"Americans can't think like that until they wander into an Auschwitz and find the bodies."

Catholic theologian Malachi Martin, a Vatican expert and author who spent several years in the Rome studying the Soviet camp system in search of banished Soviet Catholics, said he doubts rights abuses in the camps will be the subject of a summit communique because the Soviet Union would never agree to "revise its system of death camps."

"The Soviets forbid talk about this as inimical," Mr. Martin said in an interview. "They will simply break the meeting up."

He said the Soviet gulags are not units of a penal system, but rather are 2,500 to 3,500 concentration camps set up to deal with popular dissent.

A few of the camps are simply remote villages with impassable natural borders, he said. These camps are designed to "prolong life," Mr. Martin said.

"But the majority of camps are so harsh that, as one man said to me, 'The weak

never survived," Mr. Martin said. "The hardship was meant to kill. It's a diabolical system."

Mr. Martin said the exile of Soviet nuclear physicist and human rights advocate Andrei Sakharov was "de factor prison" in the remote city of Gorky. Mr. Sakharov's plight is expected to be a topic of discussion at the summit.

Mr. Martin said President Reagan's election in 1980 and the advent of Polish Pope in Rome led to a Soviet crackdown on dissent. Several Catholic "listening posts" behind the Iron Curtain disappeared during the last five years, he said.

Television producers David B. Aldrich and Lorraine Garnett have cowritten a forthcoming documentary on the Soviet camp system called "Conspiracy of Silence: Human Rights in the U.S.S.R." Using figures provided by the Senate Intelligence Committee and the U.S. Helsinki Human Rights Commission, they estimate that there are between 2,000 and 4,000 camps. Mr. Aldrich stressed in an interview that he considered the figures "conservative."

Victor Zolotarevski, a Russian emigre and filmmaker, said in an interview that a summit in November 1974 between former President Gerald Ford and late Soviet leader Leonid Brezhnev took place near "at least 11" Soviet labor camps containing thousands of prisoners, in Vladivostok.

"The train in which Ford and Brezhnev held discussions, ate caviar and had a good time was running along the tracks [between] a string of labor camps," Mr. Zolotarevski said.

The Soviet Union, he said, used slave labor to build the new phased-array radar system at Krasnoyarsk, Siberia. The radar has been an obstacle to arms talks because it is regarded by the Reagan administration as a major violation of the 1972 Anti-Ballistic Missile Treaty. Mr. Shifrin reports that the remote region contains 68 camps, six prisons and two psychiatric prisons.

A BLANK CHECK FOR FISCAL IRRESPONSIBILITY

HON. DEAN A. GALLO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. GALLO. Mr. Speaker, by passing House Joint Resolution 465, a continuing resolution for fiscal year 1986, the House of Representatives has signed a blank check to continue its irresponsible spending for yet another year. The result will be larger deficits, a higher national debt, and will earn for this House the complete outrage of the American public at Congress' inability to act in a responsible way.

This is yet another example of fiscal frivolity in a long line of irresponsible budget decisions by this House. The continuing resolution is a sad excuse for fiscal responsibility.

It is only necessary because Congress has failed to complete action on all 13 of the regular appropriations bills. In addition, many of the regular appropriations bills that have been brought before both the House of Representatives and the Senate for consideration have exceeded approved budget levels.

The total spending for seven of the appropriations bills included in this continuing resolution is \$2.6 billion over the original congressional budget resolution. This clearly does not reflect legislative and spending priorities as set in authorizing legislation, in the 13 regular appropriations bills, nor in the first budget resolution.

As if the inability of this House to abide by the rules that it sets for itself isn't bad enough, in two of the instances where this House has directed our conferees to agree to compromise spending levels, the result has been to increase spending levels.

The Treasury-Postal Service appropriations bill has already been vetoed by the President on this basis and the Congress has been warned that trying to roll excessive spending into one big bill will not fare well at his desk either.

I cannot, and did not, support this continuing resolution because it exceeds previously agreed to spending levels and does not reflect the legislative priorities set by Congress.

Before this bad check bounces, I urge my colleagues to complete action on all of the regular appropriation bills and to report them within the limits of the budget resolution. Further, I urge the leaders of this House to allow for a vote on the Gramm-Rudman Emergency Deficit Control Act and on the balanced-budget amendment.

SPECIAL ENERGY INNOVATION RECOGNITION AWARDED TO CONSERV, INC.

HON. ANDY IRELAND

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. IRELAND. Mr. Speaker, on November 6, 1985, Conserv, Inc. of Nichols, FL, was presented a Special Recognition Award for Energy Innovation by Department of Energy Secretary John Herrington.

Conserv, a Florida-based producer of high-analysis fertilizer materials, was one of 20 recipients chosen from a field of some 240 candidates submitted by the individual States to receive this special national recognition. Conserv has received similar awards at the State level.

Accepting the award for Conserv was Mr. Ron Graf, president of Conserv and Mr. John Lee, CEO of Intercontinental Development Corp., the Conserv parent company.

Conserv has long recognized the importance of energy conservation. The prototype plant, which is the world's first and only high-energy efficient cogeneration sulfuric acid plant, uses the heat naturally generated during the manufacture of sulfuric acid to produce its own electricity. This new supply of electricity, which is sold to Tampa Electric Co., contributed to the deferment of construction of one of the utility's generating units.

Cogeneration plants are potential major sources of environmentally sound electrical energy that could result in the deferral of

other proposed costly utility power generation units. The innovative approach to the problem utilizes what is known as the "contact method" where heat is produced in the form of hot sulfur gases. Normally, much of this heat is simply wasted, or vented. The Conserv process cools these gases with boilers, economizers, and superheaters, using what would normally be excess or waste heat to produce steam. The steam, in turn, generates electricity.

Mr. Speaker, Conserv has made this facility available for inspection by any and all interested parties. I would like to commend the company's initiative and its contribution to energy production and conservation in this country.

VA REGIONAL DIRECTOR JOHN J. MCNIFF

HON. BRIAN J. DONNELLY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. DONNELLY. Mr. Speaker, John J. McNiff began his service to our Nation in the Army during World War II. Since his discharge, John has continued in a life of service—service to his fellow veterans.

The lifelong dedication of John McNiff was recently detailed in a fine article in the Patriot Ledger of Quincy, MA, by the newspaper's veterans' reporter, Maurice Rear-don.

VA OFFICIAL KNOWS ALL ABOUT THE PROBLEMS OF FORMER GIS

John J. McNiff of Pope Street, Quincy, is director of the Boston Regional Office of the Veterans Administration and he has first-hand experience with the suffering and problems of the American veteran.

The disabled World War II veteran was wounded while serving with the 318th Infantry, 80th Division as a staff sergeant and rifle platoon commander. McNiff was awarded the Silver Star for gallantry in action during the relief of Bastogne. His battalion, 2/318, was part of a task force with the Fourth Armored Division.

McNiff also was awarded the Bronze Star, Purple Heart with Oak Leaf Cluster and the Presidential Citation. He served in five major campaigns in Europe and helped liberate the Buchenwald Concentration Camp.

He went to work as a clerk in the Boston Regional Office following his discharge from the Army. He climbed through all supervisory positions to the post of regional director, in which he has served for the past six years.

During his 41 years of service, McNiff attended numerous federal and private seminars and schools in all phases of management and is a graduate of the Federal Executive Institute in Charlottesville, Va. He has just completed five years on the Department of Veterans Benefits Advisory Committee.

"In essence, the major portion of my life has been spent in the service of the American veteran, their widows and their families. It is a work I have been committed to.

"I have had the honor of testifying before Congressional committees responsible for veterans benefits, and I can report these committees are aware of and supportive of

veterans' rights and benefits. In the Boston Regional Office there are 202 employees, and the office disburses \$535 million annually," he said.

McNiff said that there are 28.5 million American veterans. Their widows and families bring the total to 90 million.

He is a life member of the Military Order of the Purple Heart and the Disabled American Veterans, a member of the American Legion and Veterans of Foreign Wars, the U.S. Government Senior Executive Association, the Federal Executive Institute Alumni Association and the North Quincy Council, Knights of Columbus.

A native of Dorchester, McNiff has been a Quincy resident for 39 years and an usher at Sacred Heart Church in North Quincy for 30 years.

He has been married to the former Alice Norton of Dorchester for 40 years and the couple have one daughter, Mary Ann Giese, a teacher in the Quincy school system. She is married to Dr. Roger W. Giese, professor of clinical chemistry, Northeastern University. The McNiff's have three grandchildren, Matthew, Michael and Mark Geise.

**RULE ON H.R. 3838, THE TAX
REFORM ACT OF 1985**

HON. DAN ROSTENKOWSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. ROSTENKOWSKI. Mr. Speaker, I take this opportunity to inform my colleagues that the Committee on Ways and Means today favorably ordered reported to the House of Representatives H.R. 3838, the Tax Reform Act of 1985.

I wish to serve notice, pursuant to the rules of the Democratic Caucus, that I have been instructed by the Committee on Ways and Means to seek less than an open rule for the consideration of this legislation by the House of Representatives.

**AMC CANCER RESEARCH
CENTER**

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. WAXMAN. Mr. Speaker, the AMC Cancer Research Center is a health research institute founded in 1904 whose cancer research in the laboratory and in the clinic is supplemented by cancer control programs carried out in communities across the Nation. On October 17-19, the center offered its fifth free Colon/Rectal Cancer Screening Program. The screening program gives hope that colon/rectal cancer, one of this Nation's leading cancer killers, will not ravage our country, killing more and more Americans every year.

In 1985, 138,000 Americans will develop colon/rectal cancer. Sixty-thousand of those Americans will die. Many of those deaths could be avoided if their cancer is detected before it reaches an advanced and therefore incurable stage.

Because colon/rectal cancer is generally a slow-growing tumor, many years can pass between initial development and obvious symptoms. Thus, it is possible for potential victims to detect and do something about their cancer before it is too late.

The AMC Colon/Rectal Cancer Screening Program is offered, with the support of The Medicine Shoppe Pharmacies, and local television sponsors, free to participants across the Nation. It provides a safe, simple, and reliable method of early detection of colon/rectal cancer. The program, now in its 5th year, is the largest in the Nation. It is unique in its extensive followup to ensure that each participant receives the results of the test, understands its significance, and obtains medical help where appropriate. To date, AMC has distributed over 600,000 test kits and uncovered thousands of significant health conditions requiring medical attention, including colon/rectal cancer and precancerous polyps.

I want to commend the AMC Cancer Research Center for its Colon/Rectal Cancer Screening Program and for its dedicated service to our Nation's public. AMC and its cosponsors are making a very significant effort to educate, motivate, and most importantly to make available the opportunity for the detection of curable colon and rectal cancers.

I urge my colleagues to help educate the public about the importance of early detection and annual screenings for colon/rectal cancer. I congratulate the AMC Cancer Research Center for developing and implementing this vital Cancer Control Program and applaud their efforts to involve the private sector and the public in assuming greater responsibility for disease prevention and the maintenance of the public's own good health.

**A CONGRESSIONAL SALUTE TO
CHARLES H. (CHARLIE) WIL-
LIAMS**

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. ANDERSON. Mr. Speaker, I rise to honor Charles H. (Charlie) Williams, a distinguished umpire in National League Baseball, who will be honored by a number of organizations in Long Beach, CA on December 10, 1985, which has been designated "Charles Williams Day."

Upon completion of schooling in the Long Beach public school system, Charlie attended Long Beach Community College, and the California State Universities at Long Beach and Los Angeles. In December of 1974, Charlie entered the Bill Kinnamon Umpiring School. He graduated as the first in his class.

In March of 1975, he was selected to work at the California Angels spring training camp. He has also served as an umpire for the California Minor League games, the Florida State Winter Instructional League and the Texas Minor Leagues. In April of

1978, he was promoted to work in the Pacific Coast Minor Leagues. Less than a month after joining the Pacific Coast League, Charlie was promoted to a full-time assignment as a major league professional umpire in the National League.

Charlie, who is the fourth black umpire in professional baseball, earned the distinction, in July of this year, as the first black National League umpire to work the All-Star Game. In addition to his professional work, Charlie devotes time to teaching his skills to others, and to supporting a number of youth and cultural activities.

My wife, Lee, joins me in congratulating Charlie Williams on his outstanding achievements and on the great honor of having a day designated in his honor by the people of Long Beach, CA. We wish him and his wife Diana, and their children, Drake and Gabriel, continued success and all the best in the years ahead.

**LEGISLATION OPPOSING THE
SOVIET INVASION AND OCCU-
PATION OF AFGHANISTAN**

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. LAGOMARSINO. Mr. Speaker, I rise today to express my deep concern about the brutal Soviet invasion and continuing occupation of Afghanistan. For almost 6 years now, Soviet troops in Afghanistan have waged a relentless war against "everything Afghan," as the U.S. Ambassador to the United Nation, Vernon Walters, recently stated.

The Soviets vicious and immoral war against the Afghan nation, people, culture, food supply system, irrigation system, religion, and more, is unconscionable. Virtually every norm of human decency is being violated by the Soviets in their drive to quiet opposition to the Afghan puppet regime, led by Babrak Karmal.

I would briefly like to commend to my colleagues the statement of U.N. Ambassador Walters, during debate in the General Assembly on a measure condemning the Soviet Union for its continued illegal and immoral presence in that once peaceful land. Ambassador Walters stated:

What the Soviet Union has failed to realize—and of course refuses to acknowledge—is that the will of a people united in a national liberation struggle cannot be broken by force of arms. Nowhere in the world is this will stronger or more generalized than in Afghanistan. Nowhere is the simple moral issue of what is right and what is criminally wrong more starkly defined * * *.

Ambassador Walters also stated:

The solution to the Afghan tragedy is not a military one. The only lasting solution is a negotiated political settlement that encompasses the four elements in the resolution to be voted on by this body. These are: The immediate withdrawal of foreign troops; restoration of Afghanistan's independent and nonaligned status; self-determination for the Afghan people; and the creation of the

necessary conditions which would enable the Afghan refugees to return voluntarily and with honor to their homes.

Mr. Speaker, I rise today to offer legislation in opposition to the Soviet Union's invasion and 6-year occupation of Afghanistan against the national will of the Afghan people. I believe this legislation is worthy of the support of each of my colleagues, and I urge them to review the tragic plight of Afghanistan. I am certain that should they investigate this matter, they will agree with me on the need to resoundingly condemn the Soviets for their inhuman behavior and to express our solidarity with the Afghan people and mujahidin in their struggle for freedom and self-determination, and cosponsor this important measure. Thank you, Mr. Speaker.

NEW YORKERS RAISED THOUSANDS TO HELP END HUNGER IN THE WORLD

HON. TED WEISS

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. WEISS. Mr. Speaker, I want to commend the efforts of thousands of New Yorkers who recently raised over \$62,000 and donated over 2,000 cans of food to help end hunger in the world, in the United States and right in New York City. This effort is just one example of the lasting legacy of the late singer/humanitarian Harry Chapin and the commitment of many people who were inspired by his work to end hunger.

On November 16, WNEW-FM sponsored Hungerton '85, a 24-hour radiothon to raise consciousness and to raise money to help end hunger. It was an honor for me to participate in this event along with others who have done so much to help end hunger.

In 1976, WNEW sponsored the first radiothon co-hosted by Harry Chapin and Bill Ayres. That radiothon served as a model for other radiothons held around the country.

The radiothons and the involvement of Harry Chapin were important steps in the continuing fight to end hunger. During his career, Harry Chapin performed over 100 benefit concerts a year. His activities helped to establish World Hunger Year, the New York City Food and Hunger Hotline, Long Island Cares and many other good projects. In 1978, Harry Chapin convinced President Carter of the need to establish a Presidential Commission on World Hunger. Harry Chapin served as one of the Commission's most active members.

The work started by Harry Chapin continues with the involvement of many people. People like:

Bill Ayres, the head of World Hunger Year and the co-host of Hungerton '85 with Pete Fornatale;

Ken Kragen, USA for Africa organizer who first began his involvement to end hunger as Harry Chapin's manager;

Kenny Rogers, who has supported the World Hunger Media Awards and numer-

ous other anti-hunger activities because of Harry Chapin;

And the thousands of New Yorkers who contributed money, donated canned goods, and listened to Hungerton '85.

Mr. Speaker, I am happy to note that the spirit of Harry Chapin continues to be strong and shows no sign of weakening. It is a spirit of love and generosity that grows each day.

WNEW will keep that spirit alive as it will make the Hungerton an annual event. I commend WNEW for their commitment to this type of public service. I would hope that other radio stations around the country, as they did after the first radiothon in 1976, will follow WNEW's lead in bringing the issue of hunger to the attention of their listeners.

LEONID VOLVOVSKY PREDICTED HIS FUTURE

HON. JOHN EDWARD PORTER

OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. PORTER. Mr. Speaker, 3 years ago I traveled to the Soviet Union and had the privilege to meet many of the brave refuseniks, whose courage and dedication should be inspiration to all of us. One of the individuals who I had the honor of meeting was Leonid Volvovsky. When I met Ari in 1982 he told me that he feared that within the next few years he would not be living in Israel, which he so desired, but rather he would still be suffering direct persecution at the hands of Soviet authorities.

And, while Prime Ministers and heads of state gathered in New York to commemorate the 40th anniversary of the United Nations recently, another Jew, another Hebrew teacher, went on trial in the Soviet Union. That man was Leonid Volvovsky.

On October 24, 1985, Volvovsky was sentenced to 3 years of prison under article 190-1 of the Soviet Criminal Code. "Disseminating information slanderous to the Soviet State and Social System" the catch-all used to imprison Jewish activists.

Volvovsky and his wife have been struggling for more than 11 years for their legal rights to live where they wish. During those 11 years, he followed the law of the Soviet Government with exacting precision in order to avoid any provocation the KGB might devise to entrap him. Despite four house searches, a 2-week arrest, and endless threats, Volvovsky managed to study Hebrew and become an observant Jew. Prior to his most recent arrest, a viciously anti-Semitic article appeared in the Gorky Worker laying another layer on the "base" for his arrest.

Leonid Volvovsky's investigation and trial were supposedly carried out in what is called "an open court session" in the Soviet Union. However, in reality, his investigation and trial were not conducted with objectivity and complaints by Volvovsky's wife, Mila, to Soviet authorities have gone unanswered. Mr. Speaker, I would like to

describe for my colleagues how Mila explains that Judge Gerchovstev and the investigators committed numerous violations of the Soviet criminal procedural code throughout her husband's trial.

Mr. Volvovsky was accused of giving someone the book "Exodus" and that the investigator and the judge condemned this book as being "anti-Soviet propaganda." The popular Leon Uris book is about the building of the State of Israel. Authorities claim the novel was slanderous to the Soviet state and social system. Mila also writes that the witnesses who were called to the court during the trial did not state that Volvovsky gave "Exodus" to them to read. Only after the judge applied enormous pressure, did one witness say that, perhaps, Volvovsky may have given her the book.

The second point that Volvovsky was accused of was on the basis of a written article which was taken from his flat during visits by KGB agents. The article claims that there were no Jewish schools in Latvia and Lithuania after World War II. However, the article was not written by Volvovsky. It was only found and taken from his apartment. It the judge would have called the ministry of education, they would have received the same answer: Jewish schools do not exist in Latvia or Lithuania at all and does not slander the Soviet State.

Volvovsky was accused further of stating that there was anti-Semitism in the U.S.S.R. and that he was in possession of letters written in the seventies from the West which contained anti-Soviet slander. The United Nations' universal declaration of human rights guarantees in article 3 the right, liberty, and security of a person; and in article 19 the freedom of opinion and expression and the right to receive and import information through media regardless of frontiers. The violation of Leonid Volvovsky's rights were clearly emphasized during his trial. How can this system be called a system of justice? Justice is not when the wife of the accused is only allowed to enter the courtroom when the sentence is being read.

Leonid Volvovsky was forced to defend himself. And Mila Volvovsky writes that her husband had not received a copy of the verdict and without a copy of the verdict he is deprived of his right of appeal. Volvovsky is unable to appeal his sentence also because his wife is unable to secure a lawyer who is willing to defend him.

The trial of Leonid Volvovsky and his family really began 11 years ago when they first expressed a desire to live in Israel. If his legal desire to be repatriated with his family to Israel had been recognized, Leonid Volvovsky would not be facing 3 years in prison. When are these injustices going to stop?

I commend my colleagues for their dedication and actions on behalf of persecuted Soviet Jews. I encourage them to continue the fight until the day comes when people like Leonid Volvovsky are living in freedom, away from the obstacles that are violating their basic human rights.

REFUGEE AID

HON. RICHARD H. LEHMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. LEHMAN of California. Mr. Speaker, as the House considers the continuing resolution for fiscal 1986, I wish to bring my colleagues' attention to the dispute between Congress and this administration over funding for the Refugee Targeted Assistance Program.

As I have reported earlier, two decisions of the U.S. Comptroller General and a decision of the U.S. District Court for northern California have found that this administration illegally reduced the funding for this refugee program by \$11.5 million in fiscal 1985. Finally, the administration released these funds this week. The relevance of these facts to the debate on the continuing resolution is twofold. First, we must be sure that the administration does not repeat in fiscal year 1986 their unlawful efforts. Second, we must make clear that the administration has no basis to argue that today's action to appropriate fiscal year 1986 funds might deny the rights of private parties to litigate issues involving impoundment, such as in the case now pending in the 9th Circuit Court of Appeals.

Because the \$11.5 million was finally released in fiscal 1986, we must make clear that the new funding for fiscal 1986 is not intended to be reduced in any way. Congressional intent is clearly expressed on this matter in the conference report to accompany the fiscal year 1986 Labor-HHS appropriations bill. Simply stated, Congress has appropriated \$50 million in new moneys for the Targeted Assistance Program in 1986 and that amount is not to be reduced in any way.

I should note at this point the important contributions in this matter of the distinguished gentleman from Mississippi [Mr. WHITTEN], chairman of the House Appropriations Committee, and the very able gentleman from Kentucky [Mr. NATCHER], chairman of the subcommittee of jurisdiction on the Appropriations Committee. Both of my good friends have been very helpful in this effort to protect congressional intent from the arbitrary exercise of unlawful authority by this administration.

PAYING TRIBUTE TO GEORGE MAHON A GREAT AMERICAN LEADER

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 3, 1985

Mr. YOUNG of Florida. Mr. Speaker, it is with great sadness that I join today in paying tribute to George H. Mahon, my friend and former colleague who served as the distinguished chairman of the House Appropriations Committee.

His career serves as an inspiration and model for those of us who follow him in

servicing our Nation. As a boy, he worked in the cotton fields to put himself through college and law school. He was elected in 1934 as the first person to represent the newly created 19th Congressional District of Texas and served in the House with distinction for 44 years before his retirement in 1978. For 14 years, he chaired the House Appropriations Committee, serving continuously in this position longer than any other person in the history of the House.

It was as a member of the House Appropriations Committee that I came to know Chairman Mahon. From our service together on the committee, I learned that not only was the chairman an outstanding leader of our Nation, but he was a warm, caring, good-humored, and personable man whom I am proud to have called my friend. These traits enabled him to lead our committee and our Nation through some of our most difficult and troubling times.

Perhaps what I respect most about George Mahon was his ability to place the interests of our Nation and our national security above politics. As a member of the Defense Appropriations Subcommittee, I know that we continue to use his service on the subcommittee as a model. Like all of us, the chairman took an oath as a Member of Congress to uphold the Constitution and provide for the defense of our Nation. He never wavered from this responsibility and our Nation today is secure in part due to his service and commitment.

George Mahon was a great statesman and a gentleman. He was a true national leader, and it was a privilege to have known and worked side by side with Chairman Mahon. He was a source of guidance and inspiration to me and the many who served with him during his 44 years of service to our Nation. His memory and the values and ideals he cherished will forever remain a part of this institution and will stand as his lasting contribution to our country and our future.

Mr. Speaker, of the many times and many ways the chairman helped this Congressman, the most lasting memory I have of George Mahon was his statement to me that "If you kneel down before God, you can stand up before man."

CONGRESSMAN RICHARDSON OFFERS TWO AMENDMENTS TO HOUSE JOINT RESOLUTION 465

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. RICHARDSON. Mr. Speaker, the House of Representatives has acted on the continuing resolution, House Joint Resolution 465. During the deliberations before the Rules Committee, I had sought approval to offer two amendments to the bill. Unfortunately, I was unsuccessful in my efforts.

My first amendment would have required the Secretary of the Treasury to instruct

the U.S. Executive Directors of the relevant financial institutions to use the voice and vote of the United States to oppose any financial assistance for projects in foreign countries which pollute the air or water in the United States, which, if caused by a similar project located in the United States would violate United States laws or regulations governing air and water pollution or State laws or other programs implementing such laws and regulations. It was my hope that my amendment would bring the necessary pressure to bear on polluters to equip pollution producing facilities with scrubbers or other pollution devices.

Mr. Speaker, acid rain has long been a problem in the Eastern and Midwestern United States—it is now becoming a problem in the western regions of the country also. The Mexican Government is in the process of opening the Nacazori copper smelter just across the border from the United States and plans to operate it without pollution controls between 1985 and 1987. To allow this plant to open without effective pollution controls would represent a significant health and pollution hazard in the so-called smelter triangle area, dramatically increase the acid rain levels in the West, in effect, negate all pollution control efforts that domestic copper producers have undertaken over the past several years.

Mr. Speaker, in addition, the second amendment I would have offered to the House continuing resolution would have provided for the continuation of funds for the Navajo/Hopi Relocation Program subject to the requirement that the Secretary of the Interior and the Navajo/Hopi Relocation Commission submit a report to the House and Senate Appropriations Committees on their plans for expenditure of the appropriated funds. That report would have been due by February 28, 1986.

I have been deeply concerned that there has not been a comprehensive plan filed with the Congress for 5 years. The established deadline for the completion of this program is July 7, 1986. The Commission and the President's special emissary have both indicated that there are problems with meeting that deadline. A report would provide the Congress with the necessary information to determine if the deadline should be extended and what future appropriations are necessary to complete this program as authorized.

My amendment would have ensured that the Commission and the Secretary of the Interior would be held to strict accountability by the Congress for the Navajo/Hopi Relocation Program. It would have provided the relocatees some indication that the Congress intends to keep the promises that were made to them in the original 1974 Relocation Act. Further, it would have ensured the taxpayers that their Federal dollars were not being wasted.

Mr. Speaker, in the days to come I will be searching for appropriate legislative vehicles to attach my two amendments. I would like to request that my amendments

be reprinted in their entirety so that my colleagues will have the opportunity to review my two proposals.

The amendments follow:

MULTINATIONAL ENVIRONMENTAL PROTECTION

SEC. 551. The Secretary of the Treasury shall instruct the United States Executive Directors of the relevant international financial institutions to use the voice and vote of the United States to oppose any assistance by those institutions for any project located in a foreign country that would cause pollution of the air or water within the United States which, if caused by a similar project located in the United States, would violate United States laws or regulations governing air and water pollution or state laws or programs implementing such laws and regulations.

NAVAJO/HOPI RELOCATION REPORT—AN AMENDMENT OFFERED BY MR. RICHARDSON

Notwithstanding any other provision of this joint resolution,

(1) No funds provided in this or any other Act for the fiscal year ending September 30, 1986 may be expanded by the Navajo and Hopi Indian Relocation Commission, and

(2) No funds provided in this or any other Act for the fiscal year ending September 30, 1986 may be expended by the Department of the Interior, Bureau of Indian Affairs, or the Department of Health and Human Services, Indian Health Service, for any activities relating to any relocation required under Public Law 93-531 or Public Law 96-305, after February 27, 1986, if the Secretary of the Interior and the Navajo and Hopi Indian Relocation Commission have not submitted a report to the Committee on Appropriations of the Senate and the House of Representatives before February 28, 1986, a report prepared in accordance with 25 U.S.C. Section 640d-12(c) (94 Stat. 932) on how the Secretary of the Interior or such Commission, respectively, intend to expend such funds.

TRIBUTE TO RAYMOND S. DENNIS

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. CLAY. Mr. Speaker, one of my constituents, Mr. Raymond S. Dennis, has beaten the odds against his success in business in superlative fashion.

The qualities required to succeed in business include tenacity, industriousness, intelligence, training and experience in the chosen field and a great deal of foresight and flexibility. Raymond Dennis is endowed with each of these qualities in great abundance. He will be celebrating 25 years as a successful black businessman in the city of St. Louis, on Sunday, December 8, 1985.

Mr. Dennis began his business as a custom tailor for men and women and rapidly became one of the better tailors, constantly in great demand. His business flourished through the years. Mr. Dennis, a man of vision, soon realized that if his business was to continue to succeed, that he had to diversify. After much research he decided that he would begin to design and produce

products that were in constant demand. These products included blazers, uniforms, mattress covers, pillow cases, and disposable work uniforms for the industry.

These products are produced at two locations with the main operation in the First Congressional District.

He has designed and produced the blazers for the St. Louis Football Cardinals and the uniforms for workers at Six Flags Over Mid-America, among others.

Mr. Speaker, the accomplishments of Mr. Raymond S. Dennis in the operation of his Belle and Beau Clothiers is to be commended, especially so at this period of time when many similar businesses are failing because of imports. It is fitting that I commend him for his years of productivity and dedication and wish him continued success.

FIX THE FLAWS

HON. VIN WEBER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. WEBER. Mr. Speaker, as we approach a vote this week on the expansion and extension of the Superfund Program, I would like to call the attention of my colleagues to the editorials on the subject from my home State.

The Minneapolis Star and Tribune in separate editorials on September 29 and November 13 urged the House of Representatives to "fix the flaws" of the Senate-passed measure, including the "questionable financing scheme: a special tax on all manufactured goods."

Their first editorial admonishes the House to follow Minnesota Senator DAVE DURENBERGER's advice and find a mixed source of financing which would not contain a VAT and would conform to the cornerstone of Superfund and all U.S. environmental legislation: the polluter pays.

The more recent editorial mentions a "sensible approach" to the funding dilemma offered by the Downey-Frenzel amendment which would replace the manufacturers value-added tax with a new waste end proposal, higher taxes on oil/chemical producers and some contribution from general revenues.

I, too, believe that the Downey-Frenzel proposal offers the most fair mixed-source financing for the advancement of our Nation's program to cleanup hazardous waste sites.

Mr. Speaker, as a cosponsor of Downey-Frenzel, I urge my colleagues to give this funding alternative their careful consideration as we vote on H.R. 2817 this week.

SEARCHING FOR COMPROMISE ON THE SUPERFUND

Although the federal superfund bill passed by the Senate Thursday promises a renewed attack on the nation's toxic-waste problem, the measure has worrisome defects. It would deny the Environmental Protection Agency much of the cash and clout it needs to quickly mop up thousands of dumps. And it would excuse some polluters from paying their share for the cleanup.

Hope now lies with the House, which should pass a stronger bill and coax the Senate into a healthy compromise.

The superfund program expires this week, with few successes to its credit. Hobbled by staff shortages and an unsympathetic administration, the EPA has so far cleaned up less than a dozen of the 812 dumps slated for priority attention. Cleanup has yet to start at 90 percent of the sites. Improving the score will require a vastly expanded superfund.

The Senate-passed bill, sponsored by Sen. Robert Stafford, R-Vt., falls short of the need. Its seemingly generous five-year, \$7.5 billion fund is dwarfed by the actual cleanup price; federal agencies estimate that completing the task could cost \$100 billion over many more years. The bill fails to provide the strict deadlines and standards necessary to spur quick and thorough cleanup. And the measure depends on a questionable financing scheme: a special excise tax on all manufactured goods. That tax, as Minnesota Sen. Dave Durenberger complained on the Senate floor, abandons the "polluter-pays" principle and forces many innocent industries to bear the superfund's cost.

Fixing those flaws is up to the House, which has yet to reconcile several pending superfund bills. The chief proposal, pushed by Reps. John Dingell, D-Mich., and James Broyhill, R-N.C., would spend a more realistic \$10.1 billion, but lacks crucial enforcement provisions. A better bill, sponsored by James Moody, D-Wis., contains the \$10.1 billion figure—plus strict cleanup standards and timetables. The Moody measure would also require companies that handle toxic chemicals to notify nearby communities about possible hazards, and would enable communities to ask for superfund aid when they uncover a toxic-waste problem.

In devising a strong superfund bill, the House must also settle the befuddling financing question. As Durenberger noted, that won't be easy. A dumping tax on polluters, which the Reagan administration favors, would raise insufficient revenue and could encourage improper waste disposal. Raising the current superfund tax on oil and chemical producers, while theoretically fair, could prove politically impossible. And financing the superfund through general tax revenue would unjustly force all citizens to bear the cost.

To assure a fair and ample superfund, Durenberger urges mixed-source financing based on the polluter-pays principle. The House should follow his advice.

A SUPERFUND TEST FOR THE HOUSE

The future of the federal superfund lies in the hands of the U.S. House, which now is juggling a basketful of bills to reauthorize the program. The best course lies in a marriage of two superfund measures. One would guarantee quick and thorough cleanup of the nation's toxic waste dumps; the other would ensure that the worst polluters pay the cleanup cost.

Senators erred in bypassing such a two-pronged approach in their September superfund deliberations. Although the Senate-passed bill promises a renewed attack on the toxic-waste problem, it suffers worrisome defects. Its \$7.5 billion fund falls far short of the actual price of cleaning up the 812 sites on the Environmental Protection Agency's national priority list. It lacks the strict timetables and standards necessary to ensure speedy and complete cleanup. And the Senate bill would expand the superfund through reliance on a flawed financing

scheme; a new excise tax on all manufactured goods, which Minnesota Sen. Dave Durenberger criticizes as a hidden tax and a dangerous departure from the "polluter pays" principle.

The House now has a chance to create an antidote to the Senate's mistakes. A bill approved by the House Public Works Committee offers the needed environmental safeguards. It includes a realistic \$10.1 billion pricetag and contains the essential timetables and standards. It would require companies that use and discharge hazardous waste to alert nearby communities to possible dangers. And the bill would maintain polluters' liability for future cleanup, thereby giving the EPA crucial leverage in negotiating cleanup agreements.

Adopting those environmentally sound provisions is an essential first step. But House members still must settle the thorny question of financing. One sensible proposal, offered by Minnesota's Bill Frenzel and New York's Thomas Downey, would replace the Senate-backed excise tax with a new tax on waste, higher taxes on oil and chemical producers and an increased contribution from general revenues. Although that mixed-source financing system would compel all citizens to bear more of the cleanup cost than the current superfund, it rightly imposes the largest burden on industries that generate toxic wastes. Such a plan would do more than the Senate's to force polluters to pay their share for cleanup.

Strict enforcement and fiscal fairness are essential to a strong superfund. The House should embrace both principles and press Senators to accept them in conference committee.

IN HONOR OF "MIGHTY" MO
BERNSTEIN—ONE OF SAN
FRANCISCO'S GIANTS

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. ANDERSON. Mr. Speaker, it truly is an honor for me to rise and pay tribute to San Francisco's Morris "Mo" Bernstein, who commands my deepest respect and admiration. A testimonial to this remarkable man would be incomplete, however, if I failed to recognize the other half of a very enthusiastic team, his wonderful wife, Rea.

On December 12, Mr. Speaker, the remodeled kitchen at the Glide Memorial Methodist Church, where over 2,000 hungry men, women and children are fed every day of the year, will be dedicated as "Mo's Kitchen." This is, indeed, a fitting honor for someone who has been such a positive force in the bay area over the years.

Mo and Rea, who have been married now for close to 60 years, in itself a feat, never had any children of their own. In fact, to my knowledge, they have never owned a pet. Consequently, San Francisco became their child. And all who reside there have benefited from this adoption.

To be honest, I could tie up the proceedings on the House floor for days simply by recognizing the many accomplishments of this great man who lives each moment to its fullest, and who really cares and under-

stands the needs of those around him. When San Franciscans honor Mo, whether it be dedicating a kitchen to feed the needy, or any worthy cause, they are really honoring themselves. For they are one; Mo Bernstein is San Francisco and San Francisco is Mo Bernstein.

My wife, Lee, and I consider it one of the great privileges of our lives to be touched with the heartfelt warmth of Mo and Rea. For the world has rarely seen a more faithful, loving, and hardworking couple than Mo and Rea. We wish them continued success in all their future endeavors.

CIVIL RIGHTS IN THE UNITED
STATES TODAY

HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. WEISS. Mr. Speaker, these are trying times for the civil rights movement. After years of apparent progress in rectifying our Nation's shameful record of racial inequality, the civil rights movement has encountered a pair of formidable obstacles: a Federal budget for social programs that is shrinking and an administration that not only fails to acknowledge our country's civil rights problems but seeks to destroy the progress that has been made in the last two decades.

It is in times like these when leadership and foresight are most critical. A thoughtful assessment of the state of the civil rights movement was contained in a speech given by James Farmer, founder of the Congress on Racial Equality and former Assistant Secretary of the Department of Health, Education and Welfare. The speech was delivered on June 24, 1985, at a meeting of the Humanist Society of Metropolitan New York, chaired by another civil rights leader of long standing, Rabbi Bal-four Brickner of the Stephen Wise Free Synagogue in Manhattan. The speech, entitled, "Where Does the Civil Rights Movement Stand Today?" follows.

WHERE DOES THE CIVIL RIGHTS MOVEMENT
STAND TODAY?

(By James Farmer)

I don't know what I can say about where to go in the civil rights movement, except to confess that I don't know. I don't think anyone knows, and that is the rub. This lack of direction today reflects the failure of the movement, or the limitation to the movement's success, in the sixties. It was partly our fault, those of us who were in it, because we did no long-range planning. Our excuse for not doing so was that we were dealing with emergencies and crises. We did not have time for the luxury of long-range planning. I do recall in a couple of instances in the Congress of Racial Equality (CORE) that I had planned to pull the staff in for a week or two of brainstorming and have scholars there with data, so that we would not be merely batting the breeze. We were trying to figure out what problems would exist after passage of the Civil Rights Act of 1964 and the Voting Rights Act of 1965. What would the problems be in 1970, 1980, 1990, and the year 2000? What was the job

market going to be like and how could we prepare poor people, especially minority poor, for those jobs? How would we prepare them to cope with the computer revolution? But invariably, before the dates arrived for those sessions, some emergency would arise. Schwerner, Goodman, and Chaney, three of our CORE staff people, were killed in Mississippi, and three thousand persons were jailed in Greensboro, North Carolina. Obviously, we could not pull staff out of those areas for planning.

We should have found some other way to do it. Because when success came—success in terms of the short-term legislative victories—the movement was caught flat-footed without a program. It did not know where to go. That was one of the main factors that drove it into disarray. At the same time this was happening, the movement was shifting its sights northward and concentrating on national problems, rather than on exclusively southern problems, because the southern problems of apartheid at the lunch counters, on the buses, and wherever had been licked. We had battered down those barriers with much effort, but, when we turned to the national problems, they were more complicated.

It was not easy for our troops—the non-violent troops of the movement then—to get a handle on these problems, to sink their teeth into them, to come up with tactics and strategies which were relevant and which proposed answers. We were not able to personalize the enemy. We were not able to point the finger at a Bull Connor and say, "He is the devil." When we could do that, we could mobilize folk to go to war against the devil, because he was definable in terms of individuals who could be seen, touched, and felt. They could see on television the police dogs released by Bull Connor which tore at the clothing and flesh of children. And they could see his high-power, high pressure fire hoses rolling women down the streets in the Birmingham demonstrations of Dr. King. When we could point to the devil, then it was simple to organize, to motivate, to maintain unity, and to keep the battle going.

But when we moved north, the focus turned to national problems. How could you personify job problems, employment problems, housing problems, getting rid of slums, de facto school segregation as opposed to de jure school segregation? The enemy was scattered all around. You could not define him. You could not draw a picture of him. You could not touch him or feel him. He was hidden. Furthermore, the sit-in, the freedom ride, the march, and the picketline no longer seemed to reach him because in some cases he was on those picketlines—unknowingly.

How could you deal with those problems then? What happened to the movement at that point was that, unable to find the enemy to shoot at nonviolently, we turned on each other. The movement ripped itself apart. Internecine warfare tore it asunder. The problems were more complex in the North and nationally than in the South where the problems were simpler—problems which separated the good from the bad, the right from the wrong.

Four black freshmen at North Carolina A & T College in Greensboro sat at a Woolworth lunch counter in the "For White Only" section and demanded coffee. What could be simpler? Nobody of any decency could argue that those kids should not have received the coffee if they had the money to pay for it. Anyone who argued that they

should not have been served or sitting where they chose to sit, had to be a racist, a bigot.

There were no two ways about it. It was right versus wrong. And the same applied to the buses of the freedom rides. Who could argue that the riders who bought their tickets, who paid the same amount for them as others, and who were going in the same direction the bus was going should not be able to sit where they chose among the seats that were available? The same held true for voting—the right to register and vote without risking life and limb. These issues clearly separated right from wrong, good from evil.

RIGHT VS. RIGHT

However, the issue is not as clear-cut when you deal with problems such as Affirmative Action, with numerical goals and timetables, or when you deal with how to close the income gap, with the median average black income remaining under 60 percent of the median average white income. (The Hispanic income gap is equally wide, native Americans much wider, and the statistics show us that not only is the gap not closing but is widening.) Look at infant mortality rates which are still two-and-one half times as high among blacks and other minorities. Look at life expectancy among males. The gap is still widening. And, worse yet, the figures tell us that the life expectancy of the black male has shown an actual decline, dropping from sixty-four to sixty-one. We are dying before we collect social security.

We know some of the reasons and can guess at others. But a sit-in isn't the answer. A freedom ride won't cut the mustard on that. People of goodwill can be on different sides of tactical and strategic questions. It isn't a separation between good and bad; it is often not even a question of right versus wrong. Very often the issues are right versus right. Affirmative Action is one such issue. Another is reverse seniority lay-offs involving minorities and women. The argument is that you can't lay them off first because they were the last hired, because, after all, if you hadn't conspired to keep them out of those jobs all these years, they would have some seniority now by having held the jobs for a while. But our trade union friends—and I'm a trade unionist—would often say, "No, no, no! This is gospel. Seniority must be respected. We must protect the job rights of those who have been on the job longest and who have been members longest." Not right versus wrong. Who's right? Both are right. And when both parties are right, there has to be a compromise in which alternative solutions are worked out which will reasonably satisfy the needs and requirements of all the contestants. In Affirmative Action, the same was true in the case of Bakke vs. the University of California at Davis. Who was right? Who was wrong? Both were right. Both.

There were other factors that contributed toward the transformation of the white perception of blacks. Something began to happen among the lower middle class. (I hate to use class designations because I am not sure I know what they mean any more. I am not sure that they are descriptive of anything. But here I refer to semi-skilled industrial workers.) For example, a man with a family who lived in Cicero, Illinois, worked hard for years—ten, fifteen, or more years—to place a down payment on a split-level. He got it. Now, although he is mortgaged for life, he is making it. He has three televisions, two of them color. He has a car, maybe two cars. His wife drives one around

to go shopping and visiting. At the end of the month, he pays the bills and he squeaks it out. There is very little, if anything, left—but he is making it. Driving into work, he passes a job training program run by the War on Poverty. He looks at it and says, "My tax dollar is paying for that. I'm paying for it. It takes a big bite out of my tax dollar, and who am I training there? A bunch of blacks and Hispanics, and they are being given modern training with modern equipment with modern techniques. What jobs are they being trained for? My job." That is probably not the case, but it is the perception that counts. So he believes that they are going to bump him out of his job. That evening when he goes home and sits at the dinner table, his wife tells him that a black family is going to move into the vacant house down the street. He sighs and shrugs wearily. Mrs. Hansen, who works for the real estate company, says that his property values are going down. He looks up and the weariness has left him. How much will the property depreciate? Five thousand dollars? Ten thousand? How long does he have to work to save that much money? The person who has one step up the ladder tends to be terrified when there is motion from below. That is what has happened.

All of these things fed the backlash that occurred around the middle sixties. Yet the movement as such was dead already. The movement did not die when King died. It was already dead. Rigor mortis had not set in, but the backlash was there. Anti-black groups organized. One such group in New York State was SPONGE—the Society for the Prevention of Negroes Getting Everything. Really. And the membership of SPONGE grew! There were other groups with less picturesque names organized around the country.

This created a totally different situation. We no longer have the majority of the people with us. Compound that by the fact that the Reagan administration is, in my opinion, deliberately trying to wipe out the advances in civil rights that have been made. I don't know if the president knows what he is doing, but some of the people around him do know—the people who call the shots. They know what they are doing. They have a plan, for example, the Justice Department is now on the side of those who perpetuate segregation and racism. It files its best suits against those who are trying to attack racism. Look, for example, at Starrett City, Long Island, which was trying to use integration maintenance devices in order to maintain integration in housing in an area that would otherwise rapidly tend to become all black and contribute to further growth of ghettos. It has a quota of 40 percent blacks, to which it tries to keep. The percentage of blacks is much less than that now, so it is no problem.

There are many housing developments around that have quotas of zero for blacks. The Justice Department has not bothered those with zero quotas but has filed suit against Starrett City for having quotas. That is discrimination. "We want to be color blind," they say. No greater myth was ever perpetrated. The Justice Department is getting in touch with fire departments and police departments which have worked out consent agreements of affirmative action on the hiring of minorities when they had no minorities and on promoting minorities when none had been promoted. These were consent agreements which were working well. The Justice Department said, "Stop that. You have a quota." Some industries

have also been assailed by the Justice Department. They said, "Look, we are happy. The employees are happy, management is happy, special-interest groups are happy, the community is happy. Please get off our backs." But the Justice Department doesn't get off their backs—it files suits to wipe out such advances on the basis of either a narrow ideology or a malignant design. I am inclined more and more to think it is the latter.

And we have the Clarence Pendletons and other blacks who support the administration's view vociferously. We have even Jim Meredith saying the same thing. (You know Jim Meredith who got Old Miss integrated.) Well, there will be more. I understand that there was a bunch at the NAACP convention.

To develop a plan, a program to work toward, is what we must do. And it cannot be a black program. If it were, then we would be reinventing the wheel. It has to be a program that involves people like Rabbi Balfour Brickner, who has been involved in the movement all along, Alan Gardner, one of the great leaders of CORE in its good days, and many others. Scholars and others must be involved. We will not agree. We will often disagree. The disagreement, too, will be part of the process. We must get a program. We must start the process toward getting a program.

Alliance. Yes, we need alliances. One thing we have to learn is that people don't have to agree on everything to ally themselves together. What they must do is form an alliance—a coalition for those things on which their agendas coincide—and work jointly on those agendas while agreeing to work separately on the issues on which their agendas do not agree—although continuing dialogue to try to bring their positions on these other issues closer together.

We have to have these alliances. The black-Jewish alliance has to be rebuilt. It is more difficult to do than to say, but we have got to do it. What Jesse Jackson calls the Rainbow Coalition needs to be built. And that won't be accomplished by using expansive rhetoric. It requires careful nurturing. It requires defining and understanding the issues which divide and join us—and realizing that, although we work separately on issues on which we don't agree, it does not make us enemies. And once we realize this, then we can come back together and work hand-in-hand on the issues on which we do agree. So, a coalition must be formed. Not only the minorities—blacks, Hispanics, Native Americans, and Asian-Americans—but also women's groups (women are a power minority although not a numerical minority) and progressives must come together. Labor? I will not write off labor. Certainly the progressive parts of the labor movement must be involved. They, too, have paid dues. They, too, have shed blood. So we have got to work these coalitions out.

We also have to help each other in a rebuilding of the black community. Now that is something difficult to say, particularly to an audience that is predominantly white.

I was one of those who criticized Moynihan's study on the black family in 1965. I criticized it because I thought that he was too general in some of his charges as to the pathology of the Negro family. What he was really referring to was the pathological symptoms in the families among poor blacks. The middle-class black family is just about the same as a middle-class white family. It accepts the same values and, in fact, outdoes the white family in adherence

to those values. It is, in a way, an imitation—and imitations are always more extreme than that which they imitate. Moynihan was referring to only one part of the Negro family. Also, I do not think that it requires a clinical solution. It requires, first of all, jobs. Give a man a job and he will take care of what Moynihan calls that matriarchy. Give him a job so that he can come home with some pride and a paycheck in his pocket. We must rebuild the black community because the syndrome of racism, prejudice, and poverty has wreaked havoc on it.

When I could see better, I used to like to walk in the streets of a city and look at some of the young men. Young males standing on the corners. I would walk up to them and talk. They didn't know who I was from Adam. And perhaps it was a dangerous thing for me to do. Here were guys with no hope for the future, with too many strikes against them. Illiterates. They could not read. But they were among twenty-six million adults in this country who couldn't read.

They couldn't compute. They had no skills, had no job, had never had a job—and had no hope of getting a job. They probably were on drugs. The underclass: do we write them off? We dare not write them off! If we in the black or white community do write them off, what makes us think that they will not one day turn on us. They are human beings. We have got to see that the twin evil of poverty and prejudice is not allowed to keep on pouring antisocial folk out into the streets of America. Teenage pregnancy—we have got to attack that problem, too.

This is what I mean about a rebuilding of people and a renaissance. We have the tactics to do it. We know how to do it. As Alan Gardner can tell you, there have been various pilot programs around the country that have shown what to do. There is a project in Gainesville, Florida, in which people in the poverty community are taught how to stimulate their children using the comprehensive education program—a technique used in Israel for dealing with the Sephardic people. Peer groups, grass-roots folk, are trained to go out into the community. An evaluation shows those in the target group to be heads and shoulders above children in control groups who have not been part of the program. We know how to do things like this. For instance, a nutritional program in Memphis, Tennessee, which is run by St. Jude's Children's Hospital and a community action project, has shown that brain development is affected by the nutritional intake of the mother during pregnancy and of the infant during the first two years of its life. Intervention can correct a problem if the intervention comes quickly enough.

**NEW NATIONAL SALES TAX:
FIRST STEP DOWN THE SLIP-
PERY SLOPE OF MASSIVE NEW
TAXATION**

HON. HOWARD WOLPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. WOLPE. Mr. Speaker, the hidden national sales tax contained in the pending Superfund legislation is "unquestionably the first step down the slippery slope of massive new taxation of the sort that has already stagnated much of the European

economies," according to a recent editorial in the *Detroit News*.

The *News* editorial of November 11 attacked the proposed value-added tax (VAT) which is scheduled to come up for a vote tomorrow in H.R. 2817 before the House of Representatives. The editorial cautioned that enactment of the 0.08 percent VAT on all manufactured goods would be that first step down the slippery slope of a totally new type of tax.

As we approach these "slippery slopes" this week, I wish to particularly point out to my colleagues that portion of the editorial concerning the Senate action on the Superfund bill.

Mr. Speaker, some in this body have pointed out to the Senate's heavily favorable passage September 26 as an example for this Chamber. I urge my colleagues to note, however, as this editorial does, that the Senate passed Superfund overwhelmingly—not the VAT.

True, the VAT was a part of the bill which the Senate passed, but in its rush to pass Superfund before the expiration date, the Senate had no time to institute funding alternatives and placed the onus on the House to come up with alternatives to the VAT for the toxic waste cleanup program.

The Senate on September 24 overwhelmingly passed a sense of the Senate resolution condemning the VAT portion of the bill, noting that the House version was scheduled to contain no VAT and urged its conferees to delete the VAT from the final legislation which emerged from conference.

In this regard, Mr. Speaker, I think it is important to remind the Members of this body of the Senate action. Thus, I am submitting for the RECORD both the *Detroit News* editorial of November 11 and the sense of the Senate resolution of September 24:

AMENDMENT NO. 686

(Purpose: To express the sense of the Senate in opposition to a value-added tax)

The PRESIDING OFFICER. The question recurs on the amendment of the Senator from North Carolina.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Carolina [Mr. HELMS], for himself, Mr. McCURE, Mr. LEVIN, and Mr. PROXMIER, proposes an amendment numbered 686.

At the end thereof, add the following:

The Value Added Tax is a regressive tax which places the burden of paying for pollution on persons other than those responsible for it;

The Value Added Tax on S. 51 represents a dangerous shift toward the principle of a broad-based tax on sales;

The Value Added Tax has escalated rapidly in virtually every country in which it has been implemented;

The administration has stated, in a September 16, 1985, Statement of Administration Policy the "(t)he President's senior advisors will recommend disapproval of any legislation containing a value-added or other broad-based tax";

The House of Representatives is expected to adopt a financing mechanism for the Superfund bill which will not include the Value Added Tax;

The Administration will not be prepared to release its alternative to the Value Added Tax until after the Senate has completed action on the Superfund legislation;

Prolonged debate on the floor of the Senate concerning an alternative to the Value Added Tax would unduly delay consideration of this legislation: Now, therefore, be it

The Sense of the Senate that the committee on conference on S. 51 or such other comparable Superfund reauthorization legislation as shall be approved by both Houses of Congress should report legislation containing a reliable financing mechanism for the Superfund program which does not include the Value Added Tax.

[From the *Detroit News*, Nov. 11, 1985]

NO SUPERVAT FOR SUPERFUND

There is such universal support for cleaning up America's toxic wastes that the issue has become a political "honeypot" to which high-tax legislators have been irresistibly drawn. This month the House of Representatives will take up the so-called Superfund renewal legislation (HR 99-253) which for the first time will break from the established principle that those who pollute should pay for the cleanup, and impose an across-the-board Value Added Tax (VAT) of 0.8 percent on all manufacturers.

Taxpayers and consumers should be properly alarmed because this amounts to a hidden national sales tax of about 1/2 of 1 percent on virtually everything they buy and is unquestionably the first step down the slippery slope of massive new taxation of a sort that has already stagnated most of the European economies.

We urge our readers to register their protest against this dangerous and unnecessary new tax intrusion into their lives. Being against the SuperVAT does not mean you are for hazardous wastes.

Under the old Superfund law, 90 percent of the costs of cleanup were generated by excise taxes on the production of petroleum and chemical feedstocks, plus fines levied directly against polluters. Under the proposed Superfund renewal measure, which was approved by the Senate on September 26th, the five-year cost of Superfund would jump from \$2.1 billion for a simple extension of the present law (which involves \$1.4 billion in "new" taxes) to \$10.4 billion, with a total of \$9.7 billion in new taxes of which \$4.5 billion would be raised through the VAT and \$850 million would be raised from an added tax on the production of gasoline.

This means that general consumers would pick up 55 percent of all new Superfund expenses, and the Internal Revenue Service would immediately have to spend at least \$5 million in new personnel costs to administer the VAT.

By contrast, the administration proposes to fund all of the additional costs of Superfund cleanup through a new "Waste-End" tax levied on an output basis on the owners or operators of the 5,000 EPA-regulated hazardous waste-management sites, a tax that can be collected for an administrative cost of less than \$100,000 a year. Both the Senate and House have in fact approved a \$1.5 billion five-year waste-end tax in addition to the huge new VAT, on the theory that they are going to need VAT, on the theory that they are going to need a lot more money than the EPA has projected for the next five years.

The imposition of the new SuperVAT has already drawn critical fire not only from consumer groups and the vast majority of

manufacturers who do not create hazardous waste, but also from the administration and a surprisingly broad-based spectrum of both the House and the Senate. The Senate on Sept. 24 overwhelmingly passed a "sense of the Senate" resolution condemning the VAT portion of the Superfund legislation and urging both the House and their own prospective conferees to delete it from any conference bill that finally emerges.

This week, in fact, Congressman Tom Downey, a liberal Democrat from New York, and Bill Frenzel, a Minnesota Republican, will push an amendment that would fund Superfund without the VAT. A similar amendment is being offered by Republican Congressman Judd Gregg of New Hampshire and John Duncan of Tennessee.

Liberal as well as conservative opposition to the VAT is growing. On Sept. 23, Michigan Sen. Carl Levin said, "At a time when people seek a more simplified tax code, the VAT adds new complexity. At a time when people seek greater fairness in the tax code, the VAT adds new inequities."

The administration has let it be known that a veto awaits any Superfund bill that contains the new VAT. As we have made clear before, we are doubtful that massive new spending for a Superfund is warranted. So much money simply can't be spent wisely by the government. But raising the money in this fashion would set a dangerous precedent for future tax increases anytime there's a perceived need for revenue.

THE LIABILITY EXPLOSION

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. PORTER. Mr. Speaker, we face serious problems in the availability and affordability of liability insurance across the country. This crisis has come up suddenly as a result of drastic retrenchment in the insurance industry in the face of 1984 underwriting results that are the worst in the history of the industry. As notices of non-renewal and substantial premium increases are received by local governments, health care providers, and small businesses, an atmosphere of panic is setting in. I think we are now in the early days of what is quickly going to become a flood of concern directed at Congress on liability insurance issues. Since insurance issues have traditionally been State concerns, we must begin by asking whether the Federal Government really has any business getting involved in these matters.

Well, the answer is that insurance issues are State issues, but they are becoming Federal issues because of the changing nature of the tort doctrines of liability that have crept up on us over the years. In addition, there exists a growing public expectation that for every unfortunate occurrence, someone must be sued and made to pay. Third, the Federal Government is indirectly paying for some of the costs associated with increased litigation.

The costs of liability judgments are becoming so high and so unpredictable in many areas that the business of insuring against them is no longer attractive. And if

insurers don't elect to cancel policies, they are often forced to charge such high rates that the vital services being insured may themselves become uneconomic.

We seem, as a society, to be in danger of having to put more resources into the negative side of insuring against possible torts than into the positive side of supplying better municipal services, better medical services, and better-designed products.

Let me cite three quick examples. First, a recent study concludes that it will soon become feasible to sue for education malpractice, a "defective" education. While we may think of this kind of litigation as frivolous, surely it is no more improbable than some of the recent California decisions. One of those decisions awarded a large settlement and monthly payments for life to a trespassing vandal who was injured when he fell through a skylight. He was hoping to break into the building.

Imagine the social consequences if education malpractice suits are to be settled with the typical type of generous tort award that includes economic costs for the "victim" to buy a new education, compensation for his decreased earning capacity, plus perhaps an additional award for the "pain and suffering" inflicted by lack of a good education. The school system would have to divert funds to pay for the judgment and litigation costs, instead of putting those scarce dollars into more and better teachers, textbooks, and educational resources. The tort approach would have caused a gigantic misallocation of resources from positive to remedial activities. The quality of education would fall as taxpayers' money is drained away from education and into litigation.

In Illinois, in my district, several small municipalities with excellent risk records have not yet found any insurance coverage this year for their paramedics. The risk of lawsuits is simply too great for any insurance company to regard this as a viable business proposition. So what are the consequences? Some of these villages may eventually have to stop running local medical emergency/rescue services. Citizens may die unnecessarily of heart attacks because there may be no CPR-trained paramedic to help them. Ironically, relatives of those citizens may eventually try to sue the very same municipalities for lack of prompt emergency services.

In the meantime, these municipalities remain partially or fully bare against suits in order to maintain emergency services. Even a single incident, however, could result in a huge jump in local tax rates or possibly even in personal judgments against the town's officials. How long can we continue to attract good people to careers in local government or to service on volunteer community boards if these trends continue?

Another example recently highlighted in hearings in the House Committee on Energy and Commerce is the lack of insurance coverage nationwide for nurse-midwives. Midwives have been seen as a lower-cost alternative to expensive obstetrical care for those whose alternative might well

be no prenatal or neonatal care. Testimony was given that it would be necessary to charge annual medical malpractice insurance premiums of up to \$73,000 per nurse-midwife to provide an actuarially sound basis for insuring them. Currently, the total earnings of each nurse-midwife average only about \$25,000 per year. Not only is the liability tail wagging the medical care dog in this case, but it has the unfortunate consequence of resulting in poorer quality and more expensive health services. One can safely predict that without nurse-midwives there will be even more mothers and infants, particularly in poor rural areas, with problem pregnancies and deliveries.

I think all of us in this country love and appreciate our strong legal system which provides redress for those who have been wronged. The legal system protects the rights of each of us and is one of the strongest pillars of our national freedom. The tort system itself is indisputably necessary and valuable.

The current tort explosion, however, has many unfortunate aspects to it. We are seeing the bad side effects all over the country in the fields of municipal liability coverage, medical malpractice, and product liability. In each case, durable, economically sound solutions will only come through simultaneously addressing the issues of quality control and cost control.

Quality control is based on accountability. The tort explosion is a negative means of enforcing quality control, a means which often has perverse effects on the quality of life for everyone. We need to balance this backward incentive for quality with positive incentives and goals to improve municipal services, health services, and the products and services provided by business.

In particular, balance must be restored so that unforeseeable, unfortunate outcomes are not penalized disproportionately to the actual negligence or malfeasance involved just because someone has been hurt and a "deep pocket" can be linked tangentially to the incident. Lots of individual court decisions, however humanitarian, easily add up to terrible social policy when this balance is neglected.

Economic benefits such as lower insurance rates have also been a driving force behind many positive forms of risk management. The force of lower rates for instance, leads to improved quality of care in medicine. In some cases Federal legislation may be helpful in giving legal teeth to quality control.

Cost control is important to everyone, but especially to the taxpayers and consumers who ultimately foot the bills. We are in a period when insurance premiums for municipalities are rising 100 to 500 percent a year, often for decreased coverage. The same is true for doctors and hospitals, especially in high-risk specialties. Many small manufacturing businesses are on the verge of closing and jobs are being lost because they cannot sustain their product liability coverage even if they have risk-free records.

We hear that these escalating costs are linked to cyclical problems in the insurance industry as well as to increasing frequency and severity of claims. I hope that the insurance groups can find ways to smooth out this rollercoaster as their own contribution to quality control. From the legislative side, at both State and Federal levels, we can also help to implement remedies that will make the risks and costs more predictable so that there is a sound actuarial basis for steady and businesslike insurance practices in the future.

Briefly, I think that there are some specific changes that are needed in the fields of municipal liability, medical malpractice, and product liability to get the tort explosion under control.

In the field of municipal liability, the most pressing priorities are, first, to limit the application of joint and several liability in favor of a return to a comparative negligence standard and, second, to cap awards for pain and suffering and other non-economic damages. The standard meant by "duty of care" needs to be more clearly established at appropriate levels for various public activities like maintenance of streets and sidewalks. For certain activities involving public service provision, there may even need to be a return to the doctrine of sovereign immunity when assistance is undertaken in good faith. Attention to internal quality control through employee education and better maintenance for safety will also be necessary.

In the field of medical malpractice, similar measures such as caps on noneconomic awards should be adopted by the States to improve risk predictability and insurability. These cost management measures should go hand in hand with actions to deter and control questionable behavior by health-care providers so that the overall quality of care for consumers is improved.

Better risk management procedures should be encouraged. Alternate systems for expediting settlement of worthy malpractice claims should be protected by law in situations where providers and consumers can agree in advance on nontort methods of resolving disputes.

On the product liability issue, I applaud the pioneering work of the Senate Committee on Commerce, Science and Transportation which is taking the lead role in trying to define good and balanced national legislation in this critical area of our national economic life.

An immediate need is to explore the potential roles for the Federal Government in encouraging tort reform and other responses to the liability crises. One possibility is comprehensive Federal legislation such as is being considered for product liability. Another is Federal guidelines for State action, using either a carrot or stick, in order to establish minimum standards for State action. The legislation encouraging States to implement a minimum drinking age of 21 is an example of one way this can be done, and perhaps there are other models that could be applied. The coming year will be a critical period for evaluating the effects of State actions on liability

issues and for deciding on appropriate Federal actions, if any.

SCOTTISH RITE MASONS NAME
FRED KLEINKNECHT AS
GRAND COMMANDER

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. FUQUA. Mr. Speaker, it is always an honor to see a friend receive due recognition and honor. It is no wonder then that I take special pride in the election of C. Fred Kleinknecht to serve as sovereign grand commander of Scottish Rite Freemasonry for the Southern Jurisdiction. The members of the Southern Jurisdiction, by way of explanation, live throughout 37 States, Guam, Japan, Korea, Okinawa, the Panama Canal, Puerto Rico, Taiwan, the Virgin Islands, and the NATO area in Germany.

As a successful administrator and leader, Fred Kleinknecht possesses the keen traits of concentration, experience, sterling character, and the desire to work hard. In an era of passing the buck, he makes the buck stop at his desk.

For almost 40 years he has been a dedicated member and worker for the Scottish Rite of Freemasonry for the Southern Jurisdiction. Beginning his career as an assistant in the office of the grand secretary general of the Southern Jurisdiction, he has climbed to the top and was elected last October 18, as the sovereign grand commander. The leader of the 650,000 Scottish Rite Masons in the Southern Jurisdiction of the United States, Mr. Kleinknecht will be responsible for the well-being of his organization as well as the continuation of its multifaceted charities.

Grand Commander Kleinknecht's experience with Scottish Rite leadership is extensive. In 1966, he was appointed assistant to the then grand commander, Luther A. Smith. Efficiently, with his warm and friendly manner, he solved problems before they arose and quickly handled all supreme council matters coming before him. It was no surprise then, when in January 1967, he was appointed acting grand secretary general. The months that followed proved this to be an excellent decision and at the biennial session in October of that year, he was elected and installed sovereign grand inspector general at large and grand secretary general of the supreme council.

Mr. Kleinknecht also has strongly believed that the Scottish Rite is worldwide and that cooperation between supreme councils is a must. As a result, he has been a key participant and representative of the Mother Supreme Council at International Scottish Rite Conferences, the European Conference of Sovereign Grand Commanders, English-Speaking Conferences of Sovereign Grand Commanders, and reunions of Sovereign Grand Commanders of the Americas. His most recent recognition at the international level has come from the supreme council for Turkey and that of

France which have elected him as "honorary member."

Born on February 14, 1924, Mr. Kleinknecht graduated from the public schools of the District of Columbia. His major interest was writing and business so he pursued further education at Benjamin Franklin University. But World War II hit and put an end to any easy transition from classroom to commerce. Fred Kleinknecht welcomed the opportunity to do his part for America's destiny. Serving in the U.S. Navy, he was an example of what patriotism really is. Through hours of toil, he and millions like him gave to the world that one precious gift—freedom.

Masonically, Mr. Kleinknecht has an equally diverse and extensive career. A member of Silver Spring Lodge No. 215, AF&AM, in Silver Spring, MD, he is concerned about the progress and future of the symbolic lodge. Similarly he has a keen interest in the activities of his home Scottish Rite Valley in Baltimore, MD. His affiliation with the Shrine is also in Baltimore at Boumi Temple, A.A.O.N.M.S. In 1955, he was invested with the rank and decoration of the knight commander of the Court of Honour and, in 1959, he was coroneted an inspector general honorary of the 33rd Degree. His involvement does not stop there however. In the York Rite he is a member of Mt. Pleasant Chapter No. 13, RAM; King David Council No. 19, R&SM; and St. Elmo Commandery No. 12, KT. His support of still other masonic activities has won him recognition and many awards.

Among these are honorary membership in the Scottish Rite Bodies of Miami, FL; Nemesis Temple, A.A.O.N.M.S., at Parkersburg, WV; Kalif Temple, A.A.O.N.M.S., at Sheridan, WY, and National Sojourners Inc.; the certificate of appreciation from the American Military Scottish Rite Bodies, NATO Area, Frankfurt, Germany; associate member of the Conference of Grand Secretaries in North America; the Honorary Legion of Honor, Order of DeMolay; honorary member of the International Supreme Council, Order of DeMolay; the distinguished service award from Monroe, LA; ambassador of goodwill of Chattanooga, TE; certificate of award from Lakeland, FL; Friend of West Virginia; honorary citizen of Monroe, LA, and of Mobile, AL; and honorary cotton picker.

To this distinguished record, Mr. Kleinknecht fulfills other roles—equally well—as husband, father and church member. Married to the former Miss Gene E. Kamm, he and his wife have four children: Gene Ellen, Henry, Scott, and Joan. Each has excelled in his or her schooling and professional ambition which is no easy task in this competitive world!

In addition, he is a member of the University Club of Washington, DC, and with Mrs. Kleinknecht, a prominent participant of the Columbia Country Club in Bethesda, MD, and of the Rehoboth Country Club in Rehoboth Beach, DE. Finally, in his church in Silver Spring, MD, St. Luke Evangelical Lutheran, Fred Kleinknecht practices the policy of Freemasonry, active and full sup-

port of the church of one's conscience in service to man and honor to the Creator.

A dedicated worker in the vineyards of Freemasonry and the Scottish Rite, a fervent patriot and a devoted family man, Fred Kleinknecht is what others aspire to be. By example, he provides the leadership necessary for positive programs to be implemented and ultimate progress to be gained through the Scottish Rite.

Of great interest among the brothers are their charitable and service programs. Each year tens of thousands of patriotic books and pamphlets dealing with good citizenship are printed and distributed gratis to public school systems. Further, as staunch supporters of public schools, the Scottish Rite members honor outstanding teachers and students. As a result, hundreds of thousands of dollars are spent annually on local scholarships. In addition, each year the supreme council gives the \$5,000 national scholarships to professional educators who wish to pursue a doctorate in public school administration. The award is for 2 years. Further, each year a \$5,000 Shepherd scholarship is given to an undergraduate or graduate student.

The most visible charitable activity of the organization is the aphasia and dyslexia program with 32 childhood language disorders clinics in 17 States. Aphasia in children is a language disorder in the speech center so that normal language patterns do not develop. This affliction is curable as evidenced in the thousands of children who have been helped through our Scottish Rite clinics and are now able to attend public schools. Dyslexia is a disorder that makes reading or writing difficult, if not impossible, in suffering youngsters. Through proper treatment these youngsters also can be virtually cured so they may experience normal development.

Specialists treat the afflicted youngsters. Clinic directors have either a doctorate or a master's degree with additional coursework. All clinicians have at least a bachelor's degree. Youngsters are treated at cost, or ability to pay, and without regard to race, color, or creed. Many of the clinics are located in the Scottish Rite Temples where special rooms have been designed and equipped with teaching aids. The Scottish Rite defrays all construction costs. Youngsters in Dallas and Atlanta are treated in Scottish Rite hospitals for crippled children. Others are treated at universities, or in the case of Denver, at a local hospital. Clinics are available in the following States: Alabama, Arkansas, California, Colorado, Florida, Georgia, Kansas, Maryland, Mississippi, Nebraska, North Carolina, Oklahoma, Oregon, Tennessee, Texas, Virginia, and Washington.

Each clinic is geared to the needs of the community. This requires proper diagnosis, contact with local universities, effective treatments, and parental involvement. Some clinic directors also use volunteers of Scottish Rite Masons, their families and friends.

Years ago there was the popular book about a seagull that soared a little higher than the others. By analogy this applies to

Mr. Kleinknecht as he has worked a little harder to become an effective leader. The Scottish Rite of the Southern Jurisdiction is fortunate to have him at the helm as they navigate through the waters leading into the 21st century.

FIRST YONKERS TORCH RELAY

HON. JOSEPH J. DiOGUARDI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. DiOGUARDI. Mr. Speaker, I am very pleased to announce to my colleagues a very special event that will take place this weekend in Yonkers, NY. Through the joint efforts of the Yonkers Jewish Community Center and the Jewish Council of Yonkers, the first Yonkers torch relay will take place this Sunday morning. This event, which will begin at 9:30 at the Greystone Jewish Center, will commemorate the first Chanukah celebration.

The torch, which will be lit and then directly flown from Modi'in, Israel, will be carried by members of the Yonkers Jewish community. This will symbolize a "link with the Maccabees of old and with the world Jewish community," said Meyer Grodetsky, chairman of the board of governors of the Jewish Community Center. Harvey Fuchs, president of the Jewish Council of Yonkers, views the event as a proclamation of the Jewish faith throughout the world.

With the help of Martin Greenberg, the executive director of the Jewish Community Center, and Carolyn Weiner, the executive director of the Jewish Council of Yonkers, the beginning of a holiday tradition will occur in Yonkers this Sunday, December 7, 1985.

I look forward to personally attending this event and beginning the holiday season on a very momentous note.

IN SUPPORT OF CONGRESSWOMAN SCHROEDER'S SIMULTANEOUS TEST BAN ACT

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. RANGEL. Mr. Speaker, I would like to commend my colleague, Congresswoman PATRICIA SCHROEDER, for her leadership in sponsoring the Simultaneous Nuclear Test Act, to urge President Reagan to accept Soviet President Gorbachev's offer of a 5-month moratorium on nuclear warhead testing, and to urge the resumption of negotiations toward a comprehensive test ban treaty.

I am proud to be an initial cosponsor of Congresswoman SCHROEDER's bill. Her goals should be our administration's goals, and her goals should be our Nation's goals. She has been a strong supporter of rational weapons policies throughout her 13 years in Congress, particularly in her tireless work on the Armed Services Committee.

President Reagan recently invited the Soviets to observe a U.S. nuclear test in Nevada. The President's invitation could prove to be a positive step in beginning a more constructive dialog with the Soviets; I would encourage him to repeat his invitation.

Soviet leader Mikhail Gorbachev recently announced a 5-month unilateral ban on nuclear test explosions. Gorbachev said the ban on Soviet testing will remain in effect "As long as the United States, for its part, refrains from conducting nuclear explosions."

President Reagan turned down the proposal flatly. Secretary of State Shultz dismissed the Soviet proposal as an unverifiable propaganda ploy.

If this is propaganda, so what? Politics is part propaganda, so why not accept the Soviet proposal? If the Soviets are bluffing, let's call their bluff and extend the ban.

While this proposal may be propaganda, it is certainly verifiable. For at least 15 years we have been able to discriminate nuclear explosions down to 1 kiloton of explosive power, without onsite inspection. The Soviets' smallest strategic weapon is 500 kilotons. Their smallest intermediate range weapon is the SS-23, at 100 kilotons.

There is no dispute here. We are clearly able to verify any significant Soviet test, down to an explosion 100 times smaller than their smallest intermediate range weapon.

We should entertain all proposals, even those that may have been made for propaganda purposes. I would urge the administration to take up the Soviets' offer for a temporary test ban.

DR. ROBERT G. ALBERTSON—AN OUTSTANDING EDUCATOR

HON. NORMAN D. DICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. DICKS. Mr. Speaker, each year the Council for the Advancement and Support of Education selects 10 of the best college professors in the Nation, and I would like to call my colleagues' attention today to Washington State's "Professor of the Year," Dr. Robert G. Albertson of the University of Puget Sound in Tacoma, WA. As the founder of the Pacific Rim travel program at the university, the hallmark of Professor Albertson's career has been his ability to challenge his students to be global rather than provincial. He is an imaginative and energetic teacher, as well as an accomplished scholar. He is one of those special individuals whose inspirational qualities leave his students with an enthusiasm for the subject matter long after they leave the campus. Many of those fortunate alumni of the University of Puget Sound during his 29 years on the faculty have taken a keen interest in Professor Albertson's selection as professor of the year, and I know that the entire university com-

munity takes great pride in the honor bestowed upon him.

Perhaps the most-often-mentioned attribute of this outstanding educator is his respect for the individual student, a quality essential for encouraging initiative. Ralph Waldo Emerson was correct in noting that "the secret of education is respecting the pupil," and it is clear that Professor Albertson has mastered the process Emerson envisioned. Furthermore, he has done so with a characteristic humility that endears him to his colleagues on the faculty as well as the student body.

Professor Robert G. Albertson is truly one of America's great teachers in one of the Northwest's fine private universities. I was proud to learn of the national recognition he has received, and know that it is a well-earned honor.

INDIANTOWN'S T&M RANCH
SENDS HOLIDAY GIFT OF
LOVE TO CONGRESS

HON. TOM LEWIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. LEWIS of Florida. Mr. Speaker, for the third consecutive year, I have the distinct pleasure of extending holiday greetings to you and our other colleagues in the House and Senate from some very special residents of the 12th Congressional District of Florida.

Once again the residents of the T&M Ranch in Indiantown, FL, have honored me by inviting me to share in their generous holiday spirit—by letting me present to you, Mr. Speaker, and my other colleagues in the House and Senate, another Christmas ornament from their beautiful "Angels of the World" collection.

As you may remember when I brought these gifts to Washington last year and the year before, the T&M ranch is a home and school for mentally handicapped adults. There they learn the necessary vocational and individual skills that will enable them to eventually become working members of their communities.

Each year the T&M Ranch residents craft these beautiful Angel of the World ornaments after they are designed by renowned sculptor Laszlo Ispanky. They individually package them before selling them for a nominal sum. Proceeds from the sale of the ornaments are used to teach the T&M Ranch residents money management and personal needs care.

This year, the ranch and its residents have expanded promotion of the program and actor Charles Nelson Reilly has generously offered his time as national spokesperson for the Angels of the World program.

Mr. Speaker and fellow colleagues, I appreciate your kind remarks and support of the angel program and the T&M Ranch in the past. Please accept and enjoy this gift of love from its residents. And, from all of them and myself, have a very happy and memorable holiday season.

U.S. TRADE POLICY

HON. BUTLER DERRICK

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. DERRICK. Mr. Speaker, I have had the opportunity to read testimony presented to the other body recently by Mr. Bob Eisen, the retired chairman of marketing for Greenwood Mills, Inc. Mr. Eisen presented an excellent statement to the Senate Finance Committee on November 20, 1985, during the course of Senate hearings on the U.S. trade policy. He has done a remarkable job in enlightening the Congress on the plight of the American textile and apparel industry and its workers as a result of the onslaught of imports over the last several years.

Mr. Speaker, the statement by Mr. Eisen is a very thorough report on the problems this most basic American industry is facing in international competition as a result of the incoherent, unstable, and fragmented trade policy on the Reagan administration and steps the American industry has taken to compete. At this point I would like to insert in the CONGRESSIONAL RECORD, for the benefit of my colleagues, Mr. Eisen's statement:

STATEMENT ON U.S. TRADE POLICY

My name is Robert Eisen. I am employed by Greenwood Mills, Inc., a privately owned textile company headquartered in South Carolina. In a three year period from 1981 to 1983 we invested \$135 million in modernizing our plants to protect our share of market, our investment, and the jobs of our employees. Prior to this expenditure, we employed about 6,000 and afterwards 7,000. I cite these payroll figures to refute statements that the loss of jobs in the U.S. textile mill industry is due primarily to modernization and to a lesser extent to imports.

We believe Greenwood Mills' plants are among the most modern textile mills in the world, and that the American textile industry is the most efficient in the world. All of the fibers that Greenwood Mills consumes are produced in the U.S.A. In addition, we do not import any textile products. Our customers are assured that all of our fabrics are made in the U.S.A. I mention this by way of background so that you can properly evaluate my comments.

The American cotton farmers and wool growers are efficient, and the U.S. man-made fiber producers are the most efficient in the world. If the U.S. textile mill industry is without a peer, and its fiber suppliers are efficient, why do we have a severe problem with imports?

The U.S. textile mill industry on a level playing field could be competitive worldwide in almost all product areas. However, our industry is part of a larger soft goods complex. Many of our customers fabricate apparel, home furnishings and industrial products from our fabrics. The U.S. apparel industry was and possibly still is the largest customer for our industry. However, because of the nature of their product, it is difficult to automate an apparel plant. Although there are a few apparel units in this country who can compete against foreign suppliers, the vast majority cannot. Labor rates in many of the exporting countries are less than the equivalent of \$1.00 per hour

and in the case of the Peoples Republic of China \$0.16 per hour. Most foreign apparel plants are inefficient by American standards and even with labor rates substantially below the United States would only be marginally competitive. Therefore, most of the low wage exporting countries employ export subsidies to gain a larger share of our market, with these subsidies in some instances being as high as 60%. In addition, there is prima facie evidence that massive trans-shipments took place to subvert our quota system.

Our government has no trade policy and has been lax in administering the bi-lateral textile agreements. As a result, in 1983 textile and apparel imports increased 25% to record breaking levels, and in 1984 increased 32% over 1983. These imports were devastating with many apparel, textile and man-made fiber plants closing. Greenwood Mills, with its modern plants, was forced in 1984 and 1985 to let go 2,400 employees. If the U.S. apparel industry disappears, there will be little or no U.S. textile mill industry and no U.S. man-made fiber industry.

Many of the foreign markets are closed to our products with these restrictions imposed by the very same countries who are demanding a larger share of our market.

Henry Ford in 1914 announced that he would pay his workers \$5.00 per day, a wage scale substantially over the going rate. He helped create a middle class with disposable income so that they could buy automobiles and other products. Other manufacturers followed his example. For 71 years American manufacturers, with their payrolls and wage scales, have been the primary force behind creating this great American market. Is our government going to sit idly by and watch low wage foreign countries, many of whom are using illegal export subsidies, take away our market and the jobs of American citizens?

It is my understanding that in 1978 the U.S. Congress suggested that U.S. government personnel in embassies and consulates abroad, should be alert for illegal trade practices prevailing in the country in which they are stationed and should forward this information to Washington, D.C. so that it could be published and made available to interested American industries. In addition, under our trade laws, the U.S. government has the authority to bring countervailing suits against foreign governments engaging in illegal export subsidies. To my knowledge the Administration has not gathered any information on illegal trade practices, nor published any such information, nor brought any countervailing suits for illegal export subsidies. Why?

When the Multi-Fiber Arrangement on textiles was renewed in 1982, the European community, in negotiating their bi-lateral agreements, imposed rollbacks on shipments in sensitive categories from key suppliers. As a result this put increasing pressure on our market resulting in the substantial increases stated above.

Recently Japan imposed unilateral rollbacks on textile and apparel shipments from China, Taiwan, South Korea and Pakistan.

In spite of what the European community and Japan have done, the Administration still insists on a policy of no rollbacks. Why?

An example of a lack of a trade policy is the Administration's handling of Indonesia. This country was not a supplier of textiles and apparel to the United States until 1980 when they shipped a modest 7 million square yard equivalent. In 1981 this in-

creased to 14 million square yard equivalent. In 1982, with shipments increasing substantially, the Administration negotiated at mid-year a three year bilateral agreement. 1982 imports were 42 million square yard equivalent. In 1983 they shipped 86 million and in 1984—268 million square yard equivalent. To make these huge increases legal, it was necessary for the Administration to amend the bi-lateral agreement three times. In mid-1985 the Administration negotiated a new three year bi-lateral agreement with Indonesia starting with a base of 285 million square yard equivalent. How did Indonesia reciprocate our generosity? They waited about a month and then bought 220,000 bales of Chinese cotton because it was cheaper than the American cotton they had been using.

Our trade negotiators only know how to give away our market. They get nothing in return.

FUNDING ABORTION

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. DORNAN of California. Mr. Speaker, on December 1, 1985, the National Catholic Register published, "For Population Control Groups, It's Fat City," by Mary Meehan. The article clearly documents foundation funding not only of population control and contraceptive programs, but of organizations which actually perform abortions.

I am sponsoring the Tax Exemption Equity Act of 1985 to deny tax exemptions, like those outlined in the article, to groups which directly or indirectly perform or finance abortions.

I urge my colleagues to read the article, inserted in the RECORD today, and to co-sponsor H.R. 2897 to eliminate tax breaks for those groups and individuals who are in the abortion business. A copy of the bill is also inserted for my colleagues' review and consideration.

FOR POPULATION CONTROL GROUPS, IT'S FAT CITY

(By Mary Meehan)

WASHINGTON.—According to a just-completed Register survey, 296 private and community foundations gave \$41.4 million to population and pregnancy programs in fiscal year 1983.

Foundations contributed vast sums in support of population studies, contraception, abortion and projects to discourage teenage pregnancy. They sent smaller grants—totaling \$1.4 million—to pregnancy aid centers and pro-life groups. Foundations gave an additional \$3.3 million for pre-natal care and other programs helping expectant mothers and new parents.

But it's been groups supporting abortion and population control projects which have reaped most of the foundation largess.

When Catholics for a Free Choice sought foundation money in fiscal year 1983, it was able to raise nearly a quarter of a million dollars. The American Civil Liberties Union and its affiliates received a like sum for pro-abortion lawsuits. Others received funding for projects ranging from a "training program in new contraceptive technology" to "population control in Mexico."

Planned Parenthood [PP] groups outstripped the rest by gaining \$9.1 million in foundation grants in 1983. In its annual report for the year, the Planned Parenthood Federation of America [PPFA] said that PP affiliates provided 83,000 abortions as well as "contraceptive services for 1.3 million people." PPFA boasted of court victories for abortion and of fighting "anti-choice groups" through the media.

The Register survey was based on foundation tax returns and annual reports on file at the Foundation Center Library here. It focused on fiscal 1983 because that is the latest year for which most tax returns are available.

The survey identified \$2.8 million in grants to abortion providers—chiefly Planned Parenthood affiliates that operate abortion clinics. Rep. Robert Dornan (R-Calif.) is trying to end such grants through a bill called the Tax Exemption Equity Act of 1985. The Dornan bill, H.R. 2897, would deny tax exemption to groups that "directly or indirectly perform or finance abortions." It may be offered as a floor amendment or "rider" to tax reform legislation.

In an Oct. 31 interview, Planned Parenthood lobbyist William Hamilton described the Dornan bill as "patently unconstitutional" and "a nonsense act by a nonsense member of Congress."

Hamilton said, "You can't deny tax-exempt status to an organization on the basis of their performance of a legal medical service."

Dornan told the Register Nov. 5 that Hamilton was mistaken and that "Congress can deny tax-exempt status to any group they want." He said that Planned Parenthood is "into the abortion business up to their eyebrows" and that "the time is up for them." Dornan called his bill "a very common-sense amendment" and said he was not bothered by Hamilton's attack.

The Ford Foundation, the largest donor to population groups, gave \$8.3 million in fiscal 1983. As in the past, Ford supported the Population Council and other groups involved in population control abroad. It was also one of 14 foundations funding Catholics for a Free Choice (see chart, this page).

Ford Foundation President Franklin Thomas, in his report for fiscal 1984, declared that contraceptives and family planning programs cannot by themselves "reduce excessive rates of population growth." Choices about child-bearing, he said, would be "profoundly influenced" by "a woman's education and parental expectations of their children's life chances."

Thomas indicated that Ford was supporting various women's programs because "improving women's education and broadening their options for economic activity and security are universally regarded as powerful influences in bringing about long-term reductions in fertility."

Ford's Child Survival/Fair Start for Children program (involving prenatal and post-natal care) "is based on the assumption that as more children survive, and as their growth and development needs are recognized, parents will want fewer children so that they can provide them with better nutrition and education," he said.

The Register survey counted the Child Survival/Fair Start program in the \$3.3 million category of "pregnancy/parenting support." Projects in this category often included contraception—and sometimes abortion referrals—but primarily helped young parents through pregnancy and early parenting. Some tried to keep young mothers in

high school so they would not "dead end" in welfare programs. Others concentrated on prenatal care, obstetrical aid and instruction in child care.

Some foundations supporting this work also financed pro-abortion groups such as Planned Parenthood.

Several foundations showed a special interest in pro-abortion groups claiming religious connections. The Missouri-based Sunnen Foundation dominated this field, with grants of \$70,000 to Catholics for a Free Choice (CFFC) and \$115,000 to the Religious Coalition for Abortion Rights (RCAR). Most of its RCAR money was channeled through the largest Presbyterian denomination, according to a 1984 interview with Presbyterian spokesman Allen Krantz.

Sunnen also gave \$25,000 to the National Council of Jewish Women (NCJW). Either that or an earlier grant helped finance a pro-choice program guide for NCJW. Speaking of the Jewish community, the guide advised: "Emphasis on First Amendment rights, attempts to limit court jurisdiction and civil liberties are more persuasive arguments than women's rights or even teen-age pregnancy."

NCJW staff member Holly Sloan Smith told the Register last month that her group's work in family planning and abortion is no longer financed by foundations, but rather by the NCJW membership. She said that NCJW members tend to identify with the Reform tradition of Judaism, but that the group is not an official religious organization.

One of the last foundation-financed NCJW projects was a publication on teen sexuality, family planning and similar topics. Published earlier this year, it acknowledged "the generous contribution of the Playboy Foundation which helped underwrite this program idea guide."

Foundation support for Catholics for a Free Choice has not diminished, according to Frances Kissling, CFFC director, but she said the CFFC prominence in the "Vatican 24" controversy has not increased the group's foundation support, either. "It's had almost no effect whatsoever" on foundation aid, although it "has certainly helped our public visibility," Kissling remarked.

As reported earlier in the Register (May 20, 1984, and March 3, 1985), foundations provide nearly all CFFC money. The 1983 CFFC tax return showed that membership dues accounted for only 2.5 percent of the group's income.

The Register survey found more than \$260,000 in foundation money for the Religious Coalition for Abortion Rights (RCAR). But in a recent fundraising appeal, the RCAR director, Fredrica Hodges, said, "It is much harder for us to raise the money we need for RCAR's programs than it is for the Moral Majority and New Right groups to finance their simplistic, judgmental campaigns which ignore the real needs of real people."

FOUNDATION FUNDING FOR PRO-ABORTION GROUPS (1983)

Foundation	To CFFC	To RCAR	To NCJW
Mary Reynolds Babcock (North Carolina).....	\$20,000		
Bing Fund (California).....		\$300	
Bing Fund Corp. (Nevada).....	500	300	
Brush (Ohio).....	30,000		
Cabot Family Char. Trust (Massachusetts).....	2,500		
Cowles Char. Trust (New York).....	100		
Educational Foundation of America (Connecticut).....	25,000		
Ford (New York).....	25,000		

FOUNDATION FUNDING FOR PRO-ABORTION GROUPS
(1983)—Continued

Foundation	To CFFC	To RCAR	To NCJW
George Gund (Ohio)	20,000	45,000	\$10,000
Huber (New Jersey)	18,000		10,000
J. Roderick MacArthur (Illinois)	10,000		
New York Community Trust & Community Funds (New York)		12,000	
North Shore Unitarian Universalist Veatch Program (New York)	5,000	70,000	
David & Lucile Packard (California)	10,000		
Playboy (Illinois)	10,000	5,000	3,000
Scherman (New York)		15,000	
Sonnen (Missouri)	70,000	115,000	25,000
Total	246,100	262,600	48,000

¹ Technically not a foundation. Sources: 1983 tax returns and annual reports; Source Book Profiles 1984 (pub. by Foundation Center). Figures are based on each foundation's fiscal year, which in some cases did not coincide with the calendar year.

FOUNDATION GRANTS TO ABORTION PROVIDERS, FISCAL 1983

Abortion Provider	Grants	Major Foundations
Planned Parenthood of Alabama	\$51,425	Sonnen (Missouri).
Planned Parenthood Alameda/San Francisco (California)	99,784	Compton (New York); Wallace Alexander Gerbode; Jessie Smith Noyes (New York); Rosenberg; Levi Strauss.
Planned Parenthood/World Population Los Angeles (California)	397,910	Ahmanson; Bing Fund Corp. (Nevada); James Irvine, W.M. Keck; Kenneth T. & Eileen L. Norris; Phillips (Minnesota); Times Mirror; Torrey H. & Dorothy K. Webb Char. Trust.
Rocky Mountain Planned Parenthood (Colorado)	27,875	Boettcher; Denver; Huber (New Jersey).
Planned Parenthood Association of Maryland	260,000	Morris Goldseker Foundation of Maryland; New York Community Trust & Community Funds (New York); Jessie Smith Noyes (New York); Aaron Straus & Lillie Straus; U.S.F. & G.
Reproductive Health Care Center of South Central Michigan (a Planned Parenthood affiliate)	179,916	Kalamazoo; Harold & Grace Upjohn.
Planned Parenthood of Minnesota	104,825	Cargill; Dayton Hudson; General Mills; Greystone; McKnight; Pillsbury Co.
Reproductive Health Services, St. Louis, Missouri	70,000	Sonnen.
Planned Parenthood of Vermont (now called Planned Parenthood of Northern New England)	123,000	Brush (Ohio); Cleveland H. Dodge (New York); General Service (Colorado); Huber (New Jersey); Jessie Smith Noyes (New York); Turrell Fund (New Jersey).
Planned Parenthood of Monmouth Co. (New Jersey)	35,250	Huber; New York Comm. Trust & Comm. Funds (New York).
Planned Parenthood of New York City (New York)	876,750	Achelis; Vincent Astor; Bodman; Bristol-Myers Fund; Louis Calder; Edna McConnell Clark; Robert Sterling Clark; Educational Fdn. of America (Connecticut); Charles Engelhard (New Jersey); Ford; Fdn. for the Needs of Others; Huber (New Jersey); J.M.; W. Alton Jones (Virginia); J.M. Kaplan; Morgan Guaranty Trust Co. Char. Trust; New York Comm. Trust & Comm. Funds; Edward John Noble; Jessie Smith Noyes; Scherman; Union Pacific Urus Brothers; Weyerhaeuser (Minnesota).
Planned Parenthood of Greater Charlotte (North Carolina)	47,770	Aetna Life & Casualty (Connecticut); Greater Charlotte; Z. Smith Reynolds.
Elizabeth Blackwell Health Center for Women, Philadelphia (Pennsylvania)	61,850	William Penn; Philadelphia.
Planned Parenthood Association of Southeastern Pennsylvania	97,400	Brush (Ohio); Samuel S. Fels Fund; Independence; Jessie Smith Noyes (New York); Philadelphia.
Planned Parenthood Center of Pittsburgh (Pennsylvania)	60,400	Alcoa; Ernest N. & Cynthia S. Calhoun; H.J. Heinz Co.; Hunt; McCune.
Planned Parenthood of Houston & Southeast Texas	201,300	Brown; Clayton Fund; Houston Endowment; McAshan Education & Char. Trust.

Note.—Some of the grantees listed below are abortion clinics, while the others operate such clinics. Many of the clinics offer contraception and sterilization as well as abortion; some also offer prenatal care. In some cases, such as Minnesota and southeastern Pennsylvania, a Planned Parenthood affiliate provides abortion at only one of its many clinics. Unless otherwise indicated, the donor foundation is in the same state as its grantee. Agencies receiving less than \$25,000 are not listed here.

EXTENSIONS OF REMARKS

Sources: Foundation tax returns and annual reports, Planned Parenthood congressional testimony, 1981; "yellow pages" clinic advertising, telephone interviews.

H.R. 2897

A bill to amend the Internal Revenue Code of 1954 to deny status as a tax-exempt organization, and as a charitable contribution recipient, for organizations which directly or indirectly perform or finance abortions

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE.

This Act may be cited as the "Tax Exemption Equity Act of 1985".

SEC. 2. DENIAL OF TAX BENEFITS FOR ORGANIZATIONS WHICH PERFORM OR FINANCE ABORTIONS.

(a) DENIAL OF TAX-EXEMPT STATUS.—Section 501 of the Internal Revenue Code of 1954 (relating to exemption from tax on corporations, certain trust, etc.) is amended by redesignating subsection (m) as subsection (n) and by inserting after subsection (l) the following new subsection:

"(m) DENIAL OF EXEMPTION FOR ORGANIZATIONS WHICH PERFORM OR FINANCE ABORTIONS.—

"(1) IN GENERAL.—An organization shall not be treated as described in subsection (a) if such organization performs on finances abortions.

"(2) ORGANIZATIONS WHICH PERFORM OR FINANCE ABORTIONS.—

"(A) IN GENERAL.—For purposes of paragraph (1), an organization performs or finances abortions if such organization, directly or indirectly, performs or finances any medical procedure which takes the life of a preborn child.

"(B) EXCEPTION.—Subparagraph (A) shall not apply to any medical procedure required to prevent the death of either the pregnant woman or her preborn child so long as every reasonable effort is made to preserve the life of each."

(b) DENIAL OF ELIGIBILITY FOR CHARITABLE CONTRIBUTION.—

(1) INCOME TAX.—Subsection (c) of section 170 of such Code (defining charitable contribution) is amended by adding at the end thereof the following: "For purposes of this section, such term does not include a contribution or gift to or for the use of any organization which performs or finances abortions (within the meaning of section 501(m)(2))."

(2) ESTATE TAX.—

(A) IN GENERAL.—Section 2055 of such Code (relating to transfers for public, charitable, and religious uses) is amended by redesignating subsection (f) as subsection (g) and by inserting after subsection (e) the following new subsection:

"(f) DENIAL OF DEDUCTION FOR CONTRIBUTIONS TO ORGANIZATIONS WHICH PERFORM OR FINANCE ABORTIONS.—No deduction shall be allowed under this section for a transfer to or for the use of any organization which performs or finances abortions (within the meaning of section 501(m)(2))."

(B) TECHNICAL AMENDMENTS.—

(i) Subparagraph (E) of section 2106(a)(2) of such Code (relating to taxable estates of nonresidents not citizens) is amended by striking out "section 2055(e)" and inserting in lieu thereof "subsections (e) and (f) of section 2055".

(ii) Clause (ii) of section 2106(a)(2)(F) of such Code is amended by striking out "section 2055(f)" and inserting in lieu thereof "section 2055(g)".

(3) GIFT TAX.—Section 2522 of such Code (relating to charitable and similar gifts) is amended by redesignating subsection (d) as subsection (e) and by inserting after subsection (c) the following new subsection:

"(d) DENIAL OF DEDUCTION FOR CONTRIBUTIONS TO ORGANIZATIONS WHICH PERFORM OR FINANCE ABORTIONS.—No deduction shall be allowed under this section for a gift to or for the use of any organization which performs or finances abortions (within the meaning of section 501(m)(2))."

(c) EFFECTIVE DATES.—

(1) ABORTIONS AFTER DATE OF ENACTMENT.—The amendments made by this section shall take into account only medical procedures performed after the date of the enactment of this Act.

(2) SUBSECTION (a).—The amendment made by subsection (a) shall apply to taxable years ending after the date of the enactment of this Act.

(3) SUBSECTION (b).—The amendments made by subsection (b) shall apply to estates of decedents dying, and transfers, after the date of the enactment of this Act.

LET'S BAN CONTINUING RESOLUTIONS

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. PORTER. Mr. Speaker, we ought to ban continuing resolutions. Never in the history of this Congress will so much be decided for so many by so few.

Back in a smoke filled room somewhere new programs will be started and spending will be increased and the process will be subverted once again.

Forty-five or 50 of the most important issues facing this Congress will be decided at the last minute, in the wee hours of the night, preferably while no one else is looking.

A new farm bill, the future of the Exim Bank, aid to UNITA, chemical weapons, defense procurement reform, revenue sharing and off-shore drilling are all issues that must be dealt with the next 7 days.

Mr. Speaker, that is the best way to run a three ring circus not a government.

CONGRESSMAN ROYBAL ASKS SUPPORT FOR RELEASE OF REFUGEE ASSISTANCE FUNDS

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. ROYBAL. Mr. Speaker, I wish to express my appreciation to the distinguished chairman of the Labor-HHS-Education Subcommittee, BILL NATCHER, for his support of efforts to resolve questions on refugee targeted assistance funding levels. I commend my colleague's sense of equity and devotion to the rule of law. Both of those traits characterize the response of the committee to the administration's decision

to withhold \$11.5 million of fiscal year 1985 targeted assistance funds.

That decision was based on an erroneous interpretation of the funding level set by the fiscal year 1985 continuing resolution for targeted assistance. Two opinions by the Comptroller General and a decision by a Federal district court have since affirmed that the disputed \$11.5 million ought to be released.

As it is stated in the conference report on H.R. 3424, which is incorporated into the continuing resolution, House Joint Resolution 465, "while the initial dispute over these funds may have been based on an honest disagreement * * * this is no longer the case." Thus, the conference report makes clear that the funds should be released. I have just learned that, in fact, some of the impacted counties in California have received funds to provide the services so critically needed to assist the large numbers of refugees that have settled in my State.

The continuing resolution also seeks to avert any similar confusion about the funding level for refugee targeted assistance in fiscal year 1986. It specifically sets the amount at \$50 million. Language contained in the conference report on H.R. 3424 notes that the fiscal year 1985 funds that were not released by the end of the fiscal year, that is, the \$11.5 million, are not to be counted as a 1985 carryover balance to be subtracted from the 1986 appropriation. It is expected that there will be no question about the proper interpretation of such language.

I believe strongly that targeted assistance to significantly impacted areas is a necessary component of our Federal responsibility. This program is particularly important to California, where almost one-half of all Indochinese refugees now reside, and which has 13 counties that the Office of Refugee Resettlement has determined are impacted by refugee resettlement. The program has been successfully implemented in the State and has proved to be the most effective Federal employment program in reducing welfare dependency in the State.

I ask all my colleagues to support, not only these refugee assistance provisions, but the entire bill.

A TRIBUTE TO THE EAST BRIDGEWATER VIKINGS

HON. BRIAN J. DONNELLY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. DONNELLY. Mr. Speaker, hard work, dedication, and school pride have recently paid off for an extraordinary group of young people in East Bridgewater, MA, and I rise in the House today to say a word of tribute to the fine young men and women of the Viking marching band and color guard.

In October, the talents of the 70 members of this organization were recognized when they won the Division AA championship in

the Massachusetts Instrumental Conductors Association marching band field competition.

Last month, the East Bridgewater Viking marching band and color guard was awarded the New England Division III championship at the New England Scholastic Band Association's marching band field competition.

These distinctions were earned with long hours of rehearsals and practice under the supervision of band director Daniel A. Lasdow. They are a tribute to him and his staff of instructors, and to the encouragement and support of the Music Parents Association. But above all, the honors recognize the effort and commitment of each member of the band and color guard.

We, in the Nation's capital, will have the opportunity to see and hear the East Bridgewater Viking marching band and color guard this spring, when they participate in the prestigious Cherry Blossom Parade in Washington, DC.

HUMAN RELATIONS AWARD TO IRVING L. BAUMWALD

HON. JOSEPH J. DiOGUARDI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. DiOGUARDI. Mr. Speaker, on December 19, the New Rochelle community, on behalf of the Anti-Defamation League Appeal, will present the Wolfe Duberstein Human Relations Award to Irving L. Baumwald.

I cannot believe that you could find an individual more deserving of this award than Irving. His list of accomplishments and community service are endless. Known as the dynamic partner of KMG Main Hurdman, the international accounting and consulting firm, Irving is deputy tax director of the firm's tax division in the New York office. In addition to being a CPA and an attorney, Irving also serves on the company's tax advising committee, the executive tax committee, and the New York division's development committee. However, these accomplishments pale in comparison to the dedication Irving has shown to the entire Westchester community.

As president of the Tom Paine Lodge of B'nai B'rith of New Rochelle, a post he previously held in 1977-78, Irving serves as a trustee of the Anti-Defamation League Appeal of Westchester County. He is also an active member of the Beth-El Synagogue, and his willingness to share his expertise has been a major support to numerous committees, including audit, youth activities, and cultural activities.

Irving truly symbolizes what I believe to be the greatest asset of Americans, volunteerism and the desire to help others. In a world in which Zionism is spreading, it is comforting to know that individuals, like Irving, are dedicated to the goal of abolishing this repressive form of hate and discrimination. Because of Irving's efforts, the world is a better place for all of us.

The Westchester community should be proud of his efforts in abolishing Zionism. As a personal friend, I would like to extend my deepest congratulations to Irving and wish him the best of success in all of his future endeavors.

MITCHELL SVIRIDOFF HONORED

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Ms. KAPTUR. Mr. Speaker, on December 9, some of the Nation's most distinguished citizens from all walks of life will be gathering in New York City to honor a man who has spent his entire adult life working to improve the lives of others across our great Nation. Whether it be in the areas of education, human resources development, labor-management relations, civil rights and social justice, public-private partnership for community improvement, neighborhood self help development organizations, or any other endeavor, Mitchell Sviridoff has had a lasting impact. Wherever he has labored, Mike has been, in the words of his friend Terry Sanford, "a devoted champion of human aspirations."

Throughout his life, Mike Sviridoff has maximized the resources available to him to help people find solutions to the social and economic challenges confronting our society. In every instance, he has been creative, enlightening, pragmatic, and inspiring. His work over the years is a model for all people contemplating or pursuing careers in helping others achieve their full potential. It is most encouraging to know that next year, Mike Sviridoff will be passing on his wisdom to a new generation of community, national, and world leaders as professor of urban policy at the graduate level, the New School for Social Research in New York.

Mitchell Sviridoff has been president of the Local Initiatives Support Corp. [LISC], a public-private venture for community and neighborhood revitalization since January 1981. Before that, he served for 13 years as vice president in charge of the Division of National Affairs at the Ford Foundation. Earlier, Mr. Sviridoff served as the administrator/commissioner of the Human Resources Administration of a major community development program in New Haven, CT. All of this following distinguished service in the labor movement, first as director of the United Auto Workers in Connecticut and then as president of that State's AFL-CIO.

Like many of my colleagues in the House of Representatives, as well as in the other body, I have had the opportunity to work with Mike. We all know how much his dedication has meant to so many working families as well as the poor and disadvantaged—how he has helped them realize their goals and dreams. He created opportunity where it would not otherwise have existed. Mike has made our country a better place in which to live. He knows

America's neighborhoods as well as anyone I know. So many of my colleagues join me in saluting this great American and wishing him the best in the next phase of his illustrious career. To his wife Doris and their daughters Michelle and Karen, thank you for sharing Mike with us and the Nation for so many years.

THE "FRENCH CONNECTION" NATIONAL ENDOWMENT DEMOCRACY

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 4, 1985

Mr. CONYERS. Mr. Speaker, when the National Endowment for Democracy was created, we were repeatedly told that it was to openly promote democracy in a nonpartisan manner in countries lacking a democratic political structure.

Last week, however, it was revealed that NED has funneled \$1.4 million in taxpayers money to two right wing organizations in France who have been actively engaged in opposing the policies of the Mitterrand government. One of these organizations, the Inter-University Union, is reputed to have close ties to Service d'Action Civique, an outlawed, extreme right paramilitary group. The French Government had not been informed nor had Congress. I am frankly amazed to learn of such ill-advised and mismanaged U.S. money through the media.

Regrettably, this is not the first time this has happened. Last year it was discovered that NED was funding a military-backed candidate in a very close Panamanian Presidential election.

I still cannot fathom exactly why the United States sees the need to intervene without the consent of the government in one of the world's oldest democracies.

At this point I enclose two items for the record. The first is an article in today's New York Times on the French incident. The second is the text of an internal memorandum of NED's which cast serious doubts as to promises of intended "openness". I urge my colleagues to take note of these. I intend to call for a further investigation into this.

DEMOCRACY PROJECT FACING NEW CRITICISMS
(By Ben A. Franklin)

WASHINGTON, Dec. 3—The National Endowment for Democracy is a quasi-governmental foundation created by the Reagan Administration in 1983 to channel millions of Federal dollars into anti-Communist "private diplomacy."

Its bylaws require "openness" and "public accountability" in its stewardship of millions of dollars a year in taxpayers funds, which are distributed to labor, business, education and other groups and organizations overseas to promote democratic ideas.

Today, however, for the second time in its brief existence, the endowment finds itself in trouble with Congress. Some of its "private diplomacy," it turns out, has been more than private; it has been secret.

According to endowment officials and Congressional aides, \$1.4 million in endowment money has been secretly channeled through an overseas branch of the American Federation of Labor and Congress of Industrial Organizations to two center-right groups in France that have opposed the policies of President Francois Mitterrand's Socialist Party.

What is more, the secrecy was maintained for months under an agreement among officials of the A.F.L.-C.I.O., endowment administrators and the Subcommittee on International Operations of the House Foreign Affairs Committee, which oversees the endowment.

The existence of the agreement was confirmed by Carl Gershman, president of the endowment, and by Richard W. McBride, the subcommittee staff director, after it was uncovered by Mark Shpiro, a reporter at the Center for Investigative Reporting here, who was on assignment for the Paris newspaper Liberation.

A PIVOTAL TIME

The Shpiro scoop, published last week, came at a pivotal time for the endowment. On Wednesday a Senate-House conference committee is scheduled to make a final judgment on the endowment's appropriation for the 1986 fiscal year, comprising between \$18 million voted by the House and \$10 million by the Senate.

Last year, on the eve of a crucial vote in the House on the endowment's first full-year appropriation, critics of the program produced a cable to the State Department from the United States Embassy in Panama complaining of an "embarrassing" and "compromising" discovery: \$20,000, given by the endowment through another A.F.L.-C.I.O. overseas branch, had been spent in Presidential election campaign to support the candidate backed by the Panamanian Army. After that disclosure, the House cut the endowment appropriation to zero, but conferees relented and gave \$18 million.

Now, according to Representative Hank Brown, the Colorado Republican who is one of the endowment's most persistent critics, the disclosure of the endowment's "French connection," as he put it, "requires Americans to ask how they would feel if they learned that the French Government was giving millions of dollars to the A.F.L.-C.I.O. to oppose the policies of Ronald Reagan."

Another endowment critic, Representative John Conyers Jr., Democrat of Michigan, said he would demand a Congressional investigation of the endowment's French grants.

Earlier this year, Congressional uncertainty about endowment operations brought an end to an appropriations system that required the endowment to give labor groups up to two thirds of its annual funding. Most of the balance was to be distributed by the Chamber of Commerce of the United States and the foreign institutes of the two major American political parties.

One of the french groups that received endowment funds was the National Inter-University Union, and anti-Communist student federation with reputed ties to the Service d'Action Civique, an outlawed, extreme-right paramilitary group. The other recipient was Force Ouvrière, an anti-Communist trade union.

A week ago, when the story broke that the A.F.L.-C.I.O.'s Free Trade Union Institute had committed \$575,000 in endowment funds to the National Inter-University Union and \$830,000 to Force Ouvrière, Mr.

Gershman, the endowment president, canceled payment of any undistributed money to the U.N.I., as it is known in France, "until we clear up questions about its anti-democratic character."

Mr. Gershman said all but \$73,000 of the money budgeted for U.N.I. publications had already been disbursed, but he said none of it was "intended for activities that in any way could be construed as criticism of the Mitterrand government."

In an interview Mr. Gershman emphasized that the Free Trade Union Institute would be allowed to make no more secret grants. "In the future there will be a full level of detailed disclosure," he said.

Mr. Gershman said details of the grants in France had been "less than fully disclosed" after A.F.L.-C.I.O. officials asserted in a memorandum last April that prior promises of secrecy had been made to its sub-grantees and that publicity would pose "danger or embarrassment" to them or to the United States.

Details on the two programs in France were omitted from the endowment's 1984 annual report, a document whose introduction declares that "we must operate openly." Details were also omitted from reports of the House subcommittee, Mr. McBride said.

OF THE DEMAND FOR SECRECY

Eugenia Kemble, executive director of the Free Trade Union Institute in Washington, who wrote the secrecy memorandum, did not return repeated telephone calls.

But according to other labor union and Congressional aides, the demand for secrecy for the labor institute grants in France reflected the tough anti-Communist style of Irving J. Brown, the 74-year-old official who has been the American labor federation's chief overseas representative since the end of World War II.

In the postwar years, Mr. Brown's leadership of American labor union intervention in Europe was credited with helping defeat Communist attempts to sabotage the Marshall Plan and other economic recovery programs of the United States.

But, Mr. McBride said in an interview, "Today, I think one has to ask the question whether the limited funds available to the N.E.D. should be going to Europe at all, rather than to Central America and the third world countries."

MEMORANDUM

To: Carl Gershman.
From: Eugenia Kemble.
Re Budget List Enclosed.

As we have discussed, there are a number of projects we are funding where recipients would either be endangered or embarrassed if specific budgets were published or announced. This information is not secret when it comes to accountability, but we would like to avoid advertising it. I am listing the relevant countries below so that you can pass the information on to those who need it. In these cases either repressive governments or Communist front group could use the information to hurt individuals or unions we are seeking to help.

The Philippines
Chile
Brazil
Nicaragua
Poland
Portugal
Suriname
Paraguay

There are many others where the publication of figures would not be helpful. These are just the ones where it would be most harmful.

Many thanks to you and others for considering this problem.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Thursday, December 5, 1985, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

DECEMBER 6

9:00 a.m.
Armed Services
To continue hearings on the organization and decisionmaking procedures of the Department of Defense and Congress.
SD-G50

9:15 a.m.
Finance
Health Subcommittee
To hold hearings to review possible reforms in the Federal supplementary medical insurance program (Medicare Part B) payments for physicians' services.
SD-215

9:30 a.m.
Joint Economic
To hold hearings on the employment/unemployment situation for November.
SD-562

DECEMBER 9

10:00 a.m.
Labor and Human Resources
To resume hearings on S. 827, to provide for the compensation of children and others who have sustained vaccine-related injuries.
SD-430

2:00 p.m.
Energy and Natural Resources
Public Lands, Reserved Water and Resource Conservation Subcommittee
To hold hearings on S. 1330, to allow expanded mineral exploration of the Ad-

EXTENSIONS OF REMARKS

miralty Island National Monument in Alaska.
SD-366

Finance
International Trade Subcommittee
To hold hearings on S. 1629, to provide that certain agricultural products are treated as "like products" for purposes of antidumping and countervailing duty investigations.
SD-215

3:00 p.m.
Governmental Affairs
To hold hearings on the nominations of Harold L. Cushman, Jr., and Michael L. Rankin, each to be Associate Judge of the Superior Court of the District of Columbia.
SR-301

DECEMBER 10

9:30 a.m.
Armed Services
To resume hearings on the organization and decisionmaking procedures of the Department of Defense and Congress.
SD-106

10:00 a.m.
Environment and Public Works
Toxic Substances and Environmental Oversight Subcommittee
To hold oversight hearings on environmental effects of global atmospheric warmings.
SD-406

10:30 a.m.
Labor and Human Resources
To hold hearings on the nomination of Jeffrey I. Zuckerman, of Maryland, to be General Counsel of the Equal Employment Opportunity Commission.
SD-430

DECEMBER 11

9:00 a.m.
Judiciary
Patents, Copyrights and Trademarks Subcommittee
To hold hearings on S. 1523, to create a Federal statute of limitations against civil suits by foreign governments seeking the return of art, artifacts, and other cultural property.
SD-628

9:30 a.m.
Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

Veterans' Affairs
To resume hearings on issues related to veterans exposed to ionizing radiation.
SR-418

10:00 a.m.
Armed Services
To continue hearings on the organization and decision-making procedures of the Department of Defense and Congress.
SD-G50

Environment and Public Works
To hold oversight hearings on the Acid Rain Precipitation Assessment Program.
SD-406

Labor and Human Resources
Business meeting, to consider pending calendar business.
SD-430

2:00 p.m.
Judiciary
To hold hearings on pending nominations.
SD-226

3:00 p.m.
Labor and Human Resources
To hold hearings on the nomination of Otis R. Bowen, of Indiana, to be Secretary of Health and Human Services (pending receipt of the Senate).
SD-430

DECEMBER 12

9:00 a.m.
Armed Services
To continue hearings on the organization and decision-making procedures of the Department of Defense and Congress.
SD-G50

9:30 a.m.
Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

10:00 a.m.
Environment and Public Works
Toxic Substances and Environmental Oversight Subcommittee
To hold hearings to explore problems of groundwater pollution caused by nutrient applications.
SD-406

Labor and Human Resources
Education, Arts, and Humanities Subcommittee
Business meeting, to mark up proposed legislation authorizing funds for programs of the Higher Education Act.
SD-430

DECEMBER 17

10:00 a.m.
Labor and Human Resources
To hold hearings on the nominations of Wendell L. Willkie, II, of the District of Columbia, to be General Counsel, and Bruce M. Carnes, of Virginia, to be Deputy Under Secretary for Planning, Budget and Evaluation, both of the Department of Education.
SD-430

DECEMBER 19

10:00 a.m.
Labor and Human Resources
Education, Arts, and Humanities Subcommittee
Business meeting, to resume markup of proposed legislation authorizing funds for programs of the Higher Education Act.
SD-430

CANCELLATIONS

DECEMBER 5

9:30 a.m.
Office of Technology Assessment
The Board, to meet to discuss pending business.
EF-100, Capitol

DECEMBER 10

10:00 a.m.
Energy and Natural Resources
Water and Power Subcommittee
To hold hearings on S. 1785, to amend the Garrison diversion project in North Dakota.
SD-366

December 4, 1985