

EXTENSIONS OF REMARKS

A THREAT TO THE DENVER &
RIO GRANDE RAILROAD

HON. TIMOTHY E. WIRTH

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. WIRTH. Mr. Speaker, I would like to share with our colleagues an article published in the Denver Post on December 4 telling the story of the Denver & Rio Grande Western Railroad [D&RG]. The D&RG is a regional rail carrier in Colorado and Utah that finds its very existence threatened by a proposed merger of two of the Nation's largest rail lines.

As the article describes, the proposed merger of the Southern Pacific and the Atchison, Topeka & Santa Fe Railroads directly threatens to leave the D&RG "landlocked." With track in only two States, the D&RG must have track usage rights from other, larger railroads to compete.

For many years, the Rio Grande has served the State of Colorado with distinction. It provides my home State with a crucial linkage, allowing Colorado shippers to transport their goods to the west coast efficiently and affordably. The Rio Grande and its future health and competitiveness is essential to the long-term economic well-being of Colorado.

I recommend the article to my colleagues, and request that it be reprinted below:

[From the Denver Post, Dec. 4, 1985]

RIO GRANDE TACKLES BIG BOYS

The Denver & Rio Grande Western Railroad would like to remain the little railroad that could.

Faced with a proposed merger of two giant lines that might threaten its existence as a regional carrier, the Rio Grande is leading a fight that could have repercussions for the rest of the industry.

With its own track in just two states, Colorado and Utah, the Rio Grande has branched out to serve shippers as far away as California and Oregon to the west and Kansas City, Mo., to the east.

The trick, familiar to many smaller railroads, was to find larger carriers that would agree to share their track.

LIFELINE JEOPARDIZED

But now the lifeline to the west provided by one of those bigger carriers, the Southern Pacific Transportation Co., may be jeopardized.

Southern Pacific's proposed merger with the Atchison, Topeka & Santa Fe Railway could result in much higher charges for using the track, says the Rio Grande, making its rates uncompetitive.

The merged carrier might even neglect portions of the track in consolidating its own operations, the Rio Grande fears.

And the Southern Pacific might also stop routing most of its own shipments over the

smaller line's tracks, cutting an important source of revenue.

The Rio Grande has responded to the threat in novel ways.

It has petitioned the Interstate Commerce Commission, which must rule on the merger, for the right to buy more than 1,200 miles of Southern Pacific track.

And it has attracted the support of an unusually large number of major shippers, concerned about the increasing concentration of the industry and the impact that is having on the rates they pay.

Without the right to buy Southern Pacific track—and a related request to the ICC for the right to continue to use other portions of the Southern's line—the Rio Grande would die a slow death, top executives of the Denver-based carrier contend.

They cite a number smaller regional railroads, including the Milwaukee Road, that were dealt fatal blows by mergers.

Among other advantages the bigger carriers can offer discounts on large-volume shipments.

"If we don't get the rights, we're in the meat grinder," said W.J. Holtman, chairman and president of Rio Grande Industries, parent of the scrappy railroad.

The company is privately owned by Philip F. Anschutz, a Colorado industrialist who made his fortune in oil and gas and acquired the railroad last year.

The line, the nation's 18th-largest, had operating revenues of \$358.4 million and net income of \$23.1 million in 1984.

TOUGH CHALLENGE

Holtman added that even if the commission gave the railroad what it wanted it faced a tough challenge:

It would still have to compete with the Union Pacific, the huge carrier in the West that was formed in 1982 by the merger of the Union Pacific with two other lines, the Missouri Pacific and the Western Pacific.

Holtman and his staff were worried about that merger, too.

The ICC, however, ended up giving the Rio Grande a key part of its request for track-usage rights, granting it the right to use the Missouri Pacific's line from Pueblo to Kansas City, Mo.

This enabled the smaller carrier to continue to offer service to shippers from the West Coast to the Middle West through what is known as the central rail corridor.

In the new proposed merger, the Rio Grande and three other smaller railroads that have failed requests for track-usage rights—the Kansas City Southern, the Missouri-Kansas-Texas, and the Texas-Mexican—are in a stronger position to get what they want from the ICC than in the past.

One reason is that many large corporations that are major shippers have become more concerned about keeping the smaller railroads viable.

Michael D. Petrucci, the general traffic manager at PPG Industries of Pittsburgh, said that since 1980, when the Staggers Act deregulated the railroad industry, the number of major railroads has shrunk from 13 to 7.

As these giant systems emerge, he said, the smaller railroads sometimes provide their only "head-to-head competition."

Besides being supported by PPG, the Rio Grande's ICC petition is backed by such large companies as United States Steel Corp., American Home Foods, Cargill Inc., Ford Motor Co., and Miller Brewing Co.

The unusual nature of the proposed merger has added to the shippers' concern. Most previous rail mergers involved systems that connected end to end.

But the 12,319-mile Sante Fe and the 13,270-mile Southern Pacific are largely parallel lines, often serving the same markets.

In addition to other routes, both carriers have lines running from southern California to the Southwest, through the southern rail corridor, and from the Southwest to the Midwest.

The two are owned by the Sante Fe Southern Pacific Corp., a holding company formed in December 1983 from the merger of the railroads' parent companies. The railroads are being operated separately pending the ICC's decision.

Because of the parallel lines, the proposal has brought the first opposition from the Justice Department to a rail merger since 1970.

In a brief filed with the ICC, the department argues that a merger will create a monopoly situation in many markets.

The Rio Grande contends that if the merger is allowed without conditions, the Southern Pacific no longer will have an incentive to use it as a connecting route in the central corridor.

Instead, the small line argues, the Southern Pacific would route its traffic by way of the southern corridor.

Such a fear is unwarranted, said Robert E. Gehrt, director of public relations for the Sante Fe Southern Pacific Corp., who added that the Southern Pacific would continue to route shipments from the Northwest over the Rio Grande lines because it is the more efficient route.

TEYON MCCOY WELCOMED TO
THE UNIVERSITY OF MARY-
LAND BASKETBALL PROGRAM

HON. ROY DYSON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. DYSON. Mr. Speaker, I would like to bring to the attention of my colleagues the upcoming addition of Teyon McCoy to the University of Maryland basketball program.

While some of us in Maryland may not be familiar with Teyon's sharp shooting and dominating defense, his heroics are well known by high school basketball players and coaches throughout the State of Indiana. At 6'1", Teyon plays point guard—a position well-suited to his extraordinary quickness and superb ball-handling skills.

● 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.

Hailing from Bishop Noll High School in Hammond, IN, Teyon is the proud recipient of the BC All-Star Camp Outstanding Player Award and the leading candidate for "Mr. Basketball" in Indiana.

As Teyon prepares to tackle both books and basketball at the University of Maryland, I wish him, as well as his future teammates, great success.

Congratulations Teyon. And congratulations Coach Driesell for providing the people of Maryland with so many years of exciting basketball. The University of Maryland basketball program has been Maryland and the Washington, DC area.

THE BAHAI'S NEED OUR HELP

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. PORTER. Mr. Speaker, last week at a special White House program commemorating International Human Rights Day, President Reagan cited Iran's religious persecution of Baha'is as one of the saddest and most serious human rights violations in the world today. He referred to the tragic experience of the Baha'is in condemning religious and racial discrimination, genocide, and torture.

The U.N. General Assembly also recently condemned Iran's human rights record in a resolution citing the Islamic regime's actions against the Baha'is. This action was the first time the United Nations debated and voted on Iran's human rights practices.

Mr. Speaker, I would like to commend the President and the U.N. General Assembly for the attention they have recently given to the Baha'is. Hundreds of Baha'is have suffered at the hand of the dangerous Khomeini regime and the community of 300,000 is living in constant pressure and fear. Time is essential and it is time that we go forward with all actions condemning the Iranian Government until the Baha'is are able to practice their own religion freely and are entitled to their basic human rights.

I would like to share with my colleagues the text of the speech that the President delivered commemorating International Human Rights Day and a statement made by Los Angeles Judge James F. Nelson, chairman of the American Baha'i community, upon presenting the President with a commemorative plate for his support of the Baha'is in Iran.

REMARKS OF THE PRESIDENT AT SIGNING CEREMONY FOR INTERNATIONAL HUMAN RIGHTS DAY

The PRESIDENT. Thank you very much. (Applause.) Thank you. Please, sit down. And I wish I knew where the light on this thing turned on. I can't find it, so I'll do it in the dark. (Laughter.) Well, good afternoon and welcome to the White House.

Today we mark the 37th anniversary of the signing of the Universal Declaration of Human Rights, a document to which virtually every nation on Earth subscribes. It's a day for us to take stock, to survey the globe with an eye not so much in—to words, as to

actual deeds; to measure the world against the noble assertions of the Universal Declaration and to reaffirm our commitment to the cause of human dignity.

America has, since its founding, been a refuge for those suffering under the yoke of oppression. A belief in the dignity of man and government by the consent of the people lies at the heart of our national character and the soul of our foreign policy. I had the pleasure of explaining that to a gentleman in Geneva not too long ago. (Laughter.) But, here, the difference is our documents, such as the Constitution, say we, the people, will allow government to do the following things.

Today more than ever we're proud to be champions of freedom and human rights the world over. So in observing Human Rights Day, we celebrate our commitment to the beliefs and moral teachings on which our own nation is founded; a belief in liberty, in the dignity of man, and in the inalienable rights of free men and women to choose their destinies. We have not hesitated when these rights and freedoms have been threatened.

Last month on Veteran's Day, I visited the graves of our soldiers who gave their lives so that the rest of us might know the blessings of peace and freedom. Our sons, brothers, and fathers also lie in cemeteries and fields from Flanders to Manila under undying testimony to our determination that these rights shall not perish.

We've learned from history that the cause of peace and human freedom is indivisible. Respect for human rights is essential to true peace on Earth. Governments that must answer to their peoples do not launch wars of aggression. That's why the American people cannot close their eyes to abuses of human rights and injustice, whether they occur among friend or adversary or even on our own shores. And we must be particularly appalled that, on the threshold of the 21st Century, when man has made gigantic strides in opening the universe of space and finding cures for dread diseases, millions of our fellow men still suffer the grossest abuses. There are regimes, some friendly, some adversarial, that engage in frequent violations of human rights. There are other regimes which by their very nature are built upon the denial of human rights and the subordination of the individual to the state.

In Afghanistan and Cambodia, for example, alien dictatorships with the support of foreign occupation troops, subject their peoples to unceasing warfare. Today, six years after the Soviet invasion of Afghanistan, up to 120,000 Soviet troops remain. They have slaughtered innocent women and children. They have employed poison gas. And they have loaded toys with small explosives, an attempt to demoralize the people by crippling Afghan children. Some 3.5 million Afghans, fully one-fourth of the pre-war population, have been forced to flee to Pakistan and Iran.

The communist rulers of Vietnam have launched vicious attacks upon Cambodian refugees, refugees who were fleeing a communist regime in Cambodia itself, which led to the deaths of up to one-quarter of the entire Cambodian population.

In Ethiopia, a Marxist government has used famine to punish large segments of its own population. Vice President Bush visited a camp for Ethiopian refugees in the Sudan last March. Men and women of all ages were dying. But the Vice President told me, there's something unbearably painful about seeing the eyes of the children, the huge,

sad eyes of starving children. And the peoples and governments of the democracies have responded generously to those pleas with tangible evidence of our concern.

In the Western Hemisphere, where so much progress toward democracy has been made, Cuba stands out as the country where institutionalized totalitarianism has consistently violated the rights of the citizens.

Unfortunately the Sandinista regime in Nicaragua seems determined to embark on the same course.

On three continents we see brave men and women risking their lives in anti-communist battles for freedom. We cannot and will not turn our backs on them. This year the House of Representatives has heeded their call and voted aid to the freedom fighters in Cambodia, Afghanistan, and Nicaragua, and repealed a ban on aid to freedom fighters in Angola.

Elsewhere we have seen considerable progress toward observance of human rights. In El Salvador, Grenada and Honduras freely selected—or elected governments, I should say—represent the best hope of their peoples for the future.

And just over the last weekend, a new civilian president was elected in Guatemala—that's the first time in 15 years. We laud those achievements. But our concern remains for those who are still captive and oppressed. This is where our voices just speak for justice, for the force of world opinion can and does make a difference.

One of the more tragic cases today is that of the Baha'i, whose leaders are with us today. The government of Iran is engaged in rampant religious persecution, especially against the Baha'is. Since 1979, 198 Baha'is have been put to death, 767 are imprisoned, some 10,000 made homeless, and over 25,000 forced to flee their country. Only the continued world outcry can help bring an end to their suffering.

In South Africa the inhuman policy of apartheid continues. The declaration of a state of emergency has given the police in that country essentially unlimited powers to silence critics of the government. Thousands of South African citizens have been detained without cause—or charge, I should say, and denied even elementary judicial protection. I have said that apartheid is abhorrent, it's time that the government of South Africa took steps to end it, and to reach for compromise and reconciliation to end the turmoil in that strife-torn land.

In Chile and the Philippines too, we've shown our strong concern when our friends deviate from established democratic traditions. In Eastern Europe, the hopes and aspirations of millions of people for religious freedoms, civil rights, remain alive despite years of repression. The Solidarity Labor Union is still outlawed in Poland and the Polish regime has once again moved to restrict the few freedoms that its people still enjoy. In Romania, religious persecution includes the destruction of Bibles, while in Bulgaria, the repression of the Turkish minority and the Islamic faith are witness to the unyielding denial of the basic freedoms of speech, assembly, religion in this region.

I addressed human rights in my meetings with General Secretary Gorbachev, and I made it very clear to him that human rights are an abiding concern of the American people. We had a long and confidential discussion and at the conclusion of our meetings, we declared in a joint statement that humanitarian issues would be resolved in a humanitarian spirit. Americans will be

watching hopefully to see whether that pledge is observed.

Make no mistake about it, human rights will continue to have a profound effect on the United States-Soviet relationship as a whole, because they are fundamental to our vision of an enduring peace. President Lincoln once called America the last, best hope of man on earth. Mr. Lincoln's remark has special poignancy today when American determination and strength are central to the peace and freedom of the entire democratic world. It is therefore incumbent upon us to work for the expansion of freedom throughout the world.

In this great effort, my friends, I deeply believe we have a good cause for hope. Evidence of the triumph of the ideal of freedom and respect for human rights can be seen in every corner of the globe, and this is because freedom is not only morally right, but practical and beneficial.

Indeed, governments that rest upon the consent of the governed and the rule of law are more successful in fulfilling their people's aspirations for a better life.

Democratic government and economic freedom have turned a number of small nations into economic giants. It even appears to have roused a giant nation from its economic slumber.

Permit me in closing to return to Mr. Lincoln:

"What defined America, what gave our nation its purpose and mission," he once said, "was something in that Declaration of Independence giving liberty not alone to the people of this country, but hope to the world. It was that which gave promise that in due time, the weights should be lifted from the shoulders of all men."

Well, let us always be true to that distinctly American cause. Let us never cease to work and pray that the weights should be lifted from the shoulders of all men.

Thank you and God bless you, and I will now sign the proclamation designating December 10th as Human Rights Day and December 15th, 1985 as Bill of Rights Day, and the week beginning today is now recognized officially as Human Rights Week. (Applause.)

(The bill is signed.)

Judge NELSON. Mr. President, you have mentioned in your remarks the relentless persecution of the Baha'is in Iran, and though the Mullahs of that country may choose to perpetuate these atrocities, they must know that because of you and the voices that you will encourage to speak out against it, these cannot now be perpetrated, except in the full light of public opinion. For this, we are deeply and eternally grateful.

We are aware also, Mr. President, that this is not a one-dimensional commitment; that in addition, you are morally and spiritually committed to the establishment of the peace we all want among the nations of the world—peace, the most pressing of all issues facing humanity today and for which the Baha'is ardently pray and that this country will help lead the world out of its current predicament.

Therefore, Mr. President, in recognition of your devotion to human rights, the National Spiritual Assembly presents to you on behalf of the 100,000 American Baha'is, a commemorative plate, and in recognition of your continuous commitment to world peace, we have the honor, Mr. President, to transmit to you from the Universal House of Justice, the international governing body of the Baha'is of the world, a statement on world peace.

Thank you, Mr. President.

The PRESIDENT. Thank you very much. Well, thank you very much and thank all of you for what you're doing in this.

I had the pleasure of quoting a statement of Thomas Jefferson to my colleague there in Geneva and he called it after he had heard it, "Very profound," when Thomas Jefferson said, "If the people know all the facts, the people will never make a mistake." So you, the people, and all of us together I think can continue to be a tide that will prove irresistible. Thank you all very much. (Applause.)

HELPING OUT ARGENTINA

HON. ROBERT GARCIA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. GARCIA. Mr. Speaker, in yesterday's New York Times, Mr. Jefferson Morley of the New Republic wrote an excellent essay on why the United States should loudly praise Argentina for bringing to trial former military leaders. His point that the Argentina example is a good one for all Latin American nations, particularly those in Central America trying to establish democracy, is well taken. Hopefully, the White House will heed Mr. Morley's message.

I am inserting his essay in the RECORD for my colleague's perusal:

ARGENTINA'S TRIAL, LATIN TRIBULATIONS

(By Jefferson Morley)

The conviction last week of five Argentine military commanders for waging a "dirty war" against their own people is obviously an encouraging precedent for democracy in Latin America. But democrats elsewhere in the hemisphere, especially in Central America, who have endured similar reigns of terror still find hopes of human rights trials elusive. Not the least of their burdens is the legacy of Reagan Administration policy.

The Argentine death squads bequeathed their modus operandi to the death squads of Central America. The wave of state violence that began in Argentina in 1976—and killed at least 9,000 people before it ran its course—struck El Salvador and Guatemala in 1979 and after. The cars without license plates, the kidnappings, the assassinations, the torture and the disappearances—all were methods tried first in Argentina and later borrowed by the Central Americans.

The arraignment of high-ranking military officers who oversaw this Central American terrorism would go a long way toward establishing democracy in the region. From the start, there has been plentiful evidence that the violence in Central America—as in Argentina—has been largely directed from the highest levels of government. The problem is that many of the prime suspects have enjoyed the blessings of the Reagan Administration.

In February 1981, Secretary of State Alexander M. Haig, Jr., called for resumption of United States aid to Argentina on the grounds that it had made "dramatic, dramatic improvements" in human rights. Jeane J. Kirkpatrick, the United States' chief delegate to the United Nations, held friendly meetings with a host of Argentine officers. Gen. Roberto Eduardo Viola, who was one of the five sent to prison last week,

was warmly welcomed at the White House in March 1981.

General Viola's counterparts in Central America received similar approbation in the first half of President Reagan's term. The Reagan Administration seemed to have no qualms about doing business with Roberto D'Aubuisson, the right-wing leader said to have close ties to the Salvadoran death squads. The Administration allowed Argentine Army advisers to train anti-Sandinista insurgents in kidnapping, assassination and torture. In December 1982, President Reagan himself downplayed the death squad rampages in Guatemala.

None of this softness on terrorism has been lost on the democrats in Central America—and it surely gives them pause. After all, if President Reagan regarded mere criticism of the Guatemalan generals as a "bum rap" three years ago, how could he possibly believe that a formal indictment of those same generals would be justified today?

In some cases, the attitude in Washington may even endanger Central American moderates. A Central American who publicly calls for prosecution of military officers involved in death squads knows in any case that he may be their next victim. On top of this, indifference, if not hostility, from the United States makes it all the more prudent to keep silent.

The Assistant Secretary of State for Inter-American Affairs, Elliott Abrams, has told foreign reporters that the Administration will support Central Americans whether they "decide to have a 100 percent amnesty" for officers involved in rights abuses or "decide to try everyone." The trouble—as Mr. Abrams himself has admitted on other occasions—is that Central American leaders have not been able even to discipline their military subordinates, much less put them on trial.

A Congressional resolution, supported by the Administration, could clarify the United States' position. Such a resolution would hail Argentina for its impartial and unflinching approach to its own trial. The resolution should also state that any Latin American government that followed the Argentine example would enjoy the support of the people of the United States and, if desired, the assistance of their Government. This would underline the United States position that democracy consists not just of elections but of the rule of law.

TOM WINEBRENNER—32 YEARS OF VALUABLE SERVICE

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 1985

Mr. EDWARDS of California. Mr. Speaker, Republican House Members do not have a monopoly on affection and admiration for Tom Winebrenner. We Democrats consider him one of us too, and we shall miss him very much.

In a partisan, adversarial atmosphere, which of necessity the House of Representatives must be, there is always need for the peacemaker, the reliable person both sides like and trust. Having such a person dulls the partisanship, makes the legislature work better, to the benefit of the public.

Tom Winebrenner has been that sort of person for all of his 32 valuable years of service in the House of Representatives. I can personally certify this truth for 23 of the 32 years, because that's how long I have had the privilege of knowing Tom.

Those of us whose offices are in the Rayburn Building or whose committees meet in Rayburn always seem to wait until the last minute to rush over to the House Chamber when the bells ring for a vote. We always look for Tom as we hurry through the entrance doors, and in a few succinct words Tom describes the vote. When the issue is clear and, if asked, Tom will politely say "Your vote is Aye, Mr. Edwards" and he's never been wrong yet.

Mr. Speaker, it's always poignant when we lose a fine institution around these historical rooms, and Tom is an institution, a useful and creative one, and so we'll be sad.

But we're sad for ourselves, not Tom, because he leaves us for exciting new work, and he leaves us with happy memories and a warm feeling for a dear friend who gave us so much.

CELEBRATING DAVID KARP'S BIRTHDAY AND HIS LOVE OF AMERICA

HON. MATTHEW F. McHUGH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. McHUGH. Mr. Speaker, the end of a congressional session is a time of frenetic activity, a time which requires great commitment and dedication. During these last days of the present session, I have become aware that on January 14, 1986, while Congress is not in session, a wonderful gentleman—who has in abundance those qualities of commitment and dedication—will be celebrating his 91st birthday.

I am speaking of my dear friend David Karp of Kerhonkson, NY, a man who has spent a lifetime loving America, honoring her achievements, and celebrating her freedoms and possibilities. During World War I, David served with distinction as a radio officer in the North Atlantic theater at a time when wireless telegraphy was in its infancy, and he was honored for his meritorious service. In later life, he remained proud of his service experiences and participated in veterans organizations and activities. He has been active in civic affairs, and is a former president of the Kerhonkson Lions Club.

As he and his devoted wife Lillian prepared to celebrate America's Bicentennial Year in 1976, David decided to sum up his vision of America's place in history by writing a stirring poem entitled "The American Spirit of Freedom." It is his beautiful gift to America, and in this season of grateful gift giving, I would like to share his gift with my colleagues by reprinting it in the RECORD. I know my colleagues join me in wishing David Karp a birthday celebration filled with great happiness and a future filled with many blessings for him and his family.

"THE AMERICAN SPIRIT OF FREEDOM"
Arise, America! . . . —Time does not wait,
Vigilance holds your freedom's fate.
Stand by your leaders in this global strife,
Alert to the noblest adventure in life.
Remember the great immortals of yore.
Behold their truths, lest ye march to war!
First came the Prophet, all-wise and divine,
Whose ethics remain an eternal shrine.
He preached this law on Sinai the Mount,
From "The Commandments," most sacred
fount;
But the wrath of Cain re-echoed deeper
The cry, "Am I my brother's keeper?"

"I WAS,
Then from the East, a Shepherd appeared,
With doctrines sublime, beloved, revered:
Of a Golden Rule and Brotherhood,
Of a Kingdom come, through earthly good,
Whose precepts helped lay the cornerstone,
"Man does not live by bread alone."

Take Heed, America! . . . —Pause to reflect
Nature's immutable cause and effect.
Study man's struggle on history's page,
From Genesis, to the Space-Nuclear Age.
Outlaw, conquer, and forever eclipse
"The four horsemen of the Apocalypse."

I AM

Now, you are summoned to Judgement Hall,
Where Statesmen gathered to Freedom's
call.

May your decisions wipe out all tears,
Heralding Peace for the next thousand
years:

A Peace with honor, for those 'neath the
sod,
Who died to uphold "Liberty under God."

Have Faith, America! . . . —Lift up thy gaze,
To His mysterious heavenly ways.
Probe "Man's inhumanity to man."

Question Destiny's ultimate plan.
Thus, as you ponder its purpose and scope,
Reason reveals this "rainbow of hope!"

I WILL BE,

Democracy's heart shall ever be strong,
With courage to smite an aggressor's wrong.
Each citizen will have, a duty and right,
With training, directed, preserving its
might;

That nations may keep "Four Freedoms"
unfurled,
The symbols of Justice,—ONE GOD,—ONE
WORLD!

STATE DEPARTMENT'S NEW ASSISTANT SECRETARY FOR HUMAN RIGHTS, RICHARD SCHIFTER

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. GILMAN. Mr. Speaker, along with several Members of Congress, I have called attention to the ceremony held in the White House this year commemorating Human Rights Day on December 10. Among other things I have inserted into the CONGRESSIONAL RECORD the full text of President Reagan's speech to assembled White House guests on that occasion. And I have called attention to the contrast between that ceremony and the scuffle which occurred in Moscow's Pushkin Square when a few heroic activists in that city tried to celebrate Human Rights Day peace-

fully. As set forth in the graphic eyewitness account provided by the Washington Post of December 11, the KGB moved in quickly taking the demonstrators away for interrogation. The vivid contrast between those two Human Rights Days speaks volumes as to the state of human rights in the U.S.A. and the U.S.S.R.

There has since come to my attention another Human Rights Day speech which also merits our consideration, the remarks delivered during the December 10th White House ceremony by the State Department's new Assistant Secretary for Human Rights and Humanitarian Affairs, Richard Schifter. Secretary Schifter took over his new human rights assignment about 2 months ago, after serving as head of the U.S. delegation to the U.N. Human Rights Commission and deputy U.S. representative in the U.N. Security Council and a distinguished career in the private practice of law.

As his remarks reveal, Mr. Schifter arrived here as a boy, a refugee from Hitler, in 1938. His parents hoped to follow him, but they never made it. I found his speech a moving testament to the cause of human rights, worldwide. I believe Dick Schifter is eminently qualified to hold his present position, not only from the viewpoint of his education and professional experience, but also as a tragic human rights victim very early in his life. His remarks should be welcome news to those who fear that our Nation does not adhere to a uniform human rights policy, applicable to all parts of the world.

Accordingly, I urge my colleagues, interested in the human rights cause, to read Dick Schifter's speech, keeping in mind his words: "It is my objective that my performance in this position will serve as a fitting memorial for my father and mother."

I know that many of my colleagues join with me in wishing Dick Schifter the best of success in his new undertaking, and that we look forward to continuing to work with him to achieve our common goals.

Mr. Schifter's speech follows:

REMARKS OF RICHARD SCHIFTER, ASSISTANT SECRETARY OF STATE FOR HUMAN RIGHTS AND HUMANITARIAN AFFAIRS, ON HUMAN RIGHTS DAY AT THE WHITE HOUSE, DECEMBER 10, 1985

The custom of celebrating the anniversary of the adoption of the Universal Declaration of Human Rights by holding a ceremony under White House auspices has by now become so well established that we may consider it a tradition. It has become equally traditional that remarks by the incumbent Assistant Secretary of State for Human Rights and Humanitarian Affairs are part of the ceremony.

I want at the outset to pay tribute to the accomplishments of my predecessor. Under the guidance of Elliott Abrams, United States human rights policy crystallized and became an essential, coherent and consistent ingredient of the United States Government's approach to foreign affairs. My task in that office, as I see it, is to build on the foundation laid by Elliott Abrams.

The position of Assistant Secretary of State for Human Rights and Humanitarian Affairs is a truly unique one. No other coun-

try in the world has elevated the person responsible for conducting human rights policy on the international scene to so high a level in its foreign policy establishment. Given the significance thus accorded to the position and, further, given the fact that this is my first opportunity to speak at an event of this kind, I want to use this opportunity to say a few words about the views and convictions which I have brought to this job.

Reporters who have interviewed me since my nomination was announced have asked whether my background has something to do with my decision to accept this position. The answer is: "Of course."

If you were to proceed to a reference library for newspapers and periodicals and were to get the New York Times of December 16, 1938, you will find in it a story on the arrival in New York harbor of yet another boatload of refugees from Hitler's Germany. The story is illustrated with a photograph. It was taken on the deck of the arriving ship. It is a picture of a group of these refugees looking out at the Statue of Liberty. One of these refugees gazing out at that great symbol of American freedom was a youngster who decades later was to become the third person to serve in the United States Government as Assistant Secretary of State for Human Rights and Humanitarian Affairs.

Many such boatloads arrived in those days. Another one of them, which had reached the United States a few weeks earlier, had numbered among its members a youngster of about the same age who was then known as Heinz Kissinger.

I had come to the United States alone. Under the immigration laws then in effect, my father and mother had been placed on the visa waiting list. They had bid me good bye as I had embarked for my journey to the United States, in the expectation that we would see each other again soon.

That was not to be. Their last message to me, dated July 1942, and transmitted through the International Committee of the Red Cross, came from a place called Maidan-Tatarski. According to available records, the ghetto of Maidan-Tatarski was, to use the terminology of that period, liquidated in November 1942.

I recall reading a poem once about the victims of those times. It speaks of the millions for whom there was no funeral ceremony, no grave, no monument to mark their final resting place. The poem speaks of the cloud that emanates from the smoke stack near the crematorium and of the grave, the final resting place, in the sky.

It is my objective that my performance in this position will serve as a fitting memorial for my father and mother.

Let me also add in this context, that the President has called for Senate action on the Genocide Convention. It is my hope that the important symbolic act of United States adherence to that Convention will indeed take place in the near future.

What I believe I am able to bring to the job of Assistant Secretary of State for Human Rights is an ability to look at the world through the eyes of a victim. What a victim looks for is help, rescue, improvement in the conditions of life. What the victim does not need are pious declarations or thundering denunciations whose only effect is to make the persons uttering these declarations or denunciations feel psychologically satisfied. It is essential, I believe, that we continue a human rights policy which is result-oriented and avoids grandstanding.

Though the head of the Human Rights Bureau has the opportunity to influence policy and to exercise a certain amount of discretion, it is clear that his performance must harmonize with the general policy outlook of the Administration in which he serves.

As I have had the opportunity to represent the United States since January 1981 in international organizations concerned with human rights, I am well acquainted with our policy approach and have no doubt that my own inclinations are in full harmony with the human rights policy of this Administration. These policies, in turn, reflect the deeply-felt beliefs of the American people. My experience in recent years has served only to confirm the impression which I have held heretofore, that no other country exceeds ours in its altruism in the field of international affairs.

I would not want to suggest that we do not weigh our security interests or economic concerns as we make our foreign policy decisions. We must, and we do. But I believe that we, more than anyone else, are prepared to subordinate these narrower objectives to purely humanitarian considerations and that we do so irrespective of the political outlook of the government which is guilty of human rights violations.

Let me underline this last point most emphatically. Only this morning, on a television show, I was asked the question that is posed so often, whether we limit our human rights concerns to countries in the Soviet sphere and look the other way when human rights violations take place in countries with which we have better relations. The answer to this question, as I have already said, is that we concern ourselves with human rights violations everywhere. Now that I am no longer in the private practice of law, I do not keep a precise record any more as to the matters on which I spend my time minute-by-minute. But I can tell you nevertheless that in the six weeks that I have been on my present job, I have spent more time working on human rights problems in countries outside the Soviet sphere than on the problems that emanate from the Soviet bloc.

The reason for that difference is simple to explain. We naturally gravitate in our activities toward those situations where we can do some good in the near future. We can obviously do the greatest immediate good in a country that is likely to pay attention to an intercession on our part. Our time is then spent setting forth the fact as to the violation in question, formulating our expression on concern, determining the proper channel for communicating that concern and then communicating it. That is what is known as "quiet diplomacy." It is quiet only in that it is not made public. But it can be most emphatic and I can assure you it most often is just that. All along in choosing the words and in choosing the channel, we keep a single goal in view: to achieve the desired result.

Only where quiet diplomacy has failed or where there is no chance of even starting such a process do we resort to publicity. Obviously, the less friendly a country is toward us, the less likely that it will listen to our private entreaties. That is why it might indeed appear as if our human rights activities focus on the Soviet bloc when, in truth, we are concerned with all human rights violations.

As to this concern, there are no partisan divisions in our country. I have noted earlier that our government acts the way it does on

human rights issues because in our democracy government expresses the will of the people and an affirmative human rights policy is what the American people expect of their government. The United States human rights policy, unique as it is on the international scene, truly reflects the spirit of the great civilization which the founders of this country built on the North American continent.

A final comment would be appropriate about the man from whom you will soon hear in person, the man whose word is the last word in setting our country's human rights policy. What the great majority of our people has recognized, what the world is increasingly recognizing, is that President Reagan represents the essence of the American character of decency and humanitarianism.

I have no doubt that in placing human concerns ahead of bureaucratic concerns in the exercise of our official responsibilities, we in the Bureau of Human Rights and Humanitarian Affairs carry out the policies of the President of the United States.

COUNTY COUNCIL OF HARFORD COUNTY, MD, ADOPTS RESOLUTION IN OPPOSITION TO THE REPEAL OF FEDERAL DEDUCTIBILITY OF STATE INCOME AND LOCAL PROPERTY TAXES

HON. ROY DYSON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. DYSON. Mr. Speaker, I would like to share with my colleagues in Congress a resolution adopted by the Harford County Council expressing their unanimous opposition to the proposed repeal of Federal deductibility of State income and local property taxes.

At a time when policymakers across the Nation are addressing the need to reduce the Federal deficit, many of us see the deductibility of State and local taxes as a central component of our campaign to provide our citizenry with essential services.

Passed on November 12, 1985, this resolution represents but one of the many strong expressions being heard across the country in favor of retaining this vital tool of effective government.

Resolution 49-85, as introduced by Council Member Fielder, follows:

WHEREAS, the County Council of Harford County, Maryland, recognizes the need to make the Maryland State income tax more progressive in order to finance the prospective growth in government expenditures and to achieve a more equitable sharing of the costs of government among income groups; and

WHEREAS, the federal government has encouraged states to assume greater responsibilities as part of the "New federalism" during a time when federal funds have been reduced for the kinds of programs of particular interest to the people and local governments in our region; and

WHEREAS, we believe that states properly have a claim to their citizens' income which is prior to that of the federal government and that the proposed changes would

represent an unwarranted intrusion into states' rights; and

WHEREAS, income taxes should not be considered part of one's income, so no tax authority should include in its income tax base the taxes its citizens pay to other authorities; and

WHEREAS, state and local property taxes provide basic support for essential governmental and educational services and the lack of federal deductibility would impact local revenue-raising capacities, and the basis on which state and local governments' credit ratings are determined; and

WHEREAS, interstate transfers arising from deductibility may simply offset transfers created by the exportation of other state taxes, such as severance taxes; and

WHEREAS, deductibility improves the tax system's overall neutrality by ameliorating the bias against saving and investment; Now, therefore, be it

Resolved, That the County Council of Harford County, Maryland, wishes to go on record in opposition to the current proposal to end the federal deductibility of state and local taxes; and be it further

Resolved, That a copy of this Resolution be sent to each member of the Maryland delegation in Congress.

THE PRESIDENT'S VETO OF THE TEXTILE BILL

HON. ROD CHANDLER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. CHANDLER. Mr. Speaker, last night, the President vetoed H.R. 1562, the Textile and Apparel Trade Enforcement Act of 1985. I strongly support the President's position on this issue and I congratulate him for his actions.

I remain convinced that protectionism of the type envisioned by H.R. 1562 is bad for the country and bad for each and every American. This bill would fuel inflation, put thousands of Americans out of work, and profoundly threaten the economies of many of our trading partners to whom we look for purchase of our exports.

For a bill that advertises itself as the protector of certain domestic industries, H.R. 1562 quite curiously exempts from its coverage many of the countries which account for significant levels of foreign imports. Conversely, the bill would apply to such nations as Sweden, Norway, and Finland, which collectively account for less than one-quarter of 1 percent of the U.S. market for textiles and apparel, and which, as a group, import more textiles and apparel from the United States than they export.

I received a letter today from Sweden's Ambassador to the United States, Mr. W. Wachtmeister. His comments testify to some of the inequities caused by this bill and are, I believe, deserving of inclusion in this RECORD.

EMBASSY OF SWEDEN,

THE AMBASSADOR,

Washington, DC, December 11, 1985.

HON. ROD CHANDLER,

House of Representatives, Washington, DC.

DEAR CONGRESSMAN CHANDLER: I noticed with pleasure a reference that you made to my country in the House debate last week

on textiles and wanted to write to thank you for presenting our points of view so well. You noted that several major exporters to the United States of textiles and apparel would be exempted from the proposed restrictions while Sweden, Norway and Finland would not be, even though we hold only a minute share of the U.S. market and import more textiles and apparel from this country than we sell to you.

My government certainly feels that additional restrictions on world textile and apparel trade would be unfortunate in view of the forthcoming negotiations on a new Multifiber Agreement. Any new measures introduced should, in our view, take into consideration the conditions for production that exist in our country, where the textile industry pays high wages and in no way could be perceived as a threat to the corresponding U.S. industry.

Sincerely yours,

W. WACHTMEISTER.

THERE WAS NO NEED TO RUSH ON THE TAX BILL

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. GAYDOS. Mr. Speaker, once again we in the House have been pressured into acting with undue haste on a bill, H.R. 3838, the Tax Reform Act of 1985, that will have a tremendous impact on the lives of all Americans.

Once again, we have another example of what I call legislation by crisis. Only, as far as I can tell, no crisis exists.

There has been no clamor from my constituents for this bill or, for that matter, for any of the tax reform proposals that have been floating around this Congress for the past several months. So there was no real rush, except in the minds of some here, for dealing with this bill now while racing to adjourn.

One of the things that bothered me most as we rushed into this vote was that I really don't know what this bill contains. I only received my copies of the bill, the Ways and Means Committee report, and the committee summary last week.

And, when you consider that the bill itself is almost 1,400 pages—about the thickness of a good-sized telephone book—and weighs more than 4 pounds, it's going to take more than just a couple of days to examine it thoroughly and to understand all of the implications.

But, in my cursory reading so far, I have found some good things in the bill, items that will benefit people, and I have found proposals that are so detrimental that it is impossible for me to support this measure.

I am very concerned about the provisions to tax some retirement benefits of Federal employees while exempting Members of Congress and their staffs. It's too bad the crafters of H.R. 3838 couldn't be straightforward with us by just using simple and understandable language in the bill rather than the typical convoluted language we have before us. At least then we and our

constituents would know what we were dealing with.

I am concerned about the elimination of accelerated cost recovery that exists under current law. This program is a real benefit to many capital-intensive industries, such as steel and other manufacturing entities, and its elimination will do serious harm to those companies suffering most from the impact of import competition.

I am concerned about the repeal of the investment tax credit program on industry because, again, it will hurt most those companies that are struggling to regain the degree of competitiveness necessary to stave off pressure from imports.

I am concerned also about the treatment of industrial development bonds in this tax bill, bonds that are vital to depressed areas as a means of attracting new industries that will create jobs in parts of this country that have not been blessed with the fantastic recovery this administration says exists.

All in all, Mr. Speaker, while this tax bill may provide some benefits for some people, the negatives I have already found lead me to stand in opposition to the bill.

Further, as there seems to be no immediate need to rush into action, no pressure from the citizenry to pass the bill, I believe it would have been in our own interests to wait and look at the package more carefully before we put our seal of approval on it.

Our colleagues in the Senate are in no rush. In fact, they can't act on the tax bill until we do. Given that as a fact, there is no need for the House to rush into action on this measure when we have had only a short time to look it over.

Besides, despite the efforts by the President to convince Members to support H.R. 3838, he has already said that if the final bill contains many of its provisions, he will veto it!

Are we so involved in the political struggle that we can't see that we are being used? Let's wait, take our time and produce a tax package that will really mean something to the American people.

Quite frankly, there are too many unknowns in a measure of this size and import. I, for one, would rather say that I voted no because of not fully knowing what was in the bill rather than be criticized by my constituents later for failing to see some minor paragraph that has a negative impact on people.

I believe we should have waited rather than consider H.R. 3838. This is far too important an issue to do in a hurry. The danger now is that we have lost control and the Senate will be free to do what it is the President wants them to. After that, only the conferees will know what shape the final version will take.

RETIREMENT OF GEN. ROSCOE
ROBINSON

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. CLAY. Mr. Speaker, it is with a great deal of pride and pleasure to bring to the attention of my colleagues the retirement of Gen. Roscoe Robinson, Jr., from the U.S. Army.

General Robinson, a constituent from the First Congressional District of Missouri, and a contemporary of mine, was retired from the military with honors on November 27, 1985 at Fort Meyers, Virginia with more than 30 years of dedicated service to our country. I am indeed honored to know him and to be his Representative in Congress. But, I do have some regrets about his retirement for I am no longer able to state that two of the top ranked black officers in the Armed Forces claim residence in my district.

Mr. Speaker, I submit for insertion into the CONGRESSIONAL RECORD a portion of the program from General Robinson's retirement ceremony.

The information follows:

ROSCOE ROBINSON, Jr., General, United States Army

General Roscoe Robinson was born in St. Louis, Missouri on 11 October 1928. He was commissioned a second lieutenant and awarded a Bachelor of Science degree in Engineering in 1951 from the United States Military Academy. He also completed a Masters program in International Relations from the University of Pittsburgh. His military education includes completion of the Infantry Basic and Advanced Courses, the United States Army Command and General Staff College, and the National War College.

He has held a wide variety of important command and staff position culminating in his final assignment as United States Representative to the North Atlantic Treaty Organization Military Committee. Other key assignments held recently include Commanding General, 82d Airborne Division, Fort Bragg, North Carolina; Deputy Chief of Staff for Operations, United States Army Europe and Seventh Army; and Commanding General, United States Army Japan/IX Corps.

General Robinson also served as Personnel Management Officer, Infantry Branch, Officer Personnel Directorate, Office of Personnel Operations, Washington, DC. In Vietnam, he was Deputy Chief of Staff, G4 (logistics), 1st Cavalry Division, and subsequently Commander, 2d Battalion, 7th Cavalry, 1st Cavalry Division. After completion of the National War College at Fort Lesley J. McNair, Washington, DC, he became Plans Officer, later Southeast Asia Special Actions Officer, J5 (Plans), United States Pacific Command, Hawaii and executive to the Chief of Staff, CINCPAC. He was Commander, 2d Brigade, 82d Airborne Division at Fort Bragg, North Carolina and then departed for Okinawa where he became Deputy Commander of the United States Army Garrison, later becoming Commanding General, United States Army Garrison, Okinawa.

Awards and decorations which General Robinson has received include the Distinguished Service Medal, Silver Star (with Oak Leaf Cluster), Legion of Merit (with two Oak Leaf Clusters), Distinguished Flying Cross, Bronze Star Medal, Air Medals, Army Commendation Medal, Combat Infantryman Badge (2d Award), Master Parachutist Badge, and the Joint Chiefs of Staff Identification Badge.

He is married to the former Mildred E. Sims (Millie). They have two children: Carol Robinson Royal and Bruce (US Army).

Mr. Speaker, I ask that my colleagues join me in thanking General Robinson for his many years of dedicated and unselfish service to our nation and extend to him and his wife and family our best wishes.

PROGRESSIVE DISCIPLINE

HON. THOMAS N. KINDNESS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. KINDNESS. Mr. Speaker, we are probably all sorely aware of the depth of discipline problems in our Nation's schools. I want to call the attention of my colleagues to an innovative program meant to deal with such problems in a constructive manner.

John Lazares, assistant principal of Wilson Junior High School in Hamilton, OH, has developed a "progressive discipline code" which has received a lot of attention over the past few months. To date, the code has been implemented by schools systems in Cincinnati and Harrison, OH, as well as a school system in North Carolina.

John Lazares and his colleagues at Wilson Junior High School are to be commended for their efforts in developing this idea, which emphasizes parent-teacher communication in an era where such communication may often be lacking.

I'm sure that there are many of us who share Mr. Lazares' hope that the increased involvement of parents in the discipline of their children will be helpful in translating discipline problems into better academic performance and increased parent awareness.

The following article by Mr. Lazares explains the "progressive discipline code" in greater detail:

HAMILTON CITY SCHOOL DISTRICT,
Hamilton, OH.

At Wilson Junior High School in Hamilton, Ohio, a progressive discipline code is utilized. A minor offense by a student results in a representative punishment. As a student continues to break school rules, the punishment becomes more severe. As the severity of offenses increases, the student may eventually be suspended out of school. We have decided to add one more step to our code before a student is suspended out of school.

In this additional step, a student who has continued to exhibit undesired behavior will receive a suspension until his/her parent comes to school for a conference. At that meeting, the parent is told the next time their child is involved in an infraction of the discipline code, the parent will be required to attend school with his/her child for the entire day(s).

The rationale for this procedure is as follows:

1. Students are embarrassed by having their parents with them at school. Several students, who when faced with the prospect of having their parents attend school, have pleaded with me to do anything else. This addition to our code has drastically reduced repeat-student problems. Students see parents in the building and realize that they could be next. Thus a great "preventive discipline" factor develops.

2. If a student receives a suspension, but the parent is willing to accompany him/her to school for an entire day, the suspension will be rescinded. Because the procedure is used in lieu of an out-of-school suspension, instruction time is not lost.

3. The parents observe the school day first hand. The lines of communication between the parent and teacher are greatly improved.

This is a good way for parents to actually see what type of education their children are receiving. One parent stated, "I finally realize what a hard job teachers have". Our schools need improved public relations and this can be another method of attaining this goal.

In conclusion, this program will help to decrease discipline problems and make parents more aware of their youngster's behavior and academic progress in school.

JOHN LAZARES, Assistant Principal,
Wilson Junior High School.

U.S. RELATIONS WITH EASTERN
EUROPE

HON. ROBERT GARCIA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. GARCIA. Mr. Speaker, the Secretary of State has just completed a visit to three Eastern European nations. It is important to note that not all Eastern bloc nations are identical. There are some important differences between both the domestic and foreign policies of these nations.

Our relationship with the nations of Eastern Europe has always been overshadowed by our relationship with the Soviet Union. While it is important not to diminish the control the Soviet Union has over these nations, it is equally important not to lump them together, ignoring their differences. In that light, I am inserting in the RECORD an article from the December 15 edition of the New York Times on Secretary Shultz' trip and on United States-Eastern European relations in general.

[The New York Times, Dec. 15, 1985]

SHULTZ HEADS FOR THE OTHER SIDE OF
EUROPE

(By Bernard Gwertzman)

WEST BERLIN.—The Reagan Administration is showing renewed interest in Eastern Europe, spurred by last month's Reagan-Gorbachev meeting and the knowledge that a thaw in Soviet-American relations often produces openings as Moscow's allies made the most of a Russian smile. After stopping in this Western enclave, Secretary of State George P. Shultz planned to visit Rumania and Hungary today and tomorrow. He was

to spend a day in Yugoslavia before returning to Washington.

The longstanding American objective in dealing with the East Europeans has been both simple and complex. Any weakening of Communist cohesion is a military plus for the West, and—more important—a serious problem for the Russians. And beyond the security aspect, there is the perhaps sentimental hope that somehow, freedom can be brought to Eastern Europe by means short of war. But policy toward these governments has long seemed riddled with inconsistencies and dilemmas. Questions are again being asked about how to deal with the region.

Should the United States continue to follow President Lyndon Johnson's policy of "building bridges" in the hope that the East Europeans could turn westward? Or is it misleading and cynical to encourage seeds of independence, which only make clear Western importance in the face of Soviet-forced crackdowns and repression, as in Hungary in 1956, Czechoslovakia, 1968, and Poland, 1981? Would it not be more productive in the long run to treat the Soviet Union and the other European Communists as being in the same boat, perhaps with country-by-country adjustments? If relations with Moscow improved, ties with the others would, too. This might strengthen Moscow's veto over its allies but could also foster East European self-interest in change in Moscow.

The United States does not accept the incorporation of Eastern Europe "into a Soviet sphere of influence," Mr. Shultz said yesterday in West Berlin.

The Reagan Administration calls its policy "differentiation." As defined by Vice President Bush in 1983 after a similar quick trip to the region, it explains why Mr. Shultz is visiting Rumania and Hungary while leaving Bulgaria, Czechoslovakia, East Germany and Poland off his itinerary. Yugoslavia's Communist Government, which left the Soviet bloc in 1948, is a special case, while Albania belongs to no bloc and has resisted repeated American overtures.

"We look to what degree countries pursue autonomous foreign policies, independent of Moscow's direction," Mr. Bush said, "and to what degree they foster domestic liberalization, politically, economically and in their respect for human rights." He added: "The United States will engage in closer political economic and cultural relations with those countries such as Hungary and Rumania, which assert greater openness or independence."

Hungary has permitted private enterprises to flourish alongside moribund state farms and factories and has been relatively tolerant of individualism in the arts. But on foreign policy, it dutifully follows the Soviet line. The opposite is true of Rumania. Under President Nicolas Ceausescu, intellectuals and evangelical Christians are severely repressed. Living standards are the lowest in East Europe. But in foreign policy, Mr. Ceausescu has been the most independent leader in the Warsaw Pact, even refusing to participate in joint military maneuvers outside of Rumania. He also allows Jews and Germans to emigrate fairly freely, meeting United States conditions for preferential status on tariffs.

But some United States officials are concerned that Rumania's independence may not outlast Mr. Ceausescu, who will be 68 next month and is said to be in poor health. Rumania, which is in severe economic difficulty, may be tempted to return to the

Soviet fold, they say, if independence is not materially encouraged.

Hungary is the only other Warsaw Pact member approved for Most Favored Nation tariff treatment. In Administration parlance, Mr. Shultz is "rewarding" Hungary, for its relative domestic leniency, and Rumania, for foreign policy independence, by singling them out on his first visit to the region.

But many critics would like to end the reward. Bills now before Congress would strip Rumania of its tariff preference because of its shoddy human rights record. And Senator Alfonso D'Amato says he may seek to revoke Hungary's preferred status because free debate was stifled during the recent forum on East-West cultural relations in Budapest.

Moreover, given the renewed concerns about espionage, there is concern that all the East Europeans may be helping Moscow gather information. Some officials, however, say the Hungarians and Rumanians are less active in spying than the other Communists. That is why they were left off the list when the Bulgarians, Czechoslovaks, East Germans and Poles were recently told to book their travel in the United States through the State Department, a procedure that helps the Federal Bureau of Investigation keep close tabs on their whereabouts.

CITY COUNCIL OF BALTIMORE ADOPTS RESOLUTION URGING SUPPORT FOR ELDERLY CITIZENS WHO NEED NURSING CARE

HON. ROY DYSON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. DYSON. Mr. Speaker, I would like to share with my colleagues in Congress a resolution adopted by the City Council of Baltimore pertaining to nursing care for the elderly.

Introduced by council members DiBlasi, Murphy, Myers, Ambridge, and Mfume on November 18, 1985, the resolution is entitled, "Federal and State Assistance for Elderly Citizens in Need of Nursing Care."

The resolution follows:

For the purpose of requesting the Federal and State governments to study the need for extended benefits for elderly citizens in need of nursing care.

Whereas, Elderly citizens experience a higher incidence of illnesses and accidents that require short term or long term nursing care as a course of medical treatment; and

Whereas, The cost of this nursing care has accelerated over the past 10 years and now, after a short period of time, exhausts the income and assets of all but a few; and

Whereas, People who work hard all their lives to be secure in their senior years are entitled to their personal dignity in spite of incapacitation; and

Whereas, Persons in need of nursing care should be able to rely on Medicare for this treatment but under the present rules they become economic pawns of State and Federal governments; and

Whereas, The Federal and State governments should study the issue of nursing care for elderly citizens and seek ways to

build in protection for the nursing care needs of elderly citizens; now, therefore, be it

Resolved, That the President and the U.S. Congress and the Governor and General Assembly be urged to investigate the need for expanded Medicare and State support for elderly citizens who need nursing care; and be it further

Resolved, That copies of this Resolution be sent to the President of the United States, the Maryland delegation to the U.S. Congress, the Governor and the Baltimore City delegation to the General Assembly.

AFTER GENEVA

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. HAMILTON. Mr. Speaker, I insert my Foreign Affairs Newsletter for December 1985 into the CONGRESSIONAL RECORD:

AFTER GENEVA

President Reagan deserves the praise of Americans for his "fresh start" at Geneva. Although the November summit produced nothing concrete on the central issues of arms control and arms reduction, it improved the mood in U.S.-Soviet relations, reducing tension and signalling a return to diplomacy. The summit's significance depends on what happens next. It is up to the U.S. and the Soviets to try to build on its momentum.

The second summit, likely to be held next June or July, will be much tougher. It was easy this time for the leaders to meet, shake hands, exchange smiles and pledge to accelerate arms control talks. Next time the summit will be called a failure if it does not produce real movement on arms control. A summit can spur bureaucracies into action, but it can also obscure inaction. Painstaking diplomacy is not always advanced by highly visible public meetings. A second or third summit, if unproductive, could unsettle Europe and increase East-West tension.

The President has his work cut out for him. Preparation for the next meeting needs to begin now. The President must quickly assemble an arms control consensus within his own Administration, something he has so far been unable to do. He must give his negotiators guidance if progress is to occur before the next summit. He must resist pressure to compromise, which our allies will apply in coming months. He must choose whether to observe existing treaties while he accuses the Soviets of violating them. Most importantly, he will have to decide whether to accept limits on his Strategic Defense Initiative (SDI) to achieve deep cuts in Soviet nuclear weapons.

Mr. Gorbachev has his own set of problems. He must consolidate his power at the Party meetings in Moscow in February, 1986. He must decide if NATO or the Congress will induce President Reagan to make concessions, or whether Soviet compromises will be needed.

Under the domestic limits each leader faces, neither side can credibly threaten sharp increases in military spending. The outlook here is for more cuts in the President's defense budget. Mr. Gorbachev does not hide his preoccupation with the stagnating Soviet economy, or his reluctance to see

military spending go up to keep pace with U.S. technological efforts.

Observers are alert for early signs of movement in superpower relations. U.S. allies have already put forward a proposal at the Vienna talks on Mutual and Balanced Force Reductions. It calls for a small reduction in U.S. and Soviet forces to precede an agreement on verification measures. U.N.-sponsored talks on Afghanistan will resume soon and could provide a post-summit test of Soviet intentions. At the Stockholm Conference on Disarmament in Europe, each side has pledged to work on "confidence building" measures and the principle of non-use of force. Bilateral talks are also planned on preventing the spread of nuclear weapons and establishing centers to reduce the risk of nuclear war.

In Geneva, nuclear and space arms talks will resume in mid-January. Both sides agreed at the summit to seek progress in areas of common agreement, including cutting strategic arms by 50% and working out an interim agreement on intermediate range weapons in Europe. Neither side budged on the central issue of spaced-based defense, but there is some room in U.S. and Soviet positions to discuss the acceptability of SDI research.

There are major differences, however, in the terms defining the reduction of U.S. and Soviet arsenals. The Soviet proposal would include U.S. weapons in Europe, and apparently allows the deployment of Soviet SS-24 and SS-25 missiles while prohibiting our MX, Trident II and the future Midgetman missile. The U.S. proposal would ban all Soviet mobile missiles including SS-24s and SS-25s and the proposed U.S. Midgetman, but permit other U.S. systems. These terms of definition alone will be difficult to negotiate.

A further difference is compliance with past arms control agreements. In June, President Reagan announced a "no undercut" policy of adhering to SALT I and II to the extent that the Soviets did. He contends, however, that the Soviets have violated SALT II by deploying two new types of land-based missiles—SALT II allowed only one new type—and by encoding data from missile tests. Some cite these as reasons for U.S. abrogation of the SALT II Treaty. Others argue that without U.S. compliance the Soviets could "break out" rapidly from SALT II, which would complicate arms talks and undermine the effectiveness of defense systems contemplated under SDI.

Another critical compliance issue concerns the Anti-Ballistic Missile (ABM) Treaty of 1977. The U.S. charges that Soviet construction of a large new radar system at Krasnoyarsk in Siberia violates the ABM Treaty. The Administration also decided this October that the testing and development of SDI technologies is not a legal violation of the ABM Treaty, reversing the U.S. position of the previous 13 years. This change led to an outcry here and in Europe, and the U.S. decided for policy reasons to return to the original Treaty interpretation. How compliance disputes such as these are resolved will greatly affect the future of arms control.

The summit's outcome on arms control has yet to be written. Will we be able to reach agreements that for the first time really cut arsenals, or will we begin an accelerated arms race? Can we keep both nations on the track started at Geneva or will the next international incident derail us? Can we translate the moment of Geneva and what the President calls American new strength into specific agreements which will manage the arms competition?

The summit did not give us a breakthrough arms control or the difficult relationship between the United States and the Soviet Union. But in an improved climate it does give us a chance to keep trying.

LIMITING ARMS TRANSFERS

HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. LEVINE of California. Mr. Speaker, today I am introducing a bill to limit the sale of sophisticated conventional arms and technology to the Third World. It is identical to a bill introduced today by Senator BINGAMAN and several of his colleagues in the Senate. The bill asks the President to undertake negotiations with governments of the key arms suppliers to establish a consultative commission for multilateral arms restraint. The consultative commission would be comprised of the United States and the Soviet Union, historically the largest arms suppliers, as well as France, the United Kingdom, Italy, and West Germany.

The functions of the consultative commission would be: First, to establish guidelines to regulate the effect of multilateral limitations on arms sales on the national economies of its member countries, and second, to address other areas pertinent to limiting the sale or transfer of arms including the adoption of mechanisms to safeguard against the circumvention of the arms restraint regime by its member countries and the establishment of a procedural timetable for the purpose of creating an additional forum to facilitate deliberations between member countries of the consultative commission and other developed, as well as newly industrialized, countries on the limitation of arms transference.

This bill would also require an annual arms sales report to include certain information enumerated in section 3 of the bill.

Mr. Speaker, the need for this legislation is clear. Over the past two decades, arms sales worldwide have increased tenfold from \$3 to \$4 billion a year to \$30 to \$35 billion a year. Some \$25 to \$30 billion of this annual amount represents arms transfer agreements with countries of the Third World. The Congressional Research Service reports that from 1977 to 1984, Third World countries doubled their purchases of arms. Between 1980 and 1984, Third World countries contracted to buy arms from the United States, the Soviet Union, and the major West European countries totaling \$40,249,000, \$40,201,000, and \$33,328,000, respectively.

The proliferation of arms in developing countries tends to undermine geopolitical regional balances, which have direct implications for North-South and East-West relations. Experts agree that military confrontation between the United States and the Soviet Union is most likely to result from a regional conflict in the Third World. Even as we meet here today, conflicts continue in Afghanistan, the Persian

Gulf, Southeast Asia, Africa, and Central America—all fueled by a supply of new and more sophisticated arms, and all possibly provoking wider wars that could involve the two superpowers.

Consider these facts, presented in the April 19, 1985 Congressional Research Service report, "Trends in Conventional Arms Transfers to the Third World by Major Supplier, 1977-84":

Both the Soviet Union and France substantially increased their shares of Third World arms transfer agreement values between 1983 and 1984. The value of the Soviet Union's agreements with the Third World increased to \$10.4 billion in 1984 from \$4.8 billion in 1983.

Arms transfer agreements with Latin America became much more polarized during 1981-84 than they had been during 1977-80. The United States and the Soviet Union, which collectively accounted for 24% of the arms transfer agreements with Latin America in the earlier period, were responsible for 53% of these agreements between 1981-84. The United States' share increased from 3% to 15%, and the Soviet Union's share increased from 21% to 38%.

The real issue of all non-Communist nation's arms transfer agreements with, and arms deliveries to, the Third World have exceeded that of such agreements by all Communist nations every year since 1977.

It should be of concern to us all that an increasing number of countries participate in the arms trade, and in selling arms to the Third World. Brazil, Israel, India, North and South Korea, Taiwan and China have developed arms industries.

Mr. Speaker, sophisticated conventional arms are dangerous instruments of war, made more dangerous by the fact that conflicts using conventional weapons can escalate into those using nuclear weapons. Clearly, it is in the best interest of our own country, indeed in the interest of all countries in the world, to establish a system of multilateral controls on the export and proliferation of conventional arms.

As evidence of the House Foreign Affairs Committee's and Congress' recognition of the need to control arms transfers, a provision was included in Public Law 99-83, the International Security and Development Cooperation Act of 1985, calling for discussions with the Soviet Union and France aimed at beginning multilateral negotiations to limit and control the transfer of conventional arms to less developed countries. In addition, the law calls for a report to examine certain aspects of these arms transfers.

The bill I am introducing today goes a step further, not only by requiring an even more detailed report, but by actually establishing a formal body to consider this important problem.

The proliferation of sophisticated conventional arms is something over which all responsible nations must gain control. These weapons can and do create instability in various regions of the world, they can lead to the use of even more dangerous weapons, and their purchase is draining the scarce resources of many Third World countries—resources which could be more

productively used to foster their economic growth. Surely arms exporting nations would better serve all humanity by trying to achieve a consensus on halting the proliferation of these dangerous weapons. Enactment of this bill would be a solid contribution toward this goal.

The complete text of my bill follows:
H.R. 3987

A bill to provide for multilateral limitations on arms sales, and for other purposes

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

SECTION 1. FINDINGS.

The Congress finds that—

(1) arms sales worldwide have increased from \$3-4 billion per year to \$30-35 billion per year over the past two decades;

(2) \$25-30 billion of this annual amount represents arms transfer agreements with countries of the Third World;

(3) the accelerating pace of arms transfers to developing countries absorbs resources which could be more productively utilized to foster economic growth;

(4) the proliferation of arms in the developing world tends to undermine geopolitical regional balances;

(5) the deterioration of regional balances has direct implications for North-South relations and East-West relations;

(6) experts agree that any military confrontation between the United States and the Union of Soviet Socialist Republics, and thus another global war, is most likely to stem from a regional conflict in the Third World; and

(7) between 1980-1984, Third World countries contracted to buy arms from the United States, the Union of Soviet Socialist Republics, and the major West European suppliers totaling \$40,249,000, \$40,201,000, and \$33,328,000, respectively.

SEC. 2. CONSULTATIVE COMMISSION FOR MULTILATERAL ARMS RESTRAINT.

(a) **CALL FOR NEGOTIATIONS TO ESTABLISH.**—It is the sense of the Congress that the President should undertake negotiations with governments of the key arms suppliers in order to establish a consultative commission, modeled after the Coordinating Committee for Multilateral Security Export Controls and the nuclear suppliers group, which should be called the Consultative Commission for Multilateral Arms Restraint (hereafter in this Act referred to as the "Consultative Commission").

(b) **MEMBERSHIP.**—The Consultative Commission should be comprised of the United States and the Union of Soviet Socialist Republics, historically the largest arms suppliers, as well as France, the United Kingdom, Italy, and the Federal Republic of Germany.

(c) **FUNCTIONS.**—The Consultative Commission should meet in Geneva, Switzerland, at intervals to be determined by its members in order to negotiate restrictions on sophisticated combat weaponry and the technology of conventional arms production. The Consultative Commission should—

(1) establish guidelines to regulate the effect of multilateral limitations on arms sales on the national economies of its member countries; and

(2) address other areas pertinent to limiting the sale or transfer of arms, including—

(A) the adoption of mechanisms to safeguard against the circumvention of the arms restraint regime by its member countries; and

(B) the establishment of a procedural timetable for the purpose of creating an additional forum to facilitate deliberations between member countries of the Consultative Commission and other developed, as well as newly industrialized, countries on the limitation of arms transfers.

SEC. 3. ANNUAL ARMS SALES REPORT.

Paragraph (5) of section 25(a) of the Arms Export Control Act (22 U.S.C. 2765(a)(5)) is amended—

(1) by striking out "and" at the end of subparagraph (A); and

(2) by adding after subparagraph (B) the following new subparagraphs:

"(C) the aggregate dollar value and quantity of defense articles, defense services, and design and construction services furnished by the United States to each foreign country and international organization, by category, for the preceding fiscal year, specifying whether such articles and services were furnished—

"(i) by sale under chapter 2 of this Act,

"(ii) by sale under chapter 2A of this Act,

"(iii) by commercial sale licensed for permanent export under section 38 of this Act (including separate listings for the value and quantity of the defense articles and defense services which were licensed for permanent export during that fiscal year and for the value and quantity of the defense articles and defense services which were actually exported on a permanent basis during that fiscal year), or

"(iv) by other authority;

"(D) the aggregate dollar value of all commercial manufacturing license agreements approved under section 38 of this Act during the preceding fiscal year, listed by foreign country and international organization;

"(E) the aggregate dollar value of all commercial technical assistance agreements approved under section 38 of this Act during the preceding fiscal year, listed by foreign country and international organization; and

"(F) the aggregate dollar amount of all offset agreements (as defined for purposes of section 309 of the Defense Production Act of 1950 (50 U.S.C. App. 2099)) associated with commercial licensed sales or government-to-government sales under this Act, which were entered into during the preceding calendar year by the United States suppliers of the defense articles, defense services, or design and construction services sold, listed by foreign country and international organization.".

THE TRADE ACT OF 1962

HON. BARBARA B. KENNELLY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mrs. KENNELLY. Mr. Speaker, I am today introducing legislation to correct a serious deficiency in the Trade Act of 1962, a deficiency that affects both our international trade and our national security. My bill would set a 120-day time limit on Presidential decisions under section 232, the national security provisions of this law.

Section 232 of the 1962 Trade Act provides for import relief if these imports threaten our national security. Once a petition for this relief is filed with or by the Secretary of Commerce, the Secretary has 1 year to forward his findings and to recommend whether and what type of relief

should be granted. However, there is no time limit on how long the President may take to act or not act on these recommendations. As a result, trade cases with national security implications may languish for months, even years once they reach the President's desk.

At least one such case is before the President now. The machine tool industry has waited for nearly 2 years for a decision in their import relief case, despite the fact that machine tools are responsible, directly or indirectly, for almost every manufactured product; despite the fact that even in peacetime, up to 20 percent of our Nation's use of machine tools is linked directly or indirectly to our national defense, and despite the fact that no manufactured product—a tank, a gun, or even another machine can be made without a machine tool.

In the past few years, the import penetration into the machine tool market has increased and increased dramatically—from 27 to 47 percent of the market. Employment in the industry has dropped by 40 percent and is continuing to shrink. In late November of this year, I had the opportunity to tour the Pratt and Whitney Machine Tool plant in West Hartford. It was a festive occasion—the 125th anniversary celebration of Pratt and Whitney Machine Tool. Yet there was a lingering shadow over this visit: Employment had dropped from almost 1,000 people a few years ago to approximately 350 employees now.

It is difficult to say what kind of future the machine tool industry will have unless it receives some kind of relief. But at a minimum, we owe the industry, and this administration owes the industry, a decision one way or another. For this reason, my legislation also requires the President to make a determination within 120 days on pending recommendations that have been forwarded by the Secretary of Commerce, including the recommendations on machine tools.

Another industry of importance to the security of this Nation, the ball bearing industry, could also be benefited by this legislation. In early January, the International Trade Commission will send to Congress a report on the state of the ball bearing industry. Although this study is not yet available, I have seen figures that lead me to believe that we may be losing our ball bearing industry in this country to foreign imports. If that is indeed the case, and if the ball bearing industry does seek relief under the national security provisions of our trade laws, this legislation will ensure that the ball bearing industry, as well as other industries vital to our national security, will not continue to decline while their cases languish on the President's desk.

My legislation ensures that section 232 cases are decided in an expeditious manner. This legislation fills a gap in our national trade laws. I urge my colleagues to join me in supporting it.

THE NEW AMERICAN FRONTIER

HON. BEN GARRIDO BLAZ

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. BLAZ. Mr. Speaker, imagine that the American frontier did not end in 1890, but instead set sail from our west coast, reaching to Hawaii and Alaska and then advancing toward the Asian rim of the Pacific. Imagine that far, far western American frontier exists today.

Envision that frontier transformed into an oceanic State as large as the 48 contiguous United States, covering 3 million square miles between Hawaii and the Philippines. Envision 2,100 tropical islands strung in necklaces of archipelagoes along strategic lines within that expanse.

Picture a 51st State at the doorway to East Asia, a lynchpin in America's front line of defense in one of the most vital and dynamic regions of the world. Picture a new member of the American political family astride our major lines of communication to Asia during the century of the Pacific.

If you can see these images in your mind's eye, then you can appreciate how strongly I feel about the potential of Guam and Micronesia and the historic importance of the Compact of Free Association. When President Reagan signs the historic compact at a White House ceremony, he will be doing much more than ratifying a complex geopolitical agreement, paving the way for an end to our Pacific island trusteeship.

Those are the images I often see when I wing my way west from Hawaii by commercial jet, following the Sun across the vast expanse of the western Pacific to reach my congressional district, the Territory of Guam—the hub of the American presence in Micronesia.

True, the compact negotiated with the Federated States of Micronesia and the Republic of the Marshalls will fulfill our sacred international responsibility to promote the development of the farflung islands toward self-government. The President's signature will also secure our Nation's strategic interests and responsibilities in the region, ensuring that the region will be closed to the machinations of third powers and guaranteeing the continued peaceful development of the Freely Associated States' 150,000 residents.

But more importantly, the agreement paves the way for a continuing, closer and more mature relationship between the United States and these Freely Associated States. It will allow them the freedom of initiative to chart and work toward their continued social, economic, and political development. But it will also cement the bonds of friendship we have created with the Micronesians.

Indeed, one of the island groups—the Northern Marianas—has chosen to join the American family as a commonwealth. And I submit that the strong pro-American feelings of the Micronesians leave open the

clear and present possibility that in time, the Freely Associated States may choose to join our family.

I offer you these images because I see them and feel them. As a Micronesian, a man born and raised in the region, I feel a unique closeness to the people of Micronesia. When I reflect on my Micronesian friends and brothers, I think of the times we sat in the rubble of our homes after World War II had swept across our lives. Then I think of the opportunities afforded me when my land became a U.S. territory and my people became American citizens. I pause, I hope not presumptuously, to ponder the opportunity that would be offered to our neighbors as full fledged members of the American political family.

I dream and I see this. And if we can see it, the philosophers say, it can be. And for those who would ask, why?, I would answer, Why not?

On this, the eve of the century of the Pacific, our country—the champion of freedom—has welcomed new friends not in aggrandizement but in association. When future authors write a sequel to James Mitchner's marvelous "Tales of the South Pacific," they will do so with the knowledge that dreams do come true. They do. They do.

EDUCATION VOUCHERS: NO SALE

HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. HAWKINS. Mr. Speaker, once again the Reagan administration is trying to sell the American public on an idea which, if put in place, would seriously jeopardize our system of free public education. I am speaking of the proposal, announced earlier this year by Education Secretary William J. Bennett, to replace the successful chapter 1 compensatory education program for educationally disadvantaged children with a system of "education vouchers." Instead of funds going directly to eligible school districts for remedial programs, the Government would give vouchers to parents of children receiving chapter 1 services, with which they could "purchase" an education at the school of their choice.

The administration has embarked on a full-scale marketing effort to sell its idea. Its advertising campaign is full of catchy phrases designed to win the support of any American who values freedom and equality. The voucher system, the administration claims, would promote equality between poor children and wealthy children by giving the former an opportunity to attend "better" schools they might not otherwise have been able to afford. Vouchers, we are told, will give poor children a "choice" as to which school they will attend. And if you're not sold on choice and equality, perhaps the administration can convince you that a voucher system will promote

"healthy competition" between public and private schools.

Not a bad way to try and sell an idea. Unfortunately, the product up for sale is fatally defective. Fortunately, many 'consumers' have realized that even the most rhetorically appealing promotional campaign will not save an idea that is unworkable, misleading, and will, in reality, undermine the one national institution which can best fulfill the promise of equality—the Nation's public school systems.

I would like to share with my colleagues the November 15 Clarion-Ledger Mississippi newspaper editorial in reaction to the education voucher proposal. This editorial demonstrates that it is not so easy to sell a flawed idea to the public with worn-out slogans and hollow promises. From around the country, the response is clear: No sale!

WRONG TRACK—EDUCATIONAL VOUCHER ARGUMENT FALLACIOUS

The Reagan administration, through Secretary of Education William J. Bennett, has renewed its attempt to authorize the use of vouchers that some parents could use to choose the school, public or private, their children will attend.

Congress was not persuaded to enact the proposal when an earlier version of it was proposed in 1983 and it should remain unpersuaded now.

Bennett Thursday asked Congress to give vouchers worth an average of \$600 yearly to parents of poor children so they can shop for "the best possible schools for their children." He predicted approval of the plan would spur a "healthy rivalry" among public and private schools to provide a better education for disadvantaged children.

He is wrong on several counts. For starters, private school enrollment has been going up for years, and the "rivalry" has caused public schools to suffer without noticeably improving the private schools. The competition is more for money than educational excellence.

In addition, there is the constitutional problem with using tax money for private education, particularly when the private institution is a church school.

Perhaps most important, the vast majority of Americans are educated in public elementary and secondary schools, and these schools badly need strengthening. Mississippi public school backers are especially familiar with the problems of adequately supporting public schools, financially and otherwise.

Private schools already have an advantage because they are generally well financed and can limit their enrollment. They don't have to take every student of school age, including many with serious problems.

Further, parents who pay high bills for private schools are usually cool to school bond issues and tax rates sufficient to provide the quality needed in the public school systems.

Bennett said the vouchers would be "a ticket to find the best possible schools." However, not more than a small percentage of students can get in "the best possible schools." Better to upgrade the "disadvantaged" schools educating the masses than to send some of the "disadvantaged" children to the "best schools."

Congress should give short shrift to Bennett's proposal. It's inequitable, illogical, unsound and very likely unconstitutional.

H.R. 1083, THE LOW-LEVEL RADIOACTIVE WASTE DISPOSAL ACT OF 1985

HON. THOMAS A. DASCHLE

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. DASCHLE. Mr. Speaker, I am very pleased with the strong support shown recently for H.R. 1083, the Low-Level Radioactive Waste Disposal Act of 1985. This legislation has been offered to address the nationwide disposal of low-level nuclear waste.

Nearly all low-level radioactive waste is disposed in sites located in three States—Washington, Nevada, and South Carolina. In 1980, legislation was signed into law—the Low-Level Radioactive Waste Policy Act of 1980—which encouraged States to dispose of waste generated within their own regions by entering into disposal compacts. Because these compacts were considered to be agreements covering interstate commerce, and thus a possible violation of constitutional prohibitions against States regulating interstate commerce, Congress must ratify these compacts.

While nuclear plants are responsible for most low-level radioactive contaminants, waste is generated through medical supplies, protective clothing, and mildly contaminated trash. It is estimated that 53 percent of waste is deposited in Washington, 46 percent in South Carolina, and 1 percent in Nevada.

Through adoption of this legislation, continued access to existing sites is guaranteed through 1992, provided progress is made in developing regional sites.

Progress is determined through the adherence to certain milestones, including:

By July 1, 1986, States are required to have joined a regional compact, or indicate by State legislation that the State will establish a single-State disposal site by December 31, 1992.

By January 1988, the compact must have prepared a plan describing the location of the disposal site.

Finally, a NRC license request must be filed by each compact with respect to the operation of a low-level radioactive waste site, or the single site State must certify to the NRC that it will have its own disposal site ready by December 1992.

Existing operating sites are allowed additional surcharges for acting as the host sites during this interim period. These surcharges include: maximum of \$10 per cubic foot in 1986 and 1987; \$20 per cubic foot in 1988 and 1989; and \$40 per cubic foot in 1990 and 1992.

This legislation is necessary to continue the development of a coordinated, nationwide plan for the disposal of low level waste. Above all, H.R. 1083 provides this framework at the same time it remains sensitive to the needs and requirements of specific States. Above all, it provides States with flexibility in dealing with the disposal of low-level nuclear waste. Because it pre-

EXTENSIONS OF REMARKS

serves the flexibility of States rights, it deserves the support of this body.

TRIBUTE TO BEN NORDMAN

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. LAGOMARSINO. Mr. Speaker, I rise today to take special note of the passing of one of the most prominent individuals of the legal community in Ventura County, CA.

Born in San Francisco in 1913, Benjamin Emil Nordman was the founder of one of the county's most influential law firms. He graduated from Oxnard High School, the University of California at Berkeley, Boalt Hall, and Hastings Schools of Law. At the onset of World War II, he joined the Army, went to Officers Candidate School and joined the Air Corps. He served in intelligence and counterintelligence functions in Britain, Switzerland, Italy, France, and Germany. For his work, he received the Bronze Star, the Legion of Merit, the Croix de Guerre and the Order of the British Empire. He left the Army as lieutenant colonel and returned to Ventura County to practice law.

A community leader, Ben Nordman served as director of United Fund, the Ventura County Economic Development Association, Seaboard Lemon Association, Bank of A. Levy, Real Estate Investment Trust of California, the Livingston Memorial Foundation, the Achille Levy Foundation, Ventura County Taxpayers Association, the Ojai Valley School District Board of Trustees, Board of Review of Oxnard and the Ventura County and California Bar Associations.

I ask all my colleagues to join me in expressing our deepest sympathy to his wife Joan, son Mark, and daughter Leslie. I will remember Ben Nordman as a good friend and one who cared about his community and about justice.

A TRIBUTE TO GORDON MCKAY

HON. JOE MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. MOAKLEY. Mr. Speaker, a few days ago Gordon McKay, senior vice president, celebrated his 20th year with the Public Affairs Department of New England Life, a Boston-based company with a solid reputation for integrity, commitment to community concerns, and a deep involvement with the critical economic and social issues facing the Nation and the Congress.

As is often said, the success of an effort relies on the achievements and efforts of many individuals. Gordon McKay has played a strategic role for these past many years in New England Life's Public Affairs Department, forming its own goals, guiding its principles and assuring that his depart-

ment continues contributing significantly to the positive place New England Life has assumed in the region, on Capitol Hill, and throughout the Nation.

Gordon McKay, a resident of Lexington, MA, graduated from Ohio State, joining New England Life virtually right out of college. It was his vision, aims, and sense of purpose that were the genesis of New England Life's first Public Affairs Department 20 years ago. It is his knowledge, commitment to quality, his expertise, and superb managerial skills that are underpinning of the public affairs staff's drive for excellence. Gordon is, as well, one of the most personable, pleasant, and good-humored individuals I've ever met. I think most all of my New England colleagues would agree. Amazingly, I've seen him retain his good-nature even when the strange unknown fates that guide golf balls across the greens have conspired to drive him mad.

But with all seriousness, Mr. Speaker, I am pleased for our good friend Gordon McKay, who celebrates his 20th year with New England Life's Public Affairs Department, a department that gives substance and vigor to the concept of corporate responsibility to the community and the Nation. I add my praise to those of my colleagues from both sides of the aisle and both Chambers who sent Gordon letters praising his anniversary with the Public Affairs Department.

I am reminded of the wise old saying that the definition of an institution is merely the lengthened shadow of one man. For the Public Affairs Department at New England Life that man is and always will be Gordon McKay.

MARY TWITTY COMPLETES 24 YEARS OF GOVERNMENT SERVICE

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. DYMALLY. Mr. Speaker, in 1961 when our esteemed colleague AUGUSTUS HAWKINS was completing his last year in the California State Assembly, he hired Mary Twitty to run his office. That began a career in government for Mary that has now spanned 24 years. Mary has spent 14 of those 24 years here in Washington, serving first in Mr. HAWKIN's office and then in mine. Mary has countless dear friends among Hill staffers and Members of Congress. It is, therefore, with distinctly mixed emotions that I inform her friends that Mary will be retiring from full-time government service at the end of this year. It is with great sadness that my staff and I realize we must say goodbye to Mary as a co-worker. Her effervescence has always brightened the office. And her sense of caring for her fellow workers has soothed many a ruffled staffer. She is one of those people who has put in countless hours of overtime unquestioningly year in and year out. She leaves when the work is done, not

before. To Mr. HAWKINS and to myself she has been much, much more than a staffer. She has been a warm, close, and trusted friend.

Her friends know that for some time now it has been Mary's ambition to found a magazine aimed at women in their middle years. In the little free time that she has had while working for me, she has laid the groundwork for the magazine, but her full-time career in government has prevented her from devoting sufficient attention to this project of the heart. Mary is leaving government service. But those who know Mary know she could never retire. She has too much energy, too much of a zest for activity for that. When I say that we say goodbye to her with mixed emotions, I have to acknowledge our sadness at losing her daily presence in the office, but I also have to acknowledge that we are happy for Mary. She now can dedicate herself to a project that fills her with excitement.

While Mary will no longer be on the Hill, she will continue to be associated with activities that are close to my interests and the interests of a number of my colleagues. Mary has agreed to work part time for the Caribbean American Research Institute. The institute is based at Shaw University in North Carolina. But Mary will be opening a Washington office for the institute. Like I said, Mary has too much energy to retire in the way most people think of retirement. For Mary, retirement is more like transition, an opportunity to use her many talents in new and creative ways. Mary, we love you and we wish you spectacular successes in your new careers.

**GRAMM-RUDMAN IS A STEP
TOWARD SOLVING THE DEFICIT
CRISIS**

HON. TIMOTHY E. WIRTH

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. WIRTH. Mr. Speaker, I want to express my support for the conference agreement on the so-called Gramm-Rudman deficit reduction bill. Although there are some problems with this legislation, I firmly believe that sustained, multiyear deficit reduction must begin this year.

The deficit is no longer just a problem—it is a national crisis requiring immediate attention. We simply cannot afford to postpone the tough choices which must be made to bring the deficit under control.

In 1980, the national debt was about \$900 billion. Today, we are considering legislation to raise the debt ceiling to \$2 trillion—which means that we have borrowed more in the past 5 years than in the first 200 years of our national history.

Borrowing of that magnitude crowds out private borrowing and puts upward pressure on interest rates. Today, the Federal Government consumes about 64 percent of this country's net private savings, making it harder for businesses to expand, homeowners to pay their mortgages, and parents to send their children to college.

High interest rates also attract foreign investors, and as foreign savings are converted into dollars, the value of the dollar rises. Since 1980, the dollar has risen 60 percent against other foreign currencies and is now overvalued by 30 percent. This overvaluation acts like a 30-percent tax on American products shipped overseas and a 30-percent discount on foreign goods sold here.

The result is a record trade deficit of \$130 billion added to the budget deficit of \$200 billion. By 1990, we will be paying \$245 billion a year just in interest on these debts—a national economic bounty of \$1,000 for every man, woman, and child in the United States.

Mr. Speaker, 3 years ago as a member of the House Budget Committee, I argued that the only way to solve the deficit problem was for leaders of the House, the White House, and the Senate to negotiate a comprehensive 5-year deficit reduction plan aimed at balancing the budget. The Congress is finally getting around to doing just that. The long-term approach I have advocated has been incorporated into the Gramm-Rudman legislation. With the 5-year deficit targets agreed upon, the President and the Congress must now operate within the constraints of responsible fiscal policy.

I intend to vote for this conference agreement because we must begin cutting the deficit now, and because our country desperately needs a multiyear plan to solve this crisis. I do, however, have some serious reservations about its automatic spending reduction mechanism. Not only does this mechanism exclude half of the budget from supposedly across-the-board reductions, it also takes the pressure off Congress to conduct the critical program-by-program reviews which have always been the keystone of responsible budget policy.

As a result, many of the programs which have been scaled back substantially by past budget cutting may end up taking a disproportionate share of the cuts in the future—including those key investments in education, infrastructure, and research and development which are so vital to our long-term economic growth.

I am also concerned that the automatic cuts would fall too heavily on military readiness accounts, while wasteful procurement spending like the famous \$7,600 coffee pot would go untouched. By some estimates, 70 percent of the savings in defense spending will come from reductions in training, spare parts, maintenance, and other readiness accounts. These have been the most neglected areas of the administration's defense buildup—yet they are the most important elements in winning the kind of conflict we are most likely to face.

Despite these reservations, I believe that Gramm-Rudman represents an important first step in solving the deficit crisis. It is not completely clear what affect this bill will have on this Nation; it is very much an imperfect experiment in budget policy. One thing we do know for sure, however, is that the alternative—doing nothing—is considerably worse.

Ultimately, the impact of Gramm-Rudman will depend on the actions of this and future Congresses. If we act responsibly by carefully reviewing the budget and making the tough decisions, we can meet the specified targets, and automatic spending reductions will never occur. Only if we fail will we abdicate our responsibility to the budgetary robot.

Gramm-Rudman has raised the public's expectations. Our task is to follow through on this beginning and develop a consensus on the specific changes in budget policies which will be required to meet the deficit reduction targets. No less than the future of our Nation's economy is at stake.

ECONOMIC OUTLOOK

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, December 18, 1985, into the CONGRESSIONAL RECORD:

ECONOMIC OUTLOOK

Despite recent economic growth, there is increasing uneasiness and uncertainty about our ability to sustain it. The current economic expansion is now in its fourth year, about the time most upswings begin to falter. The American economy has been listless with relatively slow and erratic growth for the last year and a half. Most signs point to modest gains again next year, with no recession, but not much vigor either.

Despite early optimism, economic performance in 1985 was a disappointment. The economy grew about 2.5%, a below average year, and lower than expected. Unemployment fell slightly from 7.2% to 7.0%, though the number of unemployed (8.2 million) remained unchanged. 2.5 million new jobs were created, most of them in service industries, but manufacturing employment declined by 250,000 jobs. The inflation rate fell from 4.0% to about 3.2%. Some goods—gasoline, dairy products, and vegetables—are cheaper than they were last year, but the cost of services is up by almost 5%. Interest rates have been relatively stable, but they are almost 3% lower than a year ago. The bad news for the year was the burgeoning trade deficit and the largest budget deficit in U.S. history.

Predicting the future of the U.S. economy is always chancy, but uncertainty about tax reform and budget deficits makes the process even riskier today. Most estimates are that the economy will do no better than continue moderate growth—about 3%—for another year, with some increase in both unemployment and inflation.

There are several promising signs for the year ahead. The stock market sets a new record almost daily. The dollar has declined by about 20%, and may slide more, making our exports more competitive in world markets. Oil prices continue to fall. With a new intensity of competition in the economy, the outlook on inflation is good. That is welcome news for consumers, but it also means that workers should expect small pay hikes and that savers will not find high interest rates. There is also hope that smaller federal deficits targeted by the recently-passed

Gramm-Rudman deficit reduction plan will lead to lower interest rates and stimulate long-term economic growth.

Several potential sources of weakness in the economy bear watching.

INTEREST RATES

Despite this year's decline, real interest rates are still high. A drop in oil prices and progress against the federal deficit could lead to further drops. Lower interest rates would ease the debt burden of developing nations, reduce the dollar's value, and encourage business investment. If real interest rates go up, the prospects for growth would suffer. Falling rates would also hurt those who rely on interest earnings; personal interest income dropped by \$10 billion in the last year, the only source of household income except farm income to decline.

FARM PROBLEMS

The farm depression continues. Farm prices and income have plunged in the last 12 months. Some prices improved recently, but it is too early to tell if this trend will last. The recent drop in the dollar's value may increase exports of U.S. farm products, but if farm bankruptcies continue and land prices drop further, farm areas will continue to decline. Farm problems cannot alone cause a recession, but, by undermining banks and consumer buying in the midwest, they could lead to a general downturn in 1987.

INVESTMENT

Business investment—a major source of the recovery's strength—seems to have peaked. Spending on new equipment and factories in 1984 and 1985 grew at its fastest pace since World War II. But output has not caught up. In 1985, manufacturers met demand with factories running at only 80% of capacity. Some businesses plan to invest less in 1986, the first reduction ever in a nonrecession year. Uncertainty about tax reform is one reason: businesses are waiting to see how funds spent for new investments will be taxed.

DEBT

Another worry is the degree to which debt—in the home, on the farm, at banks and businesses, in Washington, and abroad—permeates the economy. Even with record consumer debt, buying continues, but at the cost of savings which recently fell below 3% of disposable income. The worry is that debt buildup will inhibit future purchases and hurt the economy, with large-scale defaults, inflation, or a combination of both the only remedy.

TRADE DEFICIT

In 1985, the U.S. imported some \$150 billion more than it exported, our worst trade deficit ever. Imports brought lower prices, but cost jobs, especially in manufacturing. Protectionist pressure is mounting. If enacted, more jobs might result. But if other nations retaliate, a dangerous contraction of world trade could occur. A major trade war could have severe repercussions in the U.S. and abroad.

BUDGET DEFICIT

The federal budget deficit hit a record-breaking \$211.9 billion last year. The deficit inhibits capital formation, leads to higher interest rates, makes us depend on foreign capital, and, by driving the dollar up, puts us at a disadvantage in world markets. Growth in the federal debt also increases the government's payments for interest on the debt, reducing federal spending on other programs. So far, the economy has

suffered little from huge federal deficits. If it had, the deficits would be dealt with. Instead, their effect is long term, a gradual erosion of U.S. living standards as investment and productivity slacken.

In 1986, the economy will be sustained by massive government spending (especially on defense), lower oil prices, and generally low inflation and inventories. But high interest rates, an overvalued dollar, low savings rates, weak profits, and high excess capacity suggest only modest growth. The balance of these factors will determine if 1986 is a good year. There is a frustrating gap between what we produce and what we could produce. My impression is that the economy will limp along, but that trouble looms. While a recession is unlikely before 1987, so is sustained growth.

TRIBUTE TO THE NATIONAL CONFERENCE ON SOVIET JEWRY

HON. WYCHE FOWLER, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. FOWLER. Mr. Speaker, as a cochairman of the Congressional Coalition for Soviet Jews, it has been and is my privilege to work with the leaders of the National Conference on Soviet Jewry. Every time that I have been in touch with the Washington staff of the national conference, I have been extremely impressed by their professionalism and competence. Without their assistance and guidance, the numerous important achievements of the coalition would not have been possible. I am looking forward to continuing our vital work of helping to improve the sad plight of Soviet Jews.

An article in the December 12, 1985 edition of the New York Times aptly describes the fine work of the National Conference on Soviet Jewry and of its Washington Representative, a man whom I am proud to have had the opportunity to work with, Mr. William Keyserling. I am submitting it for your review.

The text of the article follows:

CONFERENCE ON SOVIET JEWRY REACHES OUT (By Irvin Molotsky)

WASHINGTON, Dec. 11.—For many years, American activity in behalf of Jews in the Soviet Union has been largely centered in places like New York and Los Angeles, where there are large Jewish populations.

In recent months, however, the National Conference on Soviet Jewry has been reaching out from its Washington office to broaden its constituency, gaining allies in such regions as the South and Middle West and from people of other religious faiths.

The effort is led by William Keyserling, a former political operative who is applying many lessons learned in both winning and losing campaigns.

According to Mr. Keyserling, one consequence of this effort, at least in part, was the message that the Rev. Jesse Jackson delivered to the Soviet leader, Mikhail S. Gorbachev, at the recent summit meeting in Geneva.

The message was the one that the National Conference on Soviet Jewry has been trying to get out since 1971: that the 2.5 mil-

lion Jews in the Soviet Union ought to be given the freedom to practice their religion openly and that, if they choose, they ought to have the right to emigrate.

"Jesse Jackson, without being asked specifically, chose this as the issue he selected when he met Gorbachev, and that something we appreciate," Mr. Keyserling said. "He had been given material from individuals in our organization."

It was, of course, a bit of consensus-building as well for Mr. Jackson, the black leader who offended many Jews in last year's Presidential campaign by an offhand remark that many considered anti-Semitic.

A SOUTH CAROLINIAN

Consensus-building is familiar to Mr. Keyserling, who brought his skills in that field to the national conference in 1984, after having worked for such politicians as Senator Ernest F. Hollings and former Representative John W. Jenrette Jr., both Democrats from South Carolina, as well as for Robert F. Drinan when he was a Representative from Massachusetts.

"I was reluctant to take the job at first because my past experience had been the excitement of the political campaign," said Mr. Keyserling, who is a South Carolinian himself. "This does not have the day-to-day thrill and there's not the sense of satisfaction because, when you achieve a goal, you don't take credit for it."

Politics, of course, had its frustrations, including Senator Hollings' ill-fated campaign for the Presidency, which Mr. Keyserling headed for a time.

But, Mr. Keyserling said, a political campaign always had a definable goal: election day. The campaign for the rights of Soviet Jews, Mr. Keyserling said, "has no end—it will have to go on."

Another difference, Mr. Keyserling said, is that there is no relationship between money and success in his current job, while success in politics could often be directly related to the amount of money spent.

"There is no way to spend it," Mr. Keyserling said. "You don't need a slick campaign. It is an educational effort."

An example of this lack of a need to spend large amounts of money could be seen this week when representatives from groups around the country gathered here for a meeting of the National Conference on Soviet Jewry. One of their main activities was a protest rally near the Soviet Embassy that cost little more than the rental of buses to take the participants downtown from their hotel.

Most of those participants appeared to have come from Jewish groups, but the conference has recently also received backing from the United States Conference of Catholic Bishops and the Baptist Church, from John Cardinal O'Connor of New York and fundamentalist churches. "They said that this issue was absolutely fundamental to their constituencies and the American public," Mr. Keyserling said.

Mr. Keyserling did not get into politics by accident. His mother is a member of the South Carolina Legislature, and an uncle, Leon, is familiar to many in Washington for having served as chairman of the Council of Economic Affairs in the Truman Administration.

HE KNOWS CAPITOL HILL

Because of his work in the House and Senate, Mr. Keyserling knows his way around Capitol Hill, and he knows how to win the support of Government leaders.

The National Conference on Soviet Jewry held briefings recently, for example, for most members of Congress before they took trips to the Soviet Union, and it got all 100 members of the Senate to sign a letter to President Reagan declaring that the treatment of Jews in the Soviet Union was a fundamental human rights issue.

One result of this work, Mr. Keyserling said, was an emphasis on that matter when Mr. Reagan met privately with Mr. Gorbachev in Geneva, according to reports he has received on the summit meeting.

"It's a campaign that didn't begin yesterday and won't end tomorrow," Mr. Keyserling said. "As long as Jews in the Soviet Union can't get on an airplane and leave when they want to, it cannot end."

**HAROLD STEARNS—MONTANA'S
TEACHER OF THE YEAR**

HON. PAT WILLIAMS

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. WILLIAMS. Mr. Speaker, 10,000 Montanans teach in the public schools of our State. Their responsibility is great and their achievements vital. In their classrooms, young folks are gaining the curiosity, wisdom, and hope necessary for informed citizenry.

Each fall, one of the 10,000 is chosen as Montana Teacher of the Year and graced with the respect and recognition due but not often enough accorded in their profession.

Harold J. Stearns is this year's Montana Teacher of the Year, and his selection is truly deserved. For 20 years, Harold Stearns has displayed the very best of the commitment and caring spirit that marks teaching as special.

He grew up on the wide plains and high hills of eastern Montana, the son of Harold G. and Jean Stearns. They were newspaper folks, running the Harlowton Times and Ryegate's Clarion. Now retired in Helena, they always have had a love of learning and a need to share the knowledge gained. It was a wonderfully infectious upbringing that helped lead their son to a career in teaching. He went off to the University of Notre Dame for a bachelor's degree and then returned to Missoula's University of Montana for a master's and then a doctorate.

He married Sheila MacDonald of Glendive and, together, teaching has been a shared pursuit. For 3 years, they taught at the American Dependents School in Wiesbaden, West Germany.

She now is executive director of the University of Montana Alumni Association. He now teaches history and sociology at Missoula's Sentinel High School and instructs in the Department of Education at UM. Their two children are Scott, 13, and Malin, 8.

Mr. Speaker, Harold Stearns has earned the admiration of his students and their parents, of his community and of his many teacher colleagues. It is recognition much deserved. We are proud of Harold Stearns—our Teacher of the Year.

**THANK YOU, OFFICER
MONTERA**

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. GREEN. Mr. Speaker, on December 24, 1985, Mr. Vincent Montera, community affairs officer for the 17th precinct, will be leaving the police department to serve as a recruiting officer in the armed services.

As the Representative from the precinct's district I should like to offer my thanks to Officer Montera for a job well done. Having spoken before the officers of the 17th precinct on several occasions, I know first hand of his efforts to improve relations between the community and the police department. His work on the various problems that often arise has helped my staff to be more responsive to the needs of my district. I know that any Member of Congress would have been happy to have had Officer Montera performing such work in his district.

My warmest regards to Officer Montera in his future endeavors. He will be sorely missed.

WINE EQUITY ACT

HON. WILLIAM M. THOMAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. THOMAS of California. Mr. Speaker, I wish to discuss a subject of serious concern to California winemakers. The U.S. wine industry has matured over the last decade, becoming one of the world's best. Currently, the quality and purity of U.S. wines and particularly California wines go unchallenged. While we read of contamination and adulteration of wines by the Austrians, Germans, Italians, and Japanese, where chemicals like diethylene glycol are added to wine at a risk to the health of the consumer, the United States winemaking industry produces high quality wine that it has been unable to sell in many foreign markets because of foreign tariff and nontariff barriers. The consumers of the world do not have the free and open opportunity to make a choice between their domestic brands and U.S. wines.

The passage of the Wine Equity Act in 1984 empowered the President to study and review barriers restricting U.S. wine sales abroad and to negotiate with designated countries for reductions in trade barriers. On September 9 of this year, six countries, including Japan, were designated under the provisions of that act. Negotiations have been conducted with officials from those countries and were concluded as of October 31, the deadline set by Congress. The President must now report to this body discussing his progress, or in the event the barriers have not been reduced, actions he proposes to take in order to seek their removal. Because of our continued interest in

this subject, I have followed the development of these negotiations and it is with great regret that I have heard informally the Japanese have not responded in any meaningful way to the requests of our negotiators for a reduction in Japanese barriers restricting sales of United States wine.

Japan has only a small number of wine grape growers and the bulk of Japan's grapes are used as table grapes. Japanese producers blend the remaining portion with predominantly imported bulk wines that the Government has chosen to make eligible for tariff preference that frequently allow the importation of the bulk wines free of duty.

The nature of the Japanese tariff and taxing system discriminates against United States importers of finished wine in favor of the domestic bottlers or fillers at a time when Japanese producers are enjoying open and free access to our alcoholic beverage and other markets.

Our primary intent in passing the Wine Equity Act was to obtain greater access for U.S. wine products in foreign countries, not to impose restrictions on alcoholic beverages entering the United States. It is my hope that officials in Japan will seriously reconsider their position and at least make some positive response to the request of our negotiators. The President has authority under the Wine Equity Act to use any of his existing authorities including section 301 of the 1974 Trade Act and section 854 of the 1979 Trade Act. Certainly we would encourage the President to use these powers against those countries that do not respond in any positive way to our desire to have an open and free trading system.

We have many trade bills that have been introduced and are awaiting consideration and passage by this body. While I am sympathetic to the desire of many of my colleagues to seek new legislation, here is a case of existing legislation that can be used to improve the current trade imbalance that is of such great concern to all of us. I feel confident that you will join with me as you have in the past when we approved this legislation, to encourage the President to exercise his authority under this statute to its fullest.

**THERE IS NO CHRISTMAS
HOLIDAY IN ROMANIA**

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. WOLF. Mr. Speaker, on December 25, 1983, in a Christmas message, Father Geza Palfy, Roman Catholic priest of Hungarian minority in Romania, made the following statement: "I believe in Romania, Christmas should be an official holiday."

For that, he was arrested by secret police, interrogated, severely beaten, and left the police station two days later unconscious. He died 2 months later in a hospital, Tirgu-Mores. Romanian officials say he died of cancer of the liver; however, all evidence

gathered by Christian Response International indicated: "Father Palfy died of internal injuries sustained during police beatings."

This is the same country to which we give preferential trade status—most favored nation. Can we support such religious repression and violation of human rights? As we reflect during this Christmas season on our own liberties, won't you join me and 60 of our own colleagues in supporting a 6-month suspension of the MFN trade status to Romania to make a moral statement that Americans will have no part in the economy or support of such a repressive regime?

Please cosponsor H.R. 3599 to suspend MFN for 6 months in Romania.

DIVINE CHILD HIGH SCHOOL IS CLASS B STATE CHAMPION

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. LEVIN of Michigan. Mr. Speaker, my colleague, JOHN DINGELL, and I have the privilege of representing those young men and women who attend Divine Child High School in Michigan. Divine Child has a long reputation of offering an exceptional academic curriculum and a most respectable athletic program. This year, they provided one of the best high school football records ever in class B competition here in Michigan. The season was exciting and even more memorable than the school's last State championship in 1975.

This year's Falcons, who finished a near perfect season that registered only one game in the loss column, allowed their opponents only 41 points. They were ready when the State finals began. In the playoff games, not one team was able to score against them, and in the final's they allowed only 76 offensive yards.

Throughout the season and the playoffs, the Falcons demonstrated the poise and humility that are the marks of true champions. Mr. DINGELL and I extend our heartiest congratulations to the new class B State champs, Coach Wishart, the faculty and administration of Divine Child High School, and the Dearborn—Dearborn Heights—community on this "Divine Season."

HUMAN RIGHTS VIOLATIONS IN IRAN

HON. MIKE LOWRY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. LOWRY of Washington. Mr. Speaker, recently, two Iranian women visited my office. Each escaped from their native country after being imprisoned and tortured. Their stories—and the physical evidence of the torture that they suffered—are appalling. I do not endorse the political

views of any Iranian opposition group. But I think it is important for us to make it clear that we find no possible justification for the brutal acts described by these two women.

Mrs. Narges Shayesteh, now 27 years old, was a high school teacher. She was arrested in September 1980. During her imprisonment, her nose was broken and her knees suffered permanent damage because she was tied up and hanged from the prison ceiling for 48 hours. Prison guards also tortured her with lit cigarettes; the resulting wounds are still clearly visible. She was also forced to watch the execution of 150 other prisoners.

Ms. Mojgan Homayounfar, aged 24, was a math teacher and fine arts student. She was arrested in September 1981 and beaten severely. She lost part of her left leg when she was attacked with a machete, and her right knee was shattered when her captors drove a car over it. She will be confined to a wheelchair for the rest of her life.

Obviously, the United States Congress has little influence on the Iranian Government. But Mrs. Shayesteh and Ms. Homayounfar are convinced that Iranian prisoners benefit from the worldwide outcry against these cruelties. If only for a while, they believe, conditions in the prisons improve in response to protests. For this humanitarian reason, I wish to add my own voice to that of the U.N. General Assembly, which has voted to condemn Iranian human rights violations, and others who have protested these violations.

AT&T'S WALT DAVIS RETIRES

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. FLORIO. Mr. Speaker, at the end of this month, New Jersey will lose one of its most dedicated and effective spokesmen for our State's industry when Walter J. Davis retires from AT&T after completing a successful multifaceted career with AT&T and the Bell System.

Walt Davis began his career at New Jersey Bell as a messenger in March 1937 and, except for his service in the U.S. Navy during World War II, has spent his entire working career in the Bell System and AT&T. During this time Walt held over 20 different positions with the company including installer, repairman, line foreman, and plant service supervisor.

In March 1971, Walt became manager of public affairs for New Jersey Bell, and I began a long and productive working relationship with him during my service in the State legislature. Following my election to Congress and the House Energy and Commerce Committee, I continued to work with Walt and his colleagues in the Bell System on the important Federal aspects of telecommunications policy.

Walt even found time to serve as mayor of Bloomfield from 1966 through 1971, supplementing this experience with service as

first vice president of the New Jersey Council of Mayors.

In the past 14 years, Walt Davis has developed and earned a reputation as a visible and capable advocate for a key part of our State's business community. When Walt retires he will be missed by the entire New Jersey congressional delegation. We wish him all the best.

GRAMM-RUDMAN: AN EXERCISE IN CONGRESSIONAL SHAME

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. STOKES. Mr. Speaker, I am inserting in the CONGRESSIONAL RECORD an insightful article which appeared in the Cleveland Plain Dealer regarding the debt limit/Gramm-Rudman bill, adopted by Congress last week. This commentary, written by columnist David Broder, mirrors my own sentiments about the shameful situation Congress has wrought upon itself by the abrogation to the President of the power to determine congressional priorities.

I commend this article to the attention of my colleagues.

GRAMM-RUDMAN: AN EXERCISE IN NATIONAL SHAME

(By David S. Broder)

WASHINGTON.—The biggest gap in elective politics these days is not between Republicans and Democrats. It is between state-level officials who are meeting responsibilities and gaining confidence and federal officials who are falling down in their jobs and suffering a loss of self-esteem.

To move from a meeting of Republican governors in Wilmington, Del., to the sessions of Congress in Washington, D.C., as I did last week, was to travel backward in time and downward in scope. The governors were talking in straightforward terms about concrete achievements in their states and their hopeful plans for the future.

The legislators, debating and passing the Gramm-Rudman budget bill, were confessing their past failures in fiscal policy and warning of worse confusion and dire consequences ahead.

The spectacle of Congress voting to strip itself of the power of the purse, which has been the hallmark of legislative supremacy since the origins of Parliament, was remarkable but not reassuring.

For those with any sense of institutional history, the most poignant moment in the House debate came when Rep. Peter Rodino, D-N.J., said "This is a flagrant abdication of congressional responsibility."

Rodino gave the House one of its proudest moments, 11 years ago, as he guided the Judiciary Committee to the painful but profoundly necessary impeachment of President Richard Nixon for his violation of the Constitution and his oath of office. Now, Rodino came forward again in what he knew to be a vain effort to slow his colleagues' headlong rush to discard their own constitutional authority.

Rodino and such Republican elders as Rep. Silvio Conte, R-Mass., said they could

not understand how the Congress could vote "to bring itself to its knees."

Why did it? Not because the proponents believed in the process they were creating.

"I'm going to get into specifics," said Rep. Trent Lott, R-Miss., the minority whip, speaking for Gramm-Rudman, "because I'm afraid what we might find out."

"Gramm-Rudman is going to tie the Congress in knots," said Rep. Richard Gephardt, D-Mo., chairman of the House Democratic caucus and one of the principal architects of the final compromise. "It could be a disaster."

There were ample reasons for thinking it so. Gramm-Rudman adds a whole new layer of decision-making to an already complex budget process. It sets tough and arbitrary deficit targets for each of the next five years, exempts large parts of the budget from any cuts, significantly increases the president's leverage over Congress in determining how scarce resources are spent, but ultimately subjects both the president and Congress to mandated cuts imposed by the calculations of unelected civil servants.

The reason—the only reason—that Congress voted this irresponsible and possibly unconstitutional procedure was its shame at its inability to force itself and the president to pay the bills for the defense and domestic programs both support.

Because they know that to be true, there was more embarrassment than exultation in Congress over the passage of Gramm-Rudman. By contrast, the atmosphere among the governors in Wilmington was genuinely upbeat.

It was not because they were Republicans; if anything, Republicans have reason to be hangdog about their status in the states. They control just 16 of the 50 governorships and only a baker's dozen of them were on hand for the meeting.

But, like their more numerous Democratic counterparts, these governors speak as people who measured up to their responsibilities when times were hard, and now are enjoying the benefits of that courage.

Their current hero is Gov. Tom Kean of New Jersey, who was reelected last month with 70% of the vote. Kean's first election—the closest in state history—four years ago coincided with the onset of the recession. Like many other governors of both parties, he cut spending and raised taxes in that crisis, kept his budget balanced, and now is reaping the rewards of a surging economy.

Kean said that his objection to Gramm-Rudman is that "it's a straitjacket and an avoidance of responsibility."

He is right, and because he and his fellow-governors have met their responsibilities while Washington officials from the President on down have ducked, the gap in their performance and their morale continues to grow.

IN MEMORY OF EDWARD
JOSEPH: SIR KNIGHT

HON. J.J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. PICKLE. Mr. Speaker, Edward Joseph of Austin was the perfect example of the American dream come true. A son of immigrant parents from Syria, Edward Joseph became an accountant, attorney,

businessman, and one of the Austin's leading citizens.

Many of Edward Joseph's friends referred to him as "Sir Knight" because he had been knighted by Pope John XXIII in 1960. And indeed he was a "Knight in Shining Armor" to those less fortunate than him and who had benefited from his philanthropy.

I am proud to say that he was one of my closest friends. There was no one I respected more in my community than Edward Joseph. Over the years, he has been a strong and loyal supporter of this office, and he never once asked for something for himself. All he wanted was good government for this country which he loved so much.

Last week, we laid Edward Joseph to rest. I would like to include in the RECORD the following remembrance of Edward Joseph's life and accomplishments.

EDWARD WILLIAM JOSEPH, OCTOBER 19, 1901
TO DECEMBER 12, 1985

Edward William Joseph was born in Austin, Texas on October 19, 1901. He attended St. Edward's University and The University of Texas at Austin.

Formerly the owner of a chain of indoor and outdoor theatres, Edward Joseph served on the Board of National Theatre Owner's Association. He was the Founder and Chairman of the Board of Edward Joseph Developments, Inc. which has developed many Texas properties.

Throughout his life, Edward Joseph gave unselfishly of his time to community and charitable organizations. For thirty-two years he served on the Board of Directors of the Home of the Holy Infancy. In addition, he served on the following Boards of Directors: Goodwill Industries, Child and Family Services (President for three terms), Chairman of the Board of Catholic Charities, the Catholic Student Center, United Fund, and the United States Small Business Administration. He was most recently serving on the Board of Directors of the Seton Fund, the Board of Directors of Marywood Maternity and Adoption Services, and the Board of Directors of the Institute of Texan cultures.

Edward William Joseph, baptized a Roman Catholic, was involved in religious affairs for several decades. He was honored by Pope John XXIII as a Papal Knight in 1960. He was a Knight Commander of the Order of St. Sylvester, a Private Chamberlain with Cape and Sword, a Knight of the Grand Cross (elevated by Pope Paul with Silver Cross) and a Knight of Columbus of the 4th Degree.

Education was always important to Edward Joseph. He was a life member of the Texas Ex-Student's Association and past President of the University of Men's Business Association. He was a member of the University of Texas President's Associates, the Chancellor's Council, a Bronze Member of the University of Texas College of Business Administration's Century Club, and a member of the Board of Trustees of the California College of Podiatric Medicine. He was awarded an Honorary Doctor of Science Degree from the College of Podiatric Medicine in 1984.

WALLISVILLE SALT WATER
BARRIER PROJECT

HON. CHARLES WILSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. WILSON. Mr. Speaker, I would like my colleagues to be aware of an editorial that appeared in the December 1 issue of the Houston Post and two letters that were written as rebuttal to the editorial. The issue under discussion in the editorial and the letters is the Wallisville salt water barrier project for the Trinity River in Texas. The first letter was sent to the editor of the Post by the Honorable Price Daniels, former Governor of Texas. The second was written to the editor by the Honorable C. Scott Parker, mayor of Liberty, TX.

Former Governor Daniels and Mayor Parker argue a solid and reasonable case in support of completion of the Wallisville project, and I agree with them entirely. Accordingly, I insert the editorial and letters be entered at this point in the CONGRESSIONAL RECORD.

The material follows:

(From the Houston Post, Dec. 1, 1985)

DAMMED IF WE DO

If the story of the Wallisville Reservoir project were made into a film, it would have to be titled *The Boondoggle That Would Not Die*.

First authorized by Congress in 1962, the original project was halted by a 1973 injunction due to a faulty Army Corps of Engineers environmental review. A scaled-down \$28.5 million version, less than one-third the acreage of the original, was brought back before Congress. In 1983 it won approval. This was based in part on preliminary raw data that mysteriously—and possibly illegally—found its way from the Corps to Congress.

The Corps wants the project completed. So do, among others, the Trinity River Authority and the City of Houston, which has a thirsty eye on the potential drinking water. To this end, they are asking U.S. District Judge Carl O. Bue to lift his 1973 injunction.

Congress cannot authorize a water project whose benefits do not exceed the costs. And the Corps contends this one has a yearly positive margin of \$800,000, largely from controlling salinity of the Trinity River. The difficulty with the analysis is, it follows a long Corps tradition of being long on physics and short on biology.

In fact, the project appears to spell environmental trouble both above and below the dam. The lake that Houston wants would be so shallow it would soon choke with weeds, posing huge water treatment problems. The Corps plans to control the plants with a herbicide well known for its foul taste. So much for drinking.

In Galveston Bay, the U.S. Fish and Wildlife Service expects the changes in salinity and nutrients to wreak havoc on fishing. So, how big a deal is that? Only \$40 million a year at dockside commercially. Only half the state's annual sport boat fishery harvest. So much—and this crucial—for the benefit-cost ratio.

If Congress had all the facts, odds are it could never have authorized this project at

all. As for Houston, if our water consumption doubled we still would be within our allotment from Lake Livingston. There is plenty of time to explore alternatives.

Judge Bue's injunction is fine with us. We hope he sticks by it.

PRICE DANIEL,
Liberty, TX, December 3, 1985.

To the EDITOR,
The Houston Post,
Houston, TX.

DEAR SIR: As a boy I delivered the *Post* in Liberty, Texas and was proud of it. Under the Hobby ownership, Liberty and Chambers Counties were not ignored. Now at 75, with the *Post* in Canadian ownership, it has fallen in circulation in Liberty County from the most popular daily to the lowest circulation of any Houston paper, according to the Audit Bureau of Circulation for 1984. I predict it will fall lower if you continue your vigorous opposition to our life-saving Wallisville Reservoir and Salt Water Barrier on the Trinity River.

You stress only the objections of environmentalists and possible damage to commercial fishermen, ignoring completely the great damage to a 40 million dollar rice crop in Liberty and Chambers Counties and the immeasurable damage to the City of Houston if the salt water barrier is not constructed.

Your environmentalist writer, Harold Scarlett, has been fairly presenting both sides of the recent hearings in Judge Bue's court. However, your special feature by Dr. B. C. Robinson in the November 30 issue and your editorial of December 1 entitled "Damned if we do" are grossly one-sided and contain several major errors. So much so that I hope you will permit me the space to state the other side and correct one or two errors.

Having been born and reared on the Trinity in Liberty County and having served in the U.S. Senate when the salt water barrier was first conceived, I know some of the history and facts which Dr. Robinson and your editorial writer have ignored. One of my saddest days in Washington was when then Senator Lyndon Johnson and I were told by the late Guy Cade Jackson, Jr. of Anahuac that all work on the Trinity Channel would have to stop lest salt water from Trinity Bay would begin intruding upstream into the rice irrigation pumping plants at Moss Bluff and Moores Bluff, which were then watering a 50 million dollar annual rice crop in Chambers and Liberty Counties.

Also we were told that the salt water encroachment would threaten the then planned CIWA canal which would pick up Houston's allotment of water from Lake Livingston at a point on the Trinity between the two rice irrigation canals. All three of these sites are only a few miles north of Trinity Bay and the mouth of the Trinity River, and all were under dire threat of salt water intrusion which could destroy the rice crops and ruin the water which the City of Houston needed.

Thus, then Senator Johnson and I supported the construction of a salt water barrier at the mouth of the Trinity. After it was authorized, the City of Houston and the Trinity River Authority later advocated the building of the Wallisville Reservoir in connection with the salt water barrier so as to contain within the project a lake of about 19,700 acres. It was to increase the amount of water available for Houston and the Trinity River Authority. This was authorized by Congress and was three-fourths completed

when stopped by Judge Bue's injunction in 1973. The environmentalists won this case after millions of dollars were spent on the nearly completed dam which now stands in Trinity Bay as a monument to the Sierra Club and the commercial fishermen.

If the same group had opposed the Houston Ship Channel when it was first conceived, it is possible that ships would never have navigated Buffalo Bayou to Houston. No one can doubt that the deepening of the Houston Ship Channel and Buffalo Bayou damaged some fish, crabs, shrimp and oysters and altered the ecology of Galveston Bay even more than the redesigned 5,600 Lake Wallisville would do. Dr. B. C. Robinson, the naturalist, if he had been around when the ship channel was being planned, would probably have railed against it as an "idiotic venture" of a "pack of troglodytes" playing engineers. At least those are his "impartial" designations of the U.S. Corps of Engineers, which built the Houston Ship Channel and maintain it for the benefit of Houston and its world-wide ocean going commerce. The Posts' predecessor supported this great project of the Corps of Engineers, and while it changed the marine environment and caused some damage in that regard, the benefits to the people of Houston have far out-weighed any such damage.

So will the redesigned smaller Wallisville Reservoir and Salt Water Barrier now authorized by Congress be a great boon to Trinity River barge line traffic to Anahuac and Liberty as well as a lifesaver for Liberty and Chambers Counties and a protection for Houston's water supply from the Trinity.

Whatever damage this causes to fish, shrimp, crabs and oysters in Trinity Bay has been reduced by nearly three-fourths (from 19,700 down to 5,600 acres) by the latest act passed by Congress as an accommodation of the conflicting interests. Yet, the environmentalists are not satisfied, and they probably would not be even if the project killed a single crab, a single fish or a single oyster. In fact, they seem to be making this fight a precedent for stopping all dams, dredging and further progress at the mouth of any stream or estuary.

Both Dr. Robinson's article and your editorial speak of the scaled-down project as though it was harmful to all of Galveston Bay. This project does not touch Galveston Bay. The Trinity River empties into Trinity Bay, which is marked on coastal maps between Smith's Point on the south and Umbrella Point on the north. Only Trinity Bay and the wetlands, north thereof, are affected by this barrier and reservoir.

The worst error in your editorial is the statement that Houston has plenty of water allotted to it from Lake Livingston, as though you could get it directly without going through the Trinity River. Do you realize that the city has no way of getting one drop of water from Lake Livingston except through the Trinity River at the CIWA lift station near the mouth of the river and just a few miles north of salt water in Trinity Bay? The Trinity River carries your water allotment from Lake Livingston to the Houston pump station for a distance of over 100 miles before it is lifted into your canal. As heretofore stated, without the Wallisville Reservoir and Salt Water Barrier, Houston's water supply from Lake Livingston via the Trinity is in as much danger as our two rice growers pumping plants at Moss Bluff and Moores Bluff.

You write well about protection of crabs, fish, oysters and shrimp, but say nothing about protecting the people in these adjoin-

ing counties who depend upon a fresh water supply for jobs in a 40 million dollar annual rice crop or the possible threat of immeasurable damage to the City of Houston if the salt water barrier is not constructed. Congress has reached the fairest accommodation possible between environmentalists and fishermen on the one hand and the main income crop for Chambers and Liberty Counties and Houston's need for industrial water on the other hand.

Why should you or the Court express so much concern over what reports Congress had on this latest bill before it was enacted? As a former legislator and judge I have never known of any Court going behind a legislative act except to see if it is constitutional or for help in interpreting terms of the act itself. Neither issue is raised in this case. It is time the Court and your newspaper allow the latest expression of Congress to be carried out unless you want to see the economy of this area stifled and your Houston industrial water supply endangered.

Yours very truly,

PRICE DANIEL.

CITY OF LIBERTY,
Liberty, TX, December 10, 1985.

MR. LYNN ASHBY,
Editor, Houston Post,
Houston, TX.

DEAR LYNN: The editorial of December 1, 1985, entitled "Damned if we do" was disconcerting to say the least. I have been intimately involved with the efforts to control flooding, provide additional fresh water for consumers, prevent saltwater intrusion, and effect the economic development of the lower Trinity River for over 20 years. I have traveled to Washington, at my own expense, every year for the past 15, to testify before House and Senate Subcommittees on funding requests for dredging, snag removal, studies, and construction of various projects on the Trinity.

The Trinity River is, in my opinion, the most important river in the State of Texas. This opinion is shared by many others also. When you consider the fact that its watershed affects over one half of the entire population of the state, I believe you will understand the truth in that belief. I have attended too many local and regional hearings to recount them, and have given oral testimony at most of them. I have heard environmental experts such as Ned Fritz and Dr. B. C. Robinson testify time after time that we must not allow one change to occur in the ecological structure. That floods are "God Made" and we should move out of flood prone areas and leave them to nature. That we should legislatively prevent additional persons from coming into an area if the natural environment will not support them through natural means. One is led to wonder which side of the advocacy they would take if a move were started to drain Lake Livingston and/or Lake Houston and return those areas to their original natural habitat. Both sides would have legitimate basis from an environmental purist's standpoint.

Certainly the construction of the Wallisville Saltwater Barrier would change that specific area, but the change would be minimal and the resulting change would better serve all interests and conditions. I cannot believe that a status quo serves anyone. We cannot continue to allow land subsidence through removal of ground water to continue unchecked. There are only a certain number of ways to obtain fresh water and not a one of these is through wishful think-

ing or hoping. The water from Lake Livingston that is dedicated to the City of Houston comes from the CIWA canals and pump stations located in the area that would be protected by Wallisville. An extended drought would effect the complete shut-down of this source without the protection of the barrier.

The thousands of acres of land that have subsided and are subjected to flooding by rain water or saltwater tidal surges have been adversely affected from an ecological perspective. We have learned to live in concert with nature and the pluses of these proposed changes will far outweigh the speculative negatives of these changes. Water need is real. Saltwater encroachment is real. Flooding is real.

The issue is not a narrow scoped or parochial one. Literally millions of lives are affected. The issue is not a boondoggle for some local land owner. The facts are well documented in the reams of testimony available to all interested persons as to the far reaching economic advantages and the minimal environmental impact. We all must plan for and look to the future and stop being tunnel visioned or knee-jerking reactionaries. The development of the Wallisville Barrier is vital and must be allowed to proceed within the confines of good sense and judgement.

I offer this letter as a rebuttal to your editorial. I would further be pleased to submit a more detailed and factual rebuttal to Dr. Robinson's article if you would allow such.

Sincerely yours,

C. SCOTT PARKER,
Mayor.

LANDMARK NEW JERSEY SUPREME COURT RULING WILL HELP PROTECT WORKERS FROM ASBESTOS

HON. JAMES J. FLORIO

OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Wednesday, December 18, 1985

Mr. FLORIO. Mr. Speaker, a ruling made earlier this month by the New Jersey Supreme Court will likely have profound effects in terms of protecting workers from the hazards of asbestos. The ruling will enable injured workers in certain cases to sue their employers for damage. The ruling will likely provide greater compensation to afflicted workers while making employers more responsible regarding employee exposure to hazardous substances like asbestos.

It is estimated that as many as 750,000 public buildings contain potentially friable asbestos. Friable or flaking asbestos is a known human carcinogen which can cause lung cancer, asbestosis or mesothelioma, among other deadly diseases.

The court ruled that injured workers can sue their employers for exposure to asbestos or other hazardous materials when they can prove that the employers intended to harm them. The plaintiffs who bought the class action suit are 32 former or current Du Pont employees and their spouses. They argued that Du Pont and the company's doctors intentionally and deliberately exposed them to asbestos, concealed the risk of exposure and fraudulently con-

cealed medical information that revealed diseases contracted by the workers.

The court's ruling enables workers to demand one of their most basic rights—the ability to work under safe conditions. Employers have been put on notice that knowingly exposing workers to hazardous substances, like asbestos, will no longer be tolerated in the State of New Jersey.

I commend to my colleagues a most informative article in the Camden Courier-Post detailing this most recent New Jersey Supreme Court ruling.

[From the Courier-Post, Wednesday, Dec. 11, 1985]

COURT OK'S SUITS FOR ASBESTOS ILLS—DU PONT FACES FIVE CIVIL CASES

TRENTON.—A New Jersey Supreme Court ruling that opened the door for injured workers in certain cases to sue their employers for damages will provide greater compensation and make employers more responsible, an attorney who represented injured workers said yesterday.

"This is another step in the line of protecting workers," said attorney David Jacoby, of the Haddonfield lawyer who represented 32 current and former Du Pont workers and their spouses.

"It potentially affects every man and woman in the state who works for an employer."

The Supreme Court decision came on five lawsuits filed by workers against E.I. du Pont de Nemours & Co. of Wilmington, Del., its company doctors and asbestos manufacturers.

The employees worked at Du Pont's Chambers Works in Deepwater, Salem County, or Repauno plant in Gibbstown for more than 20 years. They contracted asbestos-related ailments from inhaling asbestos fibers from insulation that at one time coated pipes, the court said.

Jacoby explained that it will send a message to employers that they face the threat of civil damages if they are cavalier about workers' health and safety.

The ruling court could affect every worker in the state by giving injured employees a new forum to seek substantial damages for injuries beyond the "miserly" benefits provided in workers compensation court, Jacoby said.

The workers initially filed a civil suit against Du Pont four or five years ago, he said. In that time, some of them have died, but some are still working for Du Pont, Jacoby said.

"They have varying stages of asbestos-related disease. Because it (the disease) takes 15 to 20 years to show itself, the men generally are in their late 40s and older."

Until yesterday's decision, Du Pont did not have to legally answer the lawsuit, he said. The case will be scheduled sometime in the future in Superior Court in Camden County, he said.

The plaintiffs argued that Du Pont and company doctors intentionally and deliberately exposed them to asbestos, concealed the risk of exposure and fraudulently concealed medical information that revealed diseases contracted by the workers.

The justices said workers can sue their employers and company doctors for concealing that the workers had contracted health problems associated with asbestos exposure and sending them back into the workplace, where their conditions were aggravated.

Only courts in California and Ohio have allowed such suits, Jacoby said.

But New Jersey's high court said injured workers cannot sue their employers for exposure to asbestos or other hazardous substances unless they can prove that the employers intended to harm them.

At issue was whether the employees' only remedy was collecting workers' compensation. The state Workers' Compensation Act usually serves as an employee's exclusive remedy for work-related injuries.

But under the law, workers can sue in civil court if they can prove an "intentional wrong."

The Supreme Court narrowly interpreted the exception to the law. While "defendants' conduct in knowingly exposing plaintiffs to asbestos clearly amounts to deliberately taking risks with employees' health," the mere knowledge and appreciation of a risk is not intentional, said Associate Justice Robert Clifford, who wrote the majority's 39-page opinion.

"We acknowledge a certain anomaly in the notion that employees who are severely ill as a result of their exposure to asbestos in their place of employment are forced to accept the limited benefits available to them through the Compensation Act," Clifford said.

Four other justices sided with Clifford while two agreed in part and dissented in part.

But the court said the Legislature could not have intended to insulate corporate doctors who deceive employees about their health. The court said workers could seek damages from the doctors because it was proper that they "be held to answer for their misconduct."

Likewise, Du Pont was also subject to be sued, the court said.

LAUREL GIRLS CROSS COUNTRY TEAM—STATE CHAMPIONS

HON. STENY H. HOYER

OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Wednesday, December 18, 1985

Mr. HOYER. Mr. Speaker, there are a group of young women in my congressional district who are superstars. They are the members of the Laurel High School Girls Cross Country Team, and this fall they experienced what Bruce Springsteen would call their glory days. They went from underdog status to the Maryland Class AA State Championship. For the first time since 1980, and for the first time ever in cross country, Laurel High has a State championship, and the whole community is very proud.

After a perfect 9-0 season, the Laurel cross country squad won the Prince Georges County Championship, the Region II AA Championship, and finally, on November 9, the State AA Championship. On the way, the team also won three invitational meets—Broadneck/South River, Palotti, and Salesianum—and came in second in the Hereford Invitational.

The Community of Laurel has every reason to be proud of this group which has worked so very well together. One most frequently thinks of cross country as a sport of individuals, but these young women have operated truly as a team. Always, they run

together in practice and support each other through their various competitions.

The squad's coach is Peter Adams, and he is obviously an inspiring, innovative, and gifted leader. This year, his team was made up of young women who, as he said, "have what it takes." Coach Adams is a lucky man as well, because only one team member is a senior. The community of Laurel can expect to hear much more from the cross country team next year.

The following young women make up the 1985 Laurel High School Cross Country Maryland State Championship Team: Co-captain Diane Huber, Cocaptain Carole Anne "E.T." Parish, Jenny Athey, Donna Driver, Christy Peters, Catherine Repass, Jodi Shindle, and Kenice U'ren.

Coach Adams' three able assistant coaches are: Jim Sampson, Eric Morton, and Nancy Rose.

Mr. Speaker, I know all of the Members of the House will want to join me in extending congratulations to the team on their championship season.

HARRIS POLL SUPPORTS VOLUNTARY FAMILY PLANNING

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. PORTER. Mr. Speaker, I would like to bring to the Members' attention the remarks by Dr. Louis Harris, chairman of Louis Harris & Associates who recently conducted a public opinion survey of teen pregnancy, family planning, and abortion.

The survey results overwhelmingly support family planning efforts both in the United States and abroad, and show exceptional support for relevant education on television and in schools. Dr. Harris presented his findings last week to the members and staff of the Congressional Coalition on Population and Development. The following are his remarks for the benefit of those Members of Congress who did not attend:

REMARKS OF LOUIS HARRIS, CHAIRMAN, LOUIS HARRIS & ASSOCIATES, PLANNED PARENTHOOD FEDERATION OF AMERICA, INC.

In many ways, we live in an era of quick and easy poll results. Members of Congress, people in politics, reporters grab a couple of poll numbers and run. Thus, a common experience is to get the results of 3 or 4 quick questions on abortion, sex education, and birth control. This survey does not just ask 6 or 10 questions. It asks more than 60 different questions and is the most detailed and comprehensive analysis of a wide range of issues relevant to these subjects. It includes many questions never before even asked.

This survey is not only comprehensive. I believe any reasonable person will find it fair and unbiased. Our firm has stringent rules about all surveys on important public issues. They insist that all of the relevant questions must be asked, no matter how tough the answer for our own clients. We are adamant about including tests of questions and arguments used by both sides. In this study, for example, you will find a ques-

tion that equates abortion with murder. Our hope is that anyone going over this study in fine detail would not be able to tell whether our clients were Planned Parenthood, the Right-to-Life movement, or a group which might have avoided partisanship on any of these issues.

Here is what we set out to test in this study:

What exactly do parents feel must be done to prevent their teenage children from becoming pregnant or causing pregnancy?

To what extent parents have discussed sex and birth control with their kids?

What are attitudes toward the proposed so-called Squeal Law?

How do people feel about television programming on the subject of birth control, specifically giving information on how to avoid pregnancy?

What about sex education in the schools, including a requirement that a link should be established between the schools and family planning clinics where young people can find out about and can obtain contraceptives?

How do people feel about the proposed constitutional ban on abortion and the 1973 U.S. Supreme Court decision legalizing abortion?

Do the American people favor or oppose the U.S. providing aid for developing countries with birth control programs?

Given this roster of questions, it is unlikely that any single group, including our own clients in this case, will be pleased with all of the results. In all, we surveyed a representative cross-section of 2,500 adults across the nation in August and September of this year.

Well, what about public attitudes about teenage pregnancy, sex education, and contraception?

An overwhelming majority of 84 percent of the American people recognize that teenage pregnancy is a serious problem in this country. In the view of 64 percent the problem arises fundamentally from the fact that parents have little or no control over their teenagers' sexual activity. As a consequence, they are convinced that something needs to be done. Help is needed.

One key, of course, is what parents can do themselves? And the answer there overwhelmingly is that they can have frank and open communications with teenagers about sex and birth control. But in the past, such discussion has not taken place for the most part. Only one in four adults recall having learned about sex from their own parents. Most learned from friends or sexual partners, which may have been a bit late.

Today's parents want to change that pattern. A substantial 76 percent with children 6-18 years of age say a parent has talked to their children about sex. The median age for this is 10. But note: only 1 in 3 say the subject of birth control has been part of the discussion. That casts some doubt about just how candid those discussions have been.

In fact, many parents seem to be crying out for outside help when it comes to dealing with teenage pregnancy and informing children about birth control. At the same time, many also want to keep some control over what their children learn and do. That is why they are so deeply divided over the so-called "Squeal Law." This would prohibit family planning clinics from giving contraceptives to anyone under 18 without written permission from their parents. The country now splits right down the middle: 48 percent favoring such a law and 47 percent opposing it. This latest result shows a four point,

modest drop in opposition to the Squeal Rule and a comparable pick-up in support of it.

You see, parents would like to know about these things and be in on the decisions governing them. But, at the same time, a clear 53-47 percent majority also hold the view that "if it became more difficult for teenagers to obtain contraceptives," there would be more teenage pregnancies.

Perhaps the most decisive findings of this study emerged on the subject of sex education. A substantial 62 percent are convinced that more open discussion of sexual subjects would lead to fewer teenage pregnancies. And two of the chief channels of communication they want to see change on are television and the schools.

TV is widely believed to give a biased, wholly unreal portrayal of sex, of pregnancy, and of contraception. By 68-18 percent, a big majority think TV gives an exaggerated picture of people making love. Some 45 percent say that TV just doesn't deal with the subject of pregnancy and the consequences of sex. A higher 68 percent believe television ignores family planning to prevent pregnancy and to control family size. And 63 percent are convinced that television also just doesn't deal with information about sexually transmittal diseases, although this might be changing with the furor over AIDS. Put bluntly, television is heavily criticized for either ignoring or romanticizing the consequences of sex and of birth control. By an overwhelming 78-18 percent, a big majority give a powerful mandate that there be messages on TV about birth control. The reason for this strong feeling is that the very young people who are least inclined to be influenced by home life or the classroom are precisely the ones who are most likely to be reached through television.

Now if the networks and TV stations say there is simply no mandate out there for their carrying targeted and effective birth control messages, as we understand they have told prominent medical professional groups, then the answer is that such a claim is patent nonsense.

Indeed, by an overwhelming 85-14 percent, a big majority of adult Americans believe that sex education should be taught in the public schools. And by 54-45 percent, a clear majority are convinced that elimination of sex education in the schools would lead to more pregnancies among teenagers not fewer.

The American people are playing for keeps on this one. They want sex education to be not only blunt and to the point, but they want it to be practical. By 67-29 percent, better than 2-1, a substantial majority want to require that public schools establish links with family planning clinics, so that as our question read "teenagers can learn about contraceptives and obtain them." This is the first time any poll has ever asked this question. Mark it well, it is a clear and decisive mandate for sex education in the schools that both explicitly informs students about contraceptives, but also refers sexually active students to sources to contraceptives.

The incredible part of these results is that they are not even close. They are decisive and overwhelming. They are not controversial. They indicate a broad and growing consensus, born at least in part of the quiet desperation of parents of all types and stripes of family backgrounds in America today. Those who oppose sex education and birth control are at best a highly vocal but very

small minority in the USA today. Instead, the desire, the demand for real leadership out of the establishment in this area is widespread, real and abiding.

By contrast, abortion is by any measure highly controversial. In fact, there is some evidence of slippage in support of the 1973 U.S. Supreme Court decision (*Ros v. Wade*). The current division is 50-40 percent in support of that decision nationwide, but that is down 6 points from our previous measurement. The slippage may not be as great as this, however, since the biggest shift on this trend question is among Blacks. And there is other Harris evidence that Blacks have veered from having high faith in the Supreme Court in the past to showing a massive erosion in faith in the High Court, as, indeed, Blacks have come to distrust most of the Washington Governmental establishments these days—a complete turnaround compared with the 1960's and 1970's. On other measures of pro or con on abortion, for example, Blacks are slightly more pro-abortion than Whites. But not on the Supreme Court measurement.

A more accurate measure of the slippage in pro-abortion sentiment can be obtained on the issue of constitutional ban on abortion. A majority of adults nationwide oppose such a ban by a decisive 55-37 percent. However, a year ago, as slightly higher 58-33 percent majority opposed such a ban. Thus, slippage of 3-4 points.

A key reason for the slight slippage may well be the exposure given to the film, "The Silent Scream." Fully 42 percent say they have read about or heard about the film, and 44 percent have seen it. Of those who saw it, 45 percent say it made them more opposed to abortion. That adds up to 6 percent of all adults in the country. Of course, it is dangerous to therefore conclude that 6 percent have in fact shifted their views. There is no way of telling how many of these people were opposed to abortion in the first place, and merely had their underlying convictions reinforced. On the other side, by 56-39 percent, a sizable majority of those who saw the "Silent Scream" felt it was biased and not mostly objective.

In fact, when the negative consequences of particular types of pregnancies are discussed with people, then to opposition to any ban on abortions rises to over 7 in every 10 adults across the USA. For example, if a woman's life or physical health were endangered by a pregnancy, then sizable majorities would oppose a ban on abortion. Similar majorities feel the same if pregnancy results from rape or incest, or if a woman might have to go on welfare if she had the child, or when a child would be unwanted or unloved. Or if a woman's mental health were endangered or if the child was found to be deformed or retarded or if a teenage mother's future life would be seriously affected by having the baby.

Of course, as time goes by, an increasing number of people know someone who has had an abortion. Half the country now reports knowing someone and 3 in 10 say that someone is close to them, meaning in their own family or in a friend's family. As it becomes a more personalized experience, then the consequences of not allowing abortions troubles people all the more. A bottom line, therefore, is that 58 percent of the public rejects the claim that abortion is an immoral act. Indeed, by 74-19 percent, a big majority are now convinced that society in this country has decided this issue and they doubt that abortion will ever be outlawed again.

Finally, allow me to dwell on yet another important issue we tested for the first time: U.S. Governmental aid for birth control overseas. That is a subject you have heard much heat and controversy on. By an overwhelming 74-23 percent, a sizable majority favors this government helping with birth control in developing countries. And when the smoking gun is added, "even if those countries have abortion programs," a substantial 61-35 percent majority still would favor our sending the aid and assistance on birth control. The sadness and shock of the Ethiopian famine and the consequences of birth rates out of control have dismayed the American people and touched them deeply.

Perhaps the most striking result of all in this in-depth and comprehensive survey is that the American people do not want the highly serious problems of teenage pregnancies swept under the rug or made the object of selective attention by religious or parents along, but instead they want society as a whole, including the government, including the schools, including the media to open doors of candor and to spell out the consequences and also to take the load in explaining pragmatically what can be done to relieve the problem. They are saying the job must be done today not tomorrow and that procrastination is no longer acceptable. The highest irony is that most of what I have reported are broad consensus findings. I would not stand here and say that because large numbers of the American people want something, you must therefore automatically do it. But, I do say to you that if you do not do something in this area, then you will find that your own constituents will increasingly want an explanation of why you did oppose action. For these are not subjects and are not attitudes that are likely to disappear or to change or to grow less concerned any time soon. Mark that well.

ENHANCEMENT OF LOBSTER CONSERVATION LAWS

HON. JOHN R. MCKERNAN, JR.

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. MCKERNAN. Mr. Speaker, today, along with my colleagues, Mr. STUDDS and Mrs. SCHNEIDER, I am introducing legislation which will help to preserve the integrity of our fishery conservation laws. Specifically, it is a bill to enhance the enforcement of laws and regulations conserving American lobster—*Homarus americanus*.

This legislation is intended to make the conservation measures imposed upon the domestic fishermen by the American lobster fishery management plan [FMP] (50 C.F.R. 649) more enforceable by stopping the trade in sublegal-sized, egg-bearing, and "scrubbed" lobsters which currently takes place in the United States. It is action necessary because of a "loophole" in United States law which permits foreign exporters, primarily Canadian, to ship into this country lobsters which fishermen and dealers in producing States are prohibited from handling.

This legislation is not an attempt to avoid the legal obligations of the United States under the General Agreement on Tariffs and Trade [GATT]. Article XX(g) of

the GATT allows for the kind of trade restrictions that would be imposed by the bill because of the relationship of those restrictions to the domestic production and consumption restrictions which are imposed on fishermen and dealers by the conservation laws of the producing States and the lobster FMP.

By January 1, 1987, all of the States with fishermen who harvest American lobster will have enacted laws which coincide with the possession standards of the Federal lobster management plan. Although some American lobster is legally harvested in Canada at a size smaller than the minimum size allowed by the FMP, the laws of the producing States and the Lacey Act combine to create a Federal prohibition against a trade in small lobsters in the Northeast and Middle-Atlantic regions. These laws also work to restrict a trade in egg-bearing and scrubbed lobsters in these States. However, because other States, which import but do not produce lobster, have not enacted similar possession laws, the Lacey Act restrictions do not apply and a trade exists in these States which is illegal in the producing States.

Lobster fishermen believe that this situation decreases the effectiveness of the conservation laws and regulations they are required to abide by. Further, they are concerned that this has encouraged an illegal or "black market" trade in lobster harvested by domestic fishermen in violation of State possession laws and the lobster FMP. While others argue that such a black market trade does not exist, and that no U.S.-harvested illegal lobster is being sold in this country, it is very difficult to obtain data on the amount or origin of the sublegal-sized, egg-bearing, and scrubbed lobsters that are sold here.

It is for this reason that we are introducing this legislation today. By restricting the importation of all American lobster that does not meet the standards of the FMP, the bill would strengthen domestic laws that are designed to conserve a valuable, exhaustible natural resource. The legislation that we are introducing today is a straightforward approach to solving this problem and is a remedy that is available to the lobster industry through our international trading agreements. I urge the House to expedite its passage.

HELPING OUR TOBACCO GROWERS

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. ROGERS. Mr. Speaker, I recently came across an article which I think really shows how committed the people of my region are to the preservation of the tobacco program.

I recently visited several tobacco warehouses on the opening day of the annual burley sales in Kentucky, including one in London, KY, run by Graham Cole. Thanks

to his work and those of men like him, this year's tobacco sales are going extremely well under trying circumstances.

I enclose the article for my colleagues, so that they too can come to understand the warmth of feeling for tobacco which permeates Kentucky and the tobacco belt. And I salute Graham Cole for his leadership in keeping our proud tobacco tradition alive.

[From the Lexington Herald-Leader, Dec. 18, 1985]

WAREHOUSEMAN'S EFFORT HAS KEPT BURLEY FROM "POOL"

(By Roger Nesbitt)

LONDON.—A burley tobacco warehouseman—by cutting his profit to benefit growers and the federal price-support program—has helped London compile the most impressive statistic of the 1985-86 market season.

The London market is the only one in Kentucky—and four other states—that has had no burley go to the program's surplus "pool" of leaf that fails to bring a price above the government support level, according to government statistics.

And the success at the small London market can be traced to Graham Cole's crusade to improve sales.

Cole, a co-owner and general manager of London's three auction warehouses, has kept tobacco out of the pool by buying it on behalf of the warehouse.

If tobacco buyers fail to bid the required price of at least 1 cent above the support rate, Cole makes the bid. He then resells the leaf at a later auction or stores it until he can find a buyer.

Thus far, Cole has bought 1.2 million pounds, or about 20 percent of leaf sold in London. He estimates a loss of between \$25,000 and \$30,000 on the resale of that burley. But he says that's a small price to pay to satisfy his customers and help preserve a tobacco program threatened by a huge debt on surplus leaf.

"If the farmer sees you're doing the very best you can to help him get top dollar, then you've got a satisfied customer who will come back. We lost a little money, but it's good public relations," he said yesterday.

It's not uncommon for a warehouse to buy tobacco to protect customer interest. But few warehouses take 20 percent of the offerings, said Ben Crain, the president of the Burley Auction Warehouse Association.

Crain said he would buy from 10 percent to 12 percent at his two Lexington warehouses. "But with the high (priced) grades you find in this area, you can't afford to buy much more," he said.

Before yesterday, pool receipts were 32.3 million pounds, or 10.6 percent of sales in Kentucky, Indiana, West Virginia, Missouri and Ohio.

"We've taken tobacco from every market except London," said A.R. Beckley, the executive secretary of the Burley Tobacco Growers Cooperative Association of Lexington, which handles the surplus in those states.

Cole, 51, has been in the warehouse business for 26 years in Moultrie and Pelham, Ga. This is his second year as co-owner of the London warehouses and, under his leadership, customers have come to expect a strong sale.

"I've seen years when most of the crop went to the pool around here, but not with Cole. I don't know of any grower who has left here dissatisfied with what he got,"

said Lonnie Robinson, a warehouse employee for 15 years.

Last year, when 30 percent of the nation's burley crop went into surplus, London's 8 percent was the lowest among the 80 markets throughout the eight-state Burley Belt, Cole said.

"And most of that went after Christmas. I was trying to keep it all out (of the pool), but there was just too much for me," he said.

Cole said he wants to do his part to help the program because "it has served us well for nearly 50 years."

In sales volume, London ranks 22nd among Kentucky's 30 markets. Its customers come from 15 counties in the region, with most from Laurel, Clay, Knox and Whitley counties, said Chester McCracken, a warehouse employee for 30 years.

Charlie Chappel, a 76-year-old Jackson County grower, said he had sold tobacco for 38 years in London and never had much go to the pool.

"These boys have always stuck with me," he said. "I've been satisfied. I wouldn't be here today if I wasn't."

Cole acknowledged that he buys a lot of lower-grade leaf and that the quality of tobacco from the area pales in comparison with the Bluegrass region.

Statistics, however, indicate that London has its share of good burley. Its average market price of \$180.46 a hundredweight is slightly above the state average.

"Our overall quality doesn't match some other areas, but most of our growers are at a disadvantage because they are small, part-time farmers," Cole said. "This is not like the Lexington area, where you have a lot of big growers who are in this for most of their income. That makes a difference."

Cole said he hopes to keep his "pool record" intact for the Christmas recess that follows Thursday's sales. But he doubts he can go through the whole market season this way.

"It gets harder (to resell the burley) after Christmas," he said. "You can't cut your own throat, you know."

OPPOSITION TO THE McCLURE-VOLKMER BILL

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. STOKES. Mr. Speaker, Federal gun control legislation has been debated in each succeeding Congress since the 91st session. With the McClure-Volkmer bill working its way through Congress, it has come to my attention that our Nation's law enforcement community has been misrepresented by certain lobbying organizations concerning their views on this issue. Contrary to information you may have received, our Nation's law enforcement community is unanimously opposed to the McClure-Volkmer bill.

As individuals charged with the responsibility of ferreting out crime, it is the law enforcement communities view that passage of this bill will result in easier accessibility to these weapons by criminals, juveniles, and other high risk individuals. Every day, members of the law enforcement community place their lives in peril

so that you and I might enjoy a safer community. By opposing the McClure-Volkmer bill we have an opportunity not only to assist our friends in law enforcement, but to help ourselves in providing for the safety of our communities.

I fully support the right of responsible individuals to keep and bear arms. However, legislation such as that passed by the Senate and presently before the House of Representatives, will seriously undo many of the recent advances made in the area of curbing handgun violence, and will result in easier accessibility to these weapons by criminals and irresponsible citizens.

I strongly encourage members of this body to oppose the McClure-Volkmer bill and vote for the safety of our communities and our law enforcement officers. With these concerns in mind, I commend the following Cleveland Plain Dealer article on the Fraternal Order of Police and their views on the McClure-Volkmer bill, to my colleagues in Congress.

FOP HEAD HOLDS GUN BAN A BOON

(By Robert Boyd)

At a time when killing of police officers is on the increase, it would be wrong to weaken federal handgun laws. But legislation now before Congress would do just that, and a strong gun lobby is pushing hard for enactment—even to the extent of misrepresenting the stated positions of law-enforcement groups.

Most Law-enforcement organizations believe that law-abiding citizens have the right to own handguns. But at the same time, there must be legislative safeguards to keep handguns from falling easily into criminal hands. Retaining current federal laws regarding handguns is vital to effective law enforcement. Laws to protect the police and the public from the threat of additional handguns in the hands of criminals, such as waiting periods and criminal records checks for handgun purchasers and a ban on armor-piercing bullets, will make society safer.

In recent months, the Fraternal Order of Police, which represents more than 170,000 American police officers and other law-enforcement leaders have been misled by gun lobbyists who are spearheading a drive to allow interstate sale of handguns and permit the continued sale of armor-piercing bullets.

Leading the gun lobbyists' attack is the National Rifle Association, with which law enforcement has a history of strong ties. In our relationship over current federal legislation, however, the views of the law-enforcement community, and the Fraternal Order of Police in particular, have been distorted and misrepresented.

In the House of Representatives, gun lobbyists are crusading for quick passage of the McClure-Volkmer bill, which would allow interstate handgun sales. The bill, sponsored by Sen. James A. McClure, R-Idaho, and Rep. Harold L. Volkmer, D-Mo., was pushed through the Senate without any public hearings, and is now lodged in a House Judiciary subcommittee on crime. Supporters in the House are petitioning to have the bill discharged from the subcommittee and brought to the House floor; its sponsors say that could happen by spring.

The NRA portrays the bill as a pro-law-enforcement measure and has convinced members of Congress and the public that

police are for the bill. While aware of our opposition, the NRA sent material to Capitol Hill erroneously stating that both the Fraternal Order of Police and the National Sheriffs' Association were in favor of the bill.

As president of the Fraternal Order of Police, I attempted to set the record straight several times. Every major law-enforcement organization in America solidly opposes the McClure-Volkmer bill. Yet the NRA and other proponents of the bill have persisted in naming our group as one of its supporters. The fact that law enforcement opposes the bill appears to make little difference to the NRA.

Our reasons for involvement in this legislative debate are simple. As law-enforcement officers, we are charged with enforcing the law. We live with that responsibility every day. Despite the NRA's claims to the contrary, this bill is against our interests. McClure-Volkmer will make it easier for criminals to get handguns.

In 1968, Congress passed the Safe Streets Act to aid state and local law enforcement in their fight against violent crime. The centerpiece of the act was the prohibition on the interstate sale of handguns, which enhances the ability of states and localities to keep handguns out of criminal hands. McClure-Volkmer would authorize gun dealers to sell to out-of-state customers if the sale would be lawful under the laws of the buyer's and seller's states. As a practical matter, this provision is unenforceable and would only serve to encourage illegal handgun sales.

Because handgun laws vary not only from state to state but city to city, it would be virtually impossible for a dealer to make sure that sales to out-of-state purchasers conform to law. Local laws are constantly changing and although several states may have similarly worded provisions, the actual application of those statutes may vary greatly according to individual state court decisions. Allowing interstate handgun sales destroys the ability of law enforcement to enforce state and local handgun laws.

Gun lobbyists also are working against law enforcement on another front, by campaigning for the continued availability of armor-piercing ammunition—bullets that easily penetrate bulletproof vests. Every day, officers risk their lives protecting citizens from criminal attack, and yet the NRA refuses to support these officers by working to ban the sale of such bullets. In fact, NRA lobbyists have blocked the bill for nearly four years.

As officers, we look to Congress to give us the tools to make society safer. To that end, the law-enforcement community, especially the Fraternal Order of Police, is asking members of Congress to resist the pressure to make our jobs more difficult. We want armor-piercing bullets banned. We need the continued prohibition on interstate handgun sales. And we want a national waiting period and background check for handgun purchases to help screen out those criminals who are buying handguns, and to eliminate the possibility of the heat-of-passion purchase of handguns.

Our legislators have heard the views of the Fraternal Order of Police, the National Sheriffs' Association, the International Association of Chiefs of Police, the National Troopers Coalition, the Police Executive Research Forum, the Police Foundation, the National Organization of Black Law Enforcement Executives and the Major City Police Chiefs Association. We all hope that

Congress will listen to the law-enforcement community and put the interests of a safer society ahead of the goals of the National Rifle Association.

STATES ACTIVE ON CHEMICAL DISASTER LEGISLATION

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. FLORIO. Mr. Speaker, as my colleagues know, the Superfund legislation just passed by the House (H.R. 2817) contained landmark provisions designed to encourage local officials and industry to develop emergency preparedness plans for possible chemical disasters.

The tragedy in Bhopal, India, a little over a year ago raised the Nation's consciousness about the need to institute comprehensive emergency response plans to cope with potentially catastrophic accidents. Dozens of smaller-scale incidents across the country over recent months have underscored the importance of such planning. Many State legislatures are beginning to recognize the need to establish disaster prevention and response programs.

My own State of New Jersey has been in the forefront of such developments and the State senate recently passed a bill entitled the "Toxic Catastrophe Prevention Act." I commend a recent article from the Philadelphia Inquirer describing the legislation to my colleagues' attention.

SENATE APPROVES BILL AIMED AT AVERTING A CHEMICAL DISASTER

(By Paul Horvitz)

TRENTON.—Legislation designed to prevent a disastrous chemical leak at New Jersey manufacturing plants received final legislative approval yesterday in the state Senate.

The bill, titled the Toxic Catastrophe Prevention Act, calls for chemical plants that generate, store or handle certain extraordinarily hazardous chemicals to develop plans demonstrating what safety steps they would take to prevent a minor accident from turning into a chemical disaster like the one that occurred last year in Bhopal, India. In that accident, 2,000 people were killed when methyl isocyanate leaked from a Union Carbide plant.

The bill won Senate approval on a vote of 38-0, without debate, and now goes to Gov. Kean.

Its Senate sponsor, Sen. Paul Contillo, a Bergen County Democrat, said that, under the legislation, the state Department of Environmental Protection could impose its own risk-reduction plan if it believed the one submitted by the manufacturer was inadequate. The companies would have 18 months to submit a plan.

Contillo said the bill applied only to certain highly toxic substances, including phosphene, a poisonous liquid that has been used in chemical warfare. It also is used in some chemical-manufacturing processes and in dye-making.

LAUNCHING OF VOYAGER SPACECRAFT

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. HOYER. Mr. Speaker, 1986 will be a truly momentous year in space exploration. NASA will launch a Voyager spacecraft which will travel past Uranus, and a Galileo spacecraft destined to explore Jupiter. Our Nation can be especially proud of NASA's contribution to this latest step by the United States in the "Age of Discovery."

To highlight these events our colleague Congressman WYCHE FOWLER of Georgia, on October 8-10, 1985 sponsored the Space Caucus Conference on the Future of Space Science. Many eminent scientists from all space science disciplines participated, sharing their insights with Members and congressional staff. One conference participant of particular note was Dr. Noel Hinners, Director of NASA's Goddard Space Flight Center which is located in my congressional district. Dr. Hinners has a Ph.D. in Geochemistry and Geology and is a specialist in planetary geology. From 1979 to 1982 he served as the Director of the National Air and Space Museum and in 1982 began his tenure as the Director of the Goddard Space Flight Center.

I would like to share the remarks made by Dr. Hinners at the conference for the benefit of my colleagues:

STATEMENT OF NOEL W. HINNERS

I welcome this opportunity to address the topic of Space Science in an atmosphere of inquiry and desire to learn. That is, after all the basis of the scientific endeavor—a quest for knowledge. That quest is unbounded and never ending, attributes inherently harmless, yet the world of budget constraints, competing societal and individual needs, and occasional misgivings about the practical value of scientific inquiry result in the establishment of limits and priorities. My challenge is to provide you with views of space science relevant to your decision process, a process crucial to creating the means by which space science progresses.

I worry about whether or not I am up to the task; what can I bring to you today that couldn't better be done by my colleagues actively involved in the hands-on conduct of space research? Perhaps a different perspective, for though trained as a scientist I have made a career of science management and administration, the rewards of which flow from helping create the opportunities for "practicing" scientists to be innovative and productive. That career has seen a progression of incarnations ranging from student to technical contractor to NASA to NASA Associate Administrator for Space Science to Goddard Center Director. In that time I've been exposed to a spectrum of scientific, budgeting, political, and social issues associated with space science and which span its history as measured from the launch of Sputnik in 1957.

I also had the good fortune to spend (1979-1982) a rather pleasant and informative interlude as Director of the National Air and Space Museum, an unparalleled op-

portunity to assess and contribute to public knowledge of and interest in space science and exploration. A side-benefit, or possibly a side-effect, was the acquisition of think-time, in which to dwell on what had transpired over the past 20 years and to sort out what in my career to do next. The end result was a re-commitment to space exploration. I just could not think of anything more rewarding, exciting or worthwhile. Let this pre-ambule be fair warning that you are listening to a devotee, albeit one tempered with a conviction that it is our obligation to assure quality science and to share the excitement and fruits of our ventures with those who pay for it—the U.S. public through you, its representatives.

I will give you my thoughts on the essential character of space science, examples of its contributions to knowledge and national well-being, its role vis-a-vis technology, and international cooperation and competitiveness. Along the way, I'll also given my assessment of future trends and needs. This could be dismissed as interesting, but just another look into a cloudy crystal ball. Possibly, but I believe that the future is largely under our control rather than subject to whims of "random events" or the wiles of nature: many things will happen because the initial steps are already in motion or because someone wants them too; let us therefore plan determinedly for our future.

Best to begin with a definition of Space Science: as stated by Homer Newell in his excellent book "Beyond the Atmosphere", space science consists of . . . "those scientific investigations made possible or significantly aided by rockets, satellites and space probes." Thus it is that existing scientific disciplines and more narrowly focused sub-disciplines in astronomy, physics, and earth and planetary science gained opportunity to expand by dint of new technology enabling escape from the earth-bound laboratory.

For astronomy the vantage point of space opened up new regions of the spectrum quite simply by astronomers ridding themselves of the obscuring effect of earth's atmosphere. Completely new discoveries involving basic physics and hard-to-believe phenomena commenced immediately and continue to this day to come forth as we peer into new parts of the spectrum with detectors of increasing sensitivity and resolution. There appears to be no end in sight for the potential of yet further discoveries, ones helping elucidate answers to such basic questions as how did the universe and its features begin and how did it evolve, what are quasars and black holes, do black holes really exist?

For what use, you say? "Knowledge for sake of knowledge" might be a typical response but I personally find that to be a flip answer, repugnant, and providing fuel for those who accuse scientists of elitism. Rather, there is incredible excitement and elation involved in learning about the power, complexities and wonders of nature on such a cosmic scale; this is mimicked no less on the other end of the size scale by today's discoveries in the biological sciences. Obviously there is emotion involved in this; excellent! D. H. Lawrence in his 1931 "Apocalypse" rightly complained "Men are far more fools today, for stripping themselves of their emotional and imaginative reactions, feeling nothing." While Lawrence bemoans the loss of the sun as the mythological entity of old civilizations . . . "All we see is a scientific little luminary, dwindled to a ball of blazing gas", had he today's knowledge and scientific understanding I

think he could have found a new awe and mystery far more satisfying than the make-believe of old. It is our imperative to bring the excitement and emotion of discoveries about nature to the masses who by necessity participate second-hand. My museum experience convinces me that it is possible to do so, that the public wants to understand and will support our research if we but successfully convey to them the results and their inherent excitement.

For space physics, space platforms have provided not only new places from which to peer but they allow immersion and measurement in the new medium of magnetic and electrical fields, particles, solar wind, cosmic rays and the like. The picture we now have of earth's envelope in the solar system is one for which there was only a hint pre-1957. Basic discoveries abounded in the 1960's; in the 70's and 80's the challenge has changed from one of discovering "what's there?" to a greater one of deciphering and understanding details of how the physical processes work. A mature science, some would call it, sometimes with a hint of derision. If realizing that a topic is complex, that interactions among components are strong, and that the easy discoveries are over defines maturity, so be it. But to some of us near the age of 50, maturity means wisdom, careful selection and prioritization of tasks, calling upon experience to select a fruitful experiment, and recognition of the broader implications and significance of what we do.

The results of space physics studies are, like those of astronomy largely of pure scientific interest. However, because our earth is embedded in the magnetosphere, phenomena occurring there have direct bearing on closer-in events such as aurora, disturbances in the ionosphere which disrupt radio communications, radiation damage to satellites, and quite possibly on long-term weather and climate trends. To obtain a better understanding of the environment in which we live is an added inducement for the study of space physics. So is the fact that basic processes occur there which cannot be duplicated in the laboratory but which are of great interest for such things as fusion energy research—in this sense we can use the space environment as an in-situ laboratory.

The study of space physics also occurs in our planetary exploration program. The detailed knowledge built up by studying the earth's physical environment has allowed us to greatly increase our understanding of similar phenomenon at Jupiter and Saturn where the data has been limited mostly to that obtained by a few transits by the Voyager and Pioneer spacecraft. In a grander extrapolation, we are beginning to see in astronomical data that some of the phenomenon observed near earth may be occurring on a galactic scale.

Earth science—geology, planetology, call it what you will. If space physics is mature, earth science by the same measures would be senile, being over 200 years old by any accounting. We know the earth to be exceedingly complex and in contrast to the space physics environment, most of the solid earth is hidden from direct view. Yet the last twenty years have seen a revolution in our understanding of the earth, how it may have formed and evolved, how its engine is fueled and moves major chunks of crust about willy-nilly. Rebirth? Rejuvenation? Yes. Made possible by several factors: the tedious buildup of immense detail over the years by many plodders (and far fewer big thinkers), detail waiting for the integrating

framework of: plate tectonics; new technology allowing us to "see" the 2/3 of the earth's surface hidden under the oceans and to peer into the interior via geophysical probing; meteorite studies; and remote and in-situ investigations of the other planets of the solar system.

The latter is a unique contribution from the space science program. Just as physical laws seem to be the same everywhere in the universe, so do fundamental geological and geophysical processes. But what we see in the earth and planets is a summation of billions of years of evolution and of a multitude of processes working at different rates on different starting materials. The ability to decipher the history of any one of the resulting complex bodies in isolation is not as good as one might wish. Our overall understanding can be enhanced however, if one has a spectrum of planets to study, each of which has evolved in a different manner. You can think of this as analogous in some sense to mathematics which requires multiple equations to solve for multiple unknowns. This approach has some times been termed comparative planetology and brings renewed focus to thinking of our earth in a planetological sense. It is not only the study of the origin and evolution of the earth that benefits from the use of space techniques; over two decades of evolution of earth-orbiting weather, atmospheric and oceanic research satellites has led to a dependence on them for making progress in eventually, obtaining a global-scale comprehension of earth systems.

Just as one learns about the general properties of terrestrial evolution from planetary studies, so too do atmospheric scientists gain greater insight into earth's atmospheric circulation and chemistry from planetary data. One does not, however, study the planets primarily to understand the earth. It is to arrive at a comprehension of the basic origin and evolution of planets per se; planetary studies are complementary to meteorite studies and to space-and ground-based astronomical investigations which are just beginning to tell us how stellar origins involve the formation of planets. For example, NASA's Infrared Astronomy Satellite has detected what is probably a disc of dust or rocky material surrounding a young star and which appears to be a progenitor of planetary formation.

The convergence of the astronomical and geological lines of evidence regarding planetary or solar system formation is a bonus of our times, brought to us solely because of our new capabilities in space. Equally astonishing is the sheer beauty of the discoveries from our planetary exploration—the scientific beauty of the likes of the volcanism of Io, the canyons of Mars, the Red Spot on Jupiter, the rings of Saturn. Likewise, their aesthetics. Human artistry pales when compared to what nature produces—so much so that we often seem linguistically incapable of expressing adequately the impact on our senses and emotions, reducing ourselves to primitive, feeble utterances of "wow, gee-whiz."

Where are we headed in the space sciences? Is anything new really happening or is it just more of the same thing? Not at all. In astronomy, we see that the traditional approach of labelling and behaving as "wavelength bin" astronomers (e.g., IR astronomers, X-ray astronomers) makes less and less sense. The attack on fundamental problems more and more requires observing the same event or object in a multitude of wavelengths. Our goal, then, is to create a

set of long-life space observatories (physics dictates multiple detectors and telescopes) complemented by ground-based facilities, which will enable an astronomer to pick a problem, easily access any of the telescopes and make the coordinated observations. We would like those to be made from the home university or laboratory location, where the scientist interacts with the students and where the environment is most conducive to scientific productivity. The Hubble Space Telescope, to be launched in 1986, is the first of the long-life observatories, with gamma-ray, X-ray and Infrared observatories to follow. We are making progress on distributed or remote access to space observatories, the International Ultraviolet Explorer and the Upper Atmospheric Research Satellite leading the way. The remote access advances are enabled by the technology of modern communications and computers; the advent of the Space Shuttle and the Space Station make or will make possible the long-term maintenance, repair and experiment up-grade of our space observatories. The conduct of space science is rapidly evolving in style towards that traditional for other sciences.

In space physics, we clearly see that one part of the environment interacts or is closely coupled with other parts. The opportunities for major advancement in understanding thus arises in the possibility of making multiple, simultaneous space measurements in the various regions: the solar wind, the auroral zones, the electrical arcs, the radiation belts and magnetic tail. The types of measurements needed are well known, guided by the previous experiments and by a firmer theory and computational modeling than existed in the past. Theory and computational modeling are deeply rooted in work going on in understanding basic plasma (fully ionized gas) physics for purposes additional to the direct needs of space science (e.g., fusion research).

The earth sciences present a special challenge which we are beginning to comprehend: that is, interconnections, feedbacks, cause and effect dominate the behavior of the atmosphere and oceans. For very practical reasons we are trying to understand the global dynamics of earth's environment sufficiently well that we can construct predictive models of its behavior. To do so requires global-scale multiple and simultaneous observations of the atmosphere, hydrosphere, ice caps, biota, and land masses. Space techniques using polar orbiting satellites and space station polar platforms are the sine qua non to accomplish our objectives.

It is evident by now that technology has been and will always be key to new discoveries in space or anywhere else. Space science has not just benefitted from technological developments but has been a puller of technology. The scientist has a need and looks to the engineer to provide him with the means. The resulting new basic discoveries then become part of our store of basic knowledge from which future technologies and applications will evolve—the two are connected and the eventual health of our U.S. technology, which inarguably is necessary to a healthy U.S. economic competitiveness, demands a healthy scientific underpinning. Where does space science fit into the overall scheme of U.S. science?

Space science is a forefront science. By that I mean it involves the making of fundamental new discoveries or significant advances in understanding non-trivial physical processes. Obviously judgments are involved

here and differences of opinion abound about what is significant and what is trivial. One measure among many however, impresses me: where do the young bright students go? Science students are pretty smart—they'll go where the intellectual action is (given reasonable financial return.)

Space science and exploration has historically attracted excellent students and researchers. It excites youth at an early age and is a stimulant to the career choices into science and engineering. It continues to do so but there are strom warnings: the U.S. historically has been a world leader. The rest of the world has progressed rapidly and collectively may pass the U.S.

Should we care? After all, science is universal, and international cooperation is traditional and has paid dividends in terms of more science results than if we were to go it alone. And science results from other free-world nations are available to us.

Mr. Chairman and Members of the Subcommittee: I do care and am worried. I favor international cooperation and healthy open national endeavors from other countries. In structuring future cooperations, however, and in prioritizing our own programs we need to look carefully at how to maintain a strong element of U.S. space science leadership. We need to assess the pace of our programs and to think more about how scientific leadership relates to technological leadership and eventual economic competitiveness. Competition is inherently healthy and stimulating and, because we cannot do everything, we must assess our national strengths and weaknesses and put our resources behind the winners. I believe that U.S. space science has served the country well both intellectually and in bringing about practical applications. Prospects are excellent for continuing to do so. It is gratifying to work with you towards that goal.

INTRODUCTION OF UNITARY TAX LEGISLATION (H.R. 3980) ON BEHALF OF THE ADMINISTRATION

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. DUNCAN. Mr. Speaker, I am introducing today, at the request of the administration, legislation designed to deal with a long-standing issue: the unitary tax.

As of now, I have not had a chance to complete an examination of this bill; therefore, I am in no position to comment specifically with respect to its merits. After I have reviewed it carefully, it may well be that I will be able to endorse the legislation. The reverse, also, might be true. My purpose in introducing the bill today is to get it before the House prior to the close of this session of the Congress. Members will be able to judge it, as I will, after a close look at its provisions.

Generally, the legislation introduced today would: First, prohibit States from imposing a corporate income tax on a worldwide unitary basis; second, limit the ability of States to tax dividends received by U.S. companies from foreign corporations; and third, provide States with Federal assistance in gathering information necessary to

administer their tax laws relating to multinational businesses. The legislation has been prepared in cooperation with the Treasury Department and at the express direction of the President.

Over the past 2 years, the administration has worked closely with States and affected businesses in an attempt to arrive at a voluntary resolution of the unitary tax problem. The Treasury Department organized a worldwide unitary taxation working group which, in 1984, agreed on principles for the voluntary resolution of the unitary issue at the State level. A number of States responded by ceasing to use the worldwide unitary method. Other States have not yet acted.

The absence of voluntary compliance by all States with the working group principles, plus increasing international difficulties caused by continued adherence by a few States to the worldwide unitary method, have combined to cause this Federal legislation.

While leading foreign commerce issues raised by State worldwide unitary taxation would be resolved if States were to agree that they would not impose such a tax on foreign controlled entities, that kind of limited resolution would cause other serious problems. If a "foreign only" solution were adopted, domestically controlled businesses could be disadvantaged. For this main reason: the foreign income of foreign controlled multinationals would not be subject to tax by the States, whereas the foreign income of domestically controlled multinationals would continue to be subject to tax at the State level, either on a worldwide unitary combination basis or when repatriated in the form of dividends. The working group recognized expressly the need for competitive balance for domestic multinationals, foreign multinationals and purely domestic businesses in any resolution of the unitary issue. That principle requires that legislation restricting State worldwide unitary taxation also must address the question of equitable State taxation of foreign source dividends.

This legislation does not require that any specific method of dividend taxation be imposed by the States. Arguments of State fiscal sovereignty strongly indicate that States should have leeway to tailor their own systems of taxing to the extent that they do not cause serious foreign commerce difficulties and do not result in systematic overtaxation and double taxation of U.S. business in contravention of strong Federal policy. The legislation, therefore, provides in broad terms for the equitable taxation of dividends and suggests certain guidelines that States could follow in satisfying that standard. Many States, including a number of former worldwide unitary States, already comply with these guidelines.

I hope the legislation will be scheduled for prompt consideration in the second session of the 99th Congress.

**NORTON, MA, LANCERS SCORE
BIG WIN**

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. FRANK. Mr. Speaker, December 7 was a day to remember for the residents of Norton, MA. The Norton High School Lancers rose to the occasion to win the Eastern Massachusetts State Division 5 Superbowl championship when they defeated the Dorchester High School football team by a score of 25-20.

Head coach Larry Larocque, a member of Norton's first football team, is to be congratulated for putting together an excellent squad that distinguished itself by its tenacity, sportsmanship, and mental toughness. This victory clearly affirms the faith that the Town of Norton has had in its football program.

The following article from the Taunton Daily Gazette tells the story well:

[From the Taunton Daily Gazette, Dec. 9, 1985]

THE LANCERS PREVAIL IN DIVISION 5

LANCERS ENJOY A 'SUPER' SATURDAY—NORTON BATTLES BACK IN 4TH PERIOD TO RALLY PAST THE BEARS, 25-20

(By Ron Lancaster)

BOSTON.—At approximately 12:15 on Saturday afternoon, the years of frustration suffered on the football field by the Lancers of Norton High School were vindicated.

Head coach Larry Larocque's Purple and White, enjoying only their second winning season in their 20-year history, became champions by defeating Dorchester High, 25-20, in the EMASS state Division 5 Super Bowl match-up staged here at Boston University's Nickerson Field.

"Our kids played just super today," an elated Larocque stated after the game. "What really surprised me was how our guys kept their composure throughout the game. They never got down and never gave up on themselves. This is definitely a 'team' win in the true sense of the word."

A contest, pre-game, built up to be a match-up that would feature two of the toughest teams to score on in the division, both teams displaying their hard-hitting style throughout the morning. Add that to the subfreezing temperature at game time and you had the setting for a ball game that would be hampered by turnovers.

In all, the Lancers coughed up the ball a total of three times, all via fumbles while the Bears relinquished control of the pigskin to their foe seven times. Four of those came on fumbles and three by way of interceptions.

"There were a lot of bodies hitting each other pretty hard out there today," noted Larocque. "That, along with the conditions, contributed to the high number of turnovers both teams made."

Linebacker David Shaw and defensive ends Rich Defreitas led in the takeaway department for the Lancers with the former picking off two passes, running one back for a touchdown while the latter recovered two fumbles.

A light covering of snow coupled with a gametime temperature of 30 degrees made the field more like the ice surface at Walter Brown Arena. This gave the Lancers a slight

advantage as they relied on the balance and straight-ahead running of Jim Sicard.

The senior managed to lead all rushers in the half with 36 yards, before an injury forced him to sit out the rest of the game. The Bears meanwhile, who relied on speed and quick cuts, found the field not to their liking and managed a total of only 13 yards in the half.

After shutting down Dorchester on the game's opening series, Norton put together a respectable drive moving the ball all the way down to the Bear 27. However, on a third down play, defensive end Nate Johnson stormed in and dropped quarterback Scott Shambre for a eight yard loss, forcing the locals to surrender the ball.

Late in the opening quarter, Dorchester's Reggie Usher recovered a fumble on the Lancer 26 to give the Bears its first great field position of the day. The Boston District champions ventured as far as the eight yard line, but on fourth down, quarterback Jerome Davis' pass fell incomplete to kill the drive.

The Red and White defense then managed to keep the Lancers deep in their own territory and after forcing the Mayflower League champs to punt, regained possession of the football on the Norton 40.

The Bears went to the halfback option with success as Tony Norman fired a 29-yard strike to Johnson which put them back in scoring distance at the 11. A bad snap dropped them back to the 15, but a Davis-to-Ivan Caesar pass put the ball on the two yard line where they faced a fourth down situation.

Dorchester decided to hand the ball to the usually-reliable Norman, but the Lancers read the play perfectly and led by Bill Burgess, dropped the senior back for a yard loss and once again prevented them from scoring.

Norton turned the game's first big break into a score with some three-and-a-half minutes to play in the first half.

Davis went back to pass and after getting some pressure from the Lancer line, underthrew the ball right into the arms of Shaw. The Lancer linebacker moved left and sped down the sideline and into the endzone untouched for the game's first score. Steve Peck added the extra point and that would prove to be all of the scoring that would be done in the first half.

The second half saw the temperature rise a bit, allowing the field to thaw out. It also saw a rejuvenated Bear team take the field and dominate the entire third period, scoring 14 points to vault into the lead.

It started on the opening series, with the Red and White traveling 60 yards in just three plays for their first points of the game. After two runs netted a total of six yards, Davis rolled left on a keeper and rambled down the field all the way to the endzone to make it 7-8. The Bears tried for a two-point conversion, but Davis' pass was knocked down by defensive back Steve Nuttall to keep the Lancers out in front.

The Lancers gave the ball right back to their foe as Johnson recovered a fumble at the Lancer 22. Once again, the Bears would nearly travel the distance. They got as close as the four yard line, but on a crucial fourth down situation, the Norton defense came up with the big play to keep them out of the endzone. This time, on an attempted reverse to Derek Wright, Shaw came up and hampered him for a two-yard loss.

However, another fumble recovery by Jason Randall later in the period, put the Red and White back into scoring position at

Norton's 27. This time the Bears would not be denied. It took four plays and a little bit of luck, but they were able to reach the endzone and take the lead.

The drive's first play saw Norman gain five yards and also saw Norton's Sicard leave the game on a stretcher (it was reported after the game that he suffered a hip pointer, with a possible bruised kidney).

Then, from the six, Norman ran left fumbled, but Caesar pounded on the ball in the endzone for the touchdown. Davis rushed in the two point conversion to put Dorchester out on top 14-7 and it stayed that way through period three.

The next 11 minutes would be a living nightmare for the Bears and their faithful. It seemed that the Boston District champ wanted to give their Mayflower League counterpart every opportunity to stage a comeback.

It started on the period's opening play, when Caesar, after catching a pass, coughed up the ball and Defreitas fell on the pigskin at the Bear 48. Norton could not move the ball and was forced to punt, but got the ball back when Davis pitched the ball to no one and Dave Rich came up with the recovery.

Still the Purple and Gold could not move the ball and was forced to punt it away again. This time however, the Lancers got down the field and forced the punt returner to fumble, with Chris Gaddy recovering on the Bears' 12 yard line.

Two plays later, Shambre borrowed a play from the Steve Grogan bag of tricks, by faking a handoff, bootlegging left and rambling eight yards for the touchdown. But, a bad snap from center made the usually automatic Peck miss and kept the Bears on top, 14-13.

Now it was time for the Lancer defense to rise to the occasion and they did so getting the ball back into the offense's hands. Led by two fine plays by Rich and John Finch, Dorchester's three plays netted a loss of three yards and forced the Bears to punt. That exchange left the Lancers the ball on their own 38.

A five yard penalty was negated by a seven yard run by Shaw, putting the ball at the 40. Then came surprise play No. 2 from Shambre.

The senior signal-caller took off on a quarterback draw and after breaking several would-be tackles, found his way into the clear before turning on the afterburners. He streaked 60 yards for the score to stake Norton to a 19-14 advantage with just over four minutes left to play.

TRAGEDY IN NEWFOUNDLAND

HON. HAROLD E. FORD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. FORD of Tennessee. Mr. Speaker, the 248 men and women of the 101st Airborne Division who were lost tragically in Gander, Newfoundland, had just finished 6 months of peacekeeping as part of the Multinational Force in the Sinai Desert. They contributed greatly toward maintaining the peace, a thankless job in a faraway land. The 101st represented their country admirably.

Words cannot express the deep grief I feel about this loss of life, particularly

during the holiday season. These men and women were on their way home to spend a special time with loved ones. They never had a chance to defend themselves, their fate sealed when they stepped on that charter plane. I only hope the families can take some solace in the fact that all Americans grieve with them. Their sadness is shared by all of us.

Out of this tragedy, we should start thinking about how to prevent similar disasters in the future. There is no reason for our service people to be traveling on inferior aircrafts. While it may be cheaper to move military personnel on charter flights, we have learned too late that it is safety, and not price, that must remain the bottom line when the Pentagon plans future troop movements.

ANOTHER TEST OF TRUTH FOR THE ARMY

HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. LEVINE of California. Mr. Speaker, for the last 3 years, I have attempted to get the Pentagon to conduct realistic live-fire tests on the Bradley fighting vehicle. I have been concerned about whether the Bradley could, under actual battlefield conditions, perform the tasks which the Army has used to justify the program.

The Bradley results are in, although the jury is still out as to whether the tests were accurate and meaningful.

In an editorial entitled "Another Test of Truth for the Army," the New York Times provides an exceptionally insightful summary of the situation.

I commend this editorial to the attention of my colleagues and ask that it be printed in the RECORD.

ANOTHER TEST OF TRUTH FOR THE ARMY

Another major weapons program seems to be in serious technical trouble. It's the Army's \$13 billion program to buy an armored troop carrier known as the Bradley Fighting Vehicle. With almost 2,000 Bradleys already produced, the Army has discovered they are extremely flammable when hit by a standard Soviet antitank round.

An armored truck is a good way to transport infantry to a battle zone. But the Army wanted much more than a battle taxi. It intended the Bradley to go right into battle, fighting and shooting alongside its new M-1 tank. So it put on a roof, and a gun turret on the roof, and a missile launcher to back up the gun. Combined effect: A rolling fortress that costs \$1.6 million and is so crammed with ammunition and equipment it holds only seven riflemen.

Even before the Bradley went into production, critics worried that it would be a mobile powder keg. They noted that its fuel tanks and ammunition are located in and around the tightly packed occupants. Also, its armor is made of aluminum, which, when hit, creates explosive vapor and hazardous fragments inside.

The Army ignored these warnings. It refused even to conduct a realistic test of the Bradley by firing live Soviet ammunition at

a combat-laden vehicle. When required to do so last year by an Air Force colonel in the Pentagon's testing program, it rigged the test to avoid discovering how flammable the Bradley is. The colonel said shots were changed from agreed positions to "the only possible entry point where the shaped charge would not penetrate stowed ammunition containers" and the test dummies and their sleeping bags "were watered down with a hose to prevent any fires." The colonel was notified he would be posted to Alaska.

Sickened by the Army's behavior, Representatives Mel Levine of California and Denny Smith of Oregon won an amendment requiring that the Bradley be tested realistically. Last week Lieut. Gen. Louis Wagner announced the Army's interpretation of the tests, but not the results.

He said the critics had been proved wrong but that half a billion dollars' worth of safety improvements would be made. That sounds like the critics had a point. Some say the results are even more damning—so serious that the Army has decided to keep the Bradley off the battlefield.

"It would be a pretty dumb commander who would . . . have his Bradleys right behind his tanks." That's what Maj. Gen. John Foss, the Army's chief of infantry, now says. But the Bradley was sold to Congress on just that premise. "The Army feels rather strongly there is an urgent requirement for [Bradley] Fighting Vehicles to fight side by side with the XM-1 tank," Brig. Gen. Stan Sheridan told Congress in 1978.

If the Bradley is now to be just a battle taxi, it doesn't need to cost \$1.6 million. An armored truck, costing \$100,000, would do the job just as well—in fact much better. Closed vehicles intensify blast, fire and injury when hit by shaped charges or mines, and they can't be easily evacuated. The Bradley is half battle taxi, half light tank, a hybrid inadequate in either role.

Like the inadequate Sergeant York gun, which Secretary Weinberger canceled in August, the Bradley should never have gotten so far into production. As with the Sergeant York, realistic tests, honestly conducted, would have stopped it cold. When will the Army learn? A habit of evading the truth guarantees disaster in battle.

A MOST TRAGIC LOSS

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. GAYDOS. Mr. Speaker, today in this Chamber we, the House, adopted a resolution expressing our sorrow at the tragic loss of those members of the 101st Air Assault Division who died while returning home from their duty stations in the Middle East.

This resolution expresses the sorrow not only of the Congress, but also that of the American people and their condolences to the families of those soldiers who were returning home from their tour of peacekeeping duty in the Sinai Peninsula where, as part of the multinational force and observers, under the constant threat of terrorist attacks, they labored to insure peace for the peoples of Israel and Egypt.

One of the young people who died in that tragic crash on December 12 after taking off from Gander International Airport in Newfoundland, Canada, was Sgt. Peter Schremp, whose family lives in my congressional district.

To Mrs. Schremp, David, Lisa, and the family and friends of Sgt. Peter Schremp, I extend my condolences, those of my colleagues, and, through this resolution passed by the Congress, those of the American people.

Normally, the death of a loved one is a private affair, a time when family and friends gather together to comfort and strengthen one another.

But, a tragedy of the magnitude which claimed the life of Sergeant Schremp and the more than 200 of his comrades in arms knows no such boundary. At such a time, all America grieves.

Yet no one has the words to ease your pain; no one has the means to fill the void that has suddenly occurred in your lives.

And, the anxiety you feel comes at a time when most of the world is preparing to observe the most joyous of seasons—Christmas—and the birth of Christ.

However, it is through His birth that Christians find the words, find the means, and find the faith that sustains them through any crisis, including the death of a loved one.

"I am the resurrection and the life," Christ said, "he who believes in me though he die, yet shall he live and whoever lives and believes in me shall never die."

Sergeant Schremp died serving his country; he lives again serving his God.

CONGRESSIONAL SALUTE TO RABBI DR. EUGENE MARKOVITZ IN COMMEMORATION OF THE 50TH ANNIVERSARY OF OUTSTANDING SERVICE TO THE JEWISH COMMUNITY OF CLIFTON, NJ

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. ROE. Mr. Speaker, on Saturday, January 11, 1986, residents of the city of Clifton, my congressional district and State of New Jersey will join with the Jewish community and congregation of the Clifton Jewish Center in testimony to the most distinguished Rabbi Dr. Eugene Markovitz in commemoration of the 35th anniversary of his outstanding service as the spiritual leader of this most prestigious synagogue center. I know that you and our colleagues here in the Congress will want to join with me in extending our warmest greetings and felicitations to Dr. Markovitz, his good wife Klara, daughters: Rachel Lea and husband Sandford Lurie; Geraldine and husband Cantor Morris Wolk; Heidi Markovitz and husband Steven Stern; and Susan Barbara and husband Brett Walver; son Raphael Sam; and grandchildren: Michael Stefan Wolk; Stephanie Marie and Morgan Stern;

Calanit and Margaret Sarah Walver on this most joyous occasion and join with his family in great pride of his lifetime of achievement in devotion and dedication to the Jewish community and to all of our people.

Mr. Speaker, Dr. Eugene Markovitz has served with distinction in promulgating, enhancing, and preserving the richness of the Hebrew religious and cultural heritage re-echoing to the spiritual and moral integrity of those of his religious belief as well as materially contributing to the ecumenical spirit of brotherhood, the truth of knowledge, and cultural enrichment of all of our people.

Rabbi Markovitz was ordained at Rabbi Isaac Elcanan Theological Seminary in 1946. He received his B.A. degree from Yeshiva University, his M.A. degree from the University of New Hampshire, and his doctorate from the Bernard Revel Graduate School of Yeshiva University. He also received a postmaster's degree in gerontological practice from Wurzeiler School of Social Work. His advanced degrees in education were acquired in history and political science with American and American-Jewish history as specialties.

As an author and educator, he has earned the highest respect and esteem of all of us. Rabbi Markovitz has served as instructor in American history at Fairleigh Dickinson University and is adjunct professor in history at Seton Hall University. The thesis he advanced as a candidate for his academic degree is entitled, "Henry Pereira Mendes, Architect of Modern Orthodox Judaism in America." Among his many scholarly papers which have been published in national periodicals, we are especially proud of his publications entitled, "The American-Jewish Historical Quarterly," "Jewish Life," and the "Jewish Experience in America" edited by Abraham J. Karp, five volumes.

A gifted speaker, he has lectured before a variety of synagogue centers as well as non-Jewish groups in the field of American-Jewish history as well as current Jewish problems. He has read scholarly papers before the American Jewish Historical Society of Rhode Island, the American Jewish Historical Society and many other prominent institutions of learning and higher education.

Mr. Speaker, there is so much that can be said about Rabbi Markovitz as an ordained spiritual leader and his outstanding record of service to his congregational families, to the entire Jewish people, to Israel, and to the larger community. He served as rabbi at Temple Israel, Dover, NH, for 3 years and has been with the Clifton Jewish Center since September 1949. As a member of Rabbinical Council of America, he has served on many of its committees including: the Israel Commission, Family Life Commission as well as college youth. As a member of the Rabbinic Alumni of Yeshiva University, he has served as vice president and currently as treasurer. He served as chairman of Special Conference on College Youth and is a member of New York Board of Rabbis.

During the three decades-plus that Rabbi Dr. Eugene Markovitz has been with the Clifton Jewish Center he has guided its growth increasing its stature as a fledgling congregation to a strong, unified and prestigious congregation. Two building campaigns during his tenure saw the center's development from a modest edifice at its present site to an imposing beautiful building housing every conceivable Jewish and communal activity.

Dr. Markovitz has been a staunch supporter and active participant in many civic and community programs and we applaud his leadership endeavors in the vanguard of service to people's needs. He is senior chaplain of the police and fire departments in Clifton. He served as a member of the juvenile conference committee and is a founding member and former president of the Family Mental Health Clinic, Clifton. He is a member, human relations commission, the social studies commission for planning sex education for the school system in Clifton, the board of directors of the Senior Citizens Housing Corp., of Clifton, served as vice chairman of the bicentennial commission for the city of Clifton and is a member of the Historical Commission of Clifton.

Mr. Speaker, with the deepest respect and admiration for the honoree, it is a pleasure to call to the attention of you and our colleagues this gala celebration that is taking place in my congressional district in testimony to the good works of Dr. Markovitz whose richness of wisdom and quality leadership have immeasurably contributed to the spiritual, cultural and educational endeavors of our community, State, and Nation. In commemoration of his 35th anniversary as a distinguished spiritual adviser with the Clifton Jewish Center, we do indeed salute a good friend, outstanding community leader, distinguished rabbi and great American—Rabbi Dr. Eugene Markovitz of Clifton, NJ.

REDUCING THE FEDERAL DEFICIT

HON. THOMAS J. MANTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. MANTON. Mr. Speaker, when President Reagan took office in 1981, the annual Federal deficit was \$78 billion. The deficit for fiscal year 1985 which just ended was a whopping \$211.9 billion, up from \$185 billion last year. The total Federal debt of almost \$2 trillion has more than doubled from \$914 billion in 1981. The 1985 Federal deficit is larger than the entire Federal budget was just 14 years ago. This uncontrolled growth in the Federal deficit is a serious threat to the continued economic health of this nation.

On December 11, after months of negotiations, Congress approved legislation that is designed to bring our serious deficit crisis under control. The balanced budget measure signed into law by the President

establishes maximum allowable deficits declining by \$36 billion each year to reach zero by 1991. If the President and the Congress fail to enact a budget that meets the annual deficit targets, the bill requires automatic across the board spending cuts to reach the deficit goal.

I strongly opposed the original version of the Gramm-Rudman proposal passed by the Senate in October. Under that legislation, the President would have been given broad discretionary power to rework congressional spending priorities, dismantle vital domestic programs, and shield the Defense Department from its fair share of cuts.

The final compromise version of the balanced budget measure passed by Congress closely resembles the first Democratic alternative to Gramm-Rudman overwhelmingly approved by the House in a number of important areas.

First, like the Democratic alternative, the compromise bill requires that one-half of any automatic cuts come from defense programs. Second, the measure exempts the following important domestic programs from future automatic cuts: Social Security cost-of-living adjustments; Medicaid; Aid to Families with Dependent Children; Child Nutrition; Food Stamps; Supplemental Security Income; Veterans' Pensions; Veterans' Compensation; and the special supplemental food program for women, infants, and children. Finally, the agreement requires that any automatic cuts must be uniform and across the board. The measure specifically states that it is not intended to give the President any authority to alter budget priorities established by Congress.

Mr. Speaker, I voted for the final compromise version of the balanced budget measure because I believe we must take immediate action to reduce the Federal deficit.

These huge deficits have forced massive borrowing by the Federal Government. As a result, real interest rates have remained far too high, restricting the ability of businesses to expand, modernize, and create jobs. These high interest rates have also contributed to a dramatic decline in homeownership. In addition, high real interest rates have resulted in an extraordinary increase in the value of the U.S. dollar on foreign exchange markets. The overvalued dollar is the primary cause of last year's recordbreaking \$123 billion trade deficit which cost approximately 2.5 million Americans their jobs.

Furthermore, interest payments on the Federal debt have risen dramatically over the past several years due to growing deficits. In fiscal year 1986, interest payments on the Federal debt will cost \$142 billion, or 15 percent of the entire Federal budget. Barring action on the Federal deficit, interest payments are expected to rise 77 percent between 1985 and 1990, making it the fastest growing item in the Federal budget. These rising interest payments mean fewer Federal dollars are available to fund important domestic programs.

Mr. Speaker, the growing Federal deficit is one of the most serious economic issues

facing the Nation. Failing to address the deficit crisis could result in an economic catastrophe that would cost millions of American jobs and impact each and every Federal program. I believe that the threat of automatic budget cuts will force President Reagan and the Congress to take action to reduce the Federal deficit.

One way to meet these reductions is to bring runaway defense spending under control. I believe in a strong national defense. But defense spending must be based on a sound and consistent policy aimed at assuring our military readiness while modernizing vital strategic forces. Nevertheless, despite the largest ever peacetime increase in defense spending, there are serious questions pertaining to our military readiness. Furthermore, the administration has failed to effectively prioritize our defense needs while allowing defense contractors to waste taxpayers' dollars. We cannot afford to throw billions of dollars at wasteful and needless weapons systems like the MX missile. Nor can we afford to pay contractors \$7,000 for a coffee pot or \$600 for a toilet seat.

However, another way for Congress to reach the deficit targets established by the balanced budget measure is to provide for revenue enhancement along with reductions in defense spending. In that regard, I support a tough minimum tax on profitable corporations and wealthy individuals that have escaped paying their fair share of taxes over the past several years.

Over the past several years, the Federal tax burden has dramatically shifted from the wealthy and corporations to the middle class. In the 1960's when the economy grew at record levels, corporate taxes accounted for 25 percent of Federal revenues. Last year corporate taxes financed just 8.8 percent of Government spending. As a percentage of GNP, corporate income taxes fell from 4.3 percent in 1960 to 1.6 percent in 1984.

Between 1981 and 1984, almost half of the Nation's 275 most profitable companies paid no taxes at all or actually received cash rebates from the Treasury for at least 1 year. In fact, 50 major U.S. corporations not only paid no income taxes from 1981 to 1984, but actually received \$2.4 billion in tax refunds even though they made \$57 billion in profits during that period. In order to reduce the Federal deficit, these profitable corporations must be required to pay their fair share of taxes. If the Congress will close tax loopholes for wealthy corporations and individuals, and bring defense spending to a more realistic level, the Federal Government will not be forced to cut important domestic programs.

Mr. Speaker, I will continue to work closely with my colleagues to develop a realistic and compassionate Federal budget that brings the deficit under control without imposing unfair cuts on important safety net programs. The Nation's elderly and less fortunate are not responsible for our existing deficit crisis, and they should not be forced to bear the brunt of further budget cuts.

The President and the Congress have an opportunity and a duty to make meaningful reductions in the Federal deficit without resorting to automatic budget cuts. We must take advantage of this opportunity.

THE AMERICAN INSTITUTE FOR
FREE LABOR SPEAKS THE
TRUTH ABOUT THE SANDINIS-
TAS

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. BROOMFIELD. Mr. Speaker, I commend Mr. William C. Doherty of the American Institute for Free Labor Development [AIFLD] for his frank comments on what the Sandinistas are doing to freedom in Nicaragua. I salute Mr. Doherty for his deep commitment to the development and promotion of free labor in Central America.

In a recent Washington Times article, Mr. Doherty noted that the Sandinista regime has co-opted the revolution and has completely oppressed the people of that poor country. The original goals and democratic orientation of the Sandinista revolution are gone. The Communists in that revolution pushed out the real democrats after the Sandinistas came to power. Those true democrats who backed the Sandinista revolution are now with the Contras and other democratic groups actively opposing the Sandinista government. It is clear that the early revolution was betrayed.

What do the Sandinistas think about a free labor movement? After coming to power, they expelled all AIFLD personnel from that country. The Communist junta then proceeded to take over the entire labor movement. They ordered all workers to become members of a government-sponsored union. Those who refused to join that government union have reportedly been harassed, and others imprisoned.

All of us know of the fine work of AIFLD. It was founded in 1962 with the goal of training and developing Central American labor union leaders. Also included in AIFLD's efforts are the development of labor-related programs and community improvement efforts. That organization supports the concept of letting workers organize freely. AIFLD supports the international free trade union movement, and has promoted its growth. Much progress has been made in Central American countries. In El Salvador, progress in free trade union development has been particularly noteworthy. Unlike the Sandinistas, the Duarte government in El Salvador has welcomed free union development in that country.

I believe that the evidence is abundant. The Sandinistas in every respect are consolidating their Communist revolution in nearby Central America. By any standard, Nicaragua is becoming another Cuba. It is ready, willing, and able to deprive its people of human rights as it undermines

neighboring governments and U.S. interests in the region.

With these concerns in mind, I commend the following Washington Times article to my colleagues in the House:

[From the Washington Times, Dec. 16, 1985]

AFL-CIO LEADER HITS SANDINISTA ABUSES

(By Tom Diaz)

Nicaragua's Marxist Sandinista regime is worse than the dictatorship it replaced, says the head of the AFL-CIO's operating arm in Central America.

"The Sandinista dictatorship is even worse than the [Anastasio] Somoza dictatorship," William C. Doherty, executive director of the American Institute for Free Labor Development [AIFLD], said in an interview.

"Slowly but surely . . . day by day the Sandinistas are closing down what few freedoms remain," he said.

Mr. Doherty, who has been active in labor union organizing in Central America for more than 30 years, said he gives the Sandinista regime a grade of "F," compared to a "high C or B" for the Christian Democrat government of Jose Napoleon Duarte in El Salvador.

"Somoza was a bad guy . . . no question about that," Mr. Doherty said of the ruler who was toppled in 1979 by a broad-based revolution and later assassinated in Paraguay by a Sandinista death squad. "He was a selfish, gluttonous and evil person. He denied democracy to his people. There was good reason to have a Sandinista revolution."

But, he said, Marxist-Leninist elements in the Sandinista directorate that now rules the country co-opted the revolution and "completely oppressed the people."

"The majority of the people who were in that revolution were democrats, they believed in democracy," Mr. Doherty said.

Now, he said, "There are more Sandinistas, the true Sandinistas, fighting in the freedom forces than there are in the Sandinista militia. . . . Most of the people who fought in the mountains against Somoza are back in the mountains, fighting against the new Somoza."

The AIFLD, founded in 1962, trains central American labor union leader and works with them in developing labor-related programs, such as community development and credit projects.

The organization, and its officials, from time to time have been thrown out of Central American countries by both right- and left-wing governments offended by its activities.

The Sandinista government expelled AIFLD in 1980, even though the organization worked with labor unions oppressed by then-dictator Somoza.

"We're against fascism . . . and we're very much against communism or any other form of 'ism' that deprives workers of their rights to associate freely," Mr. Doherty said.

The AFL-CIO—which is the parent of the AIFLD—adopted a resolution at its biennial convention in October that asked the international free trade union movement to "condemn the Sandinista regime's violations of trade union rights" and compared Sandinista treatment of labor unions to "Fidel Castro's subjugation of Cuba's trade union movement."

The resolution also condemned "the Nicaraguan government's censorship of the media, its establishment of 'block commit-

tees' to enforce political conformity, its massive military buildup, its alignment with Soviet foreign policy, and other activities leading to the consolidation of totalitarian power."

Mr. Doherty said that "within 24 hours of coming into power" the Sandinista government "did what all communists do."

"They took over the whole labor movement and said, now all workers will by order of the government be a member of a government-sponsored union," he said. "Typical communism, in the same way there are no unions in the Soviet Union. They're appendages of the state . . . apparatus."

Mr. Doherty said in recent months the Sandinista government increased pressure on labor organizations and workers who refused to join the official state unions.

"There are hundreds of workers in jail today, the only accusation against them being that they have been disloyal because they're members of free trade unions," he said. "They have been tortured, they have been beaten, their human rights have been totally violated."

On the subject of El Salvador, Mr. Doherty said the country has "evolved into a legitimate, true democracy" led by a popular president, Mr. Duarte.

"The people have spoken and elected their leader," he said. "He continues to try to improve the economic and social conditions of his people and guarantee them liberty, while fighting a full scale civil war which is supported by Nicaragua, Cuba, and the Soviet Union."

He said the "right-wing death squads have been mostly eliminated" in El Salvador and "terrorism in 1985 is coming from the left . . . the communists."

"Labor leaders . . . have to travel with bodyguards and security protection [because of] . . . threats and almost daily signs that the communists would like to knock them off," Mr. Doherty said.

He said the communists are "making new attempts" to take over the Salvadoran trade movement" to "strike politically against the Duarte regime."

Although he generally praised the Duarte government, Mr. Doherty said the country still has a "totally corrupt" judicial system.

Two AIFLD workers—Michael Hammer and Mark Pearlman—were gunned down in a San Salvador coffee shop in January 1981. Mr. Doherty blamed judicial corruption for the country's failure to bring to justice military officers he said are responsible for the slayings.

"The judges are either intimidated by the oligarchy or bought off by them," he said. "That's why no Army officers have ever been convicted."

The labor leader said the United States should continue the Reagan administration's policy of giving aid to El Salvador conditioned on continued progress in human rights and representative government.

He said he opposed a military solution in Nicaragua and called for a world-wide economic and political boycott of Nicaragua.

"If the Sandinistas were revealed to be the pariah that they are . . . the government would fall and you wouldn't have to have any type of outside armed intervention," he said.

Mr. Doherty said the Sandinistas have an effective propaganda organization, and that "some well-intentioned but misguided religious groups in this country," along with a "very strict minority" in the labor movement have been used by the Sandinista regime to promote its cause.

The record of the government in Guatemala still is under study, he said. But the country has made enough progress in its recent election of Christian Democrat Vinicio Cerezo to merit U.S. aid if the president-elect actually is installed, he said.

WATCH ON SURINAME

HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 18, 1985

Mr. COURTER. Mr. Speaker, Libya is an African country of modest size and only 3 million people, but its reigning dictator has used oil money surpluses and Soviet bloc support to build international networks of global proportions. Sponsorship of international terrorists and the provision of military training to citizens and armies of the Third World are Colonel Qadhafi's two specialties.

The colonel may now be reaching across the Atlantic into the small coastal country of Suriname, according to reports of recent months. The reigning dictator in former Dutch Guiana is a pro-Castro military officer like Qadhafi; his name is Lt. Col. Desi Bouterse. In spite of continuing and generous Dutch assistance—\$100 million a year until 1990, according to Jack Anderson—Bouterse is apparently incapable of carrying on without other aid, and has recently been promised \$100 million by Qadhafi.

According to Michael van Notten, a consultant to a Surinamese opposition party based in Holland, money is only part of a Libyan package for the Governor of Suriname. He states that there are 243 Libyans in the country, some of whom are training troops and others who may be training non-Surinamese guerrillas. The United States State Department is aware of 14 Surinamese training in Libya at present, though for unknown purposes.

While these charges are extremely important, none of them is very surprising. We all recall the varied internationalist mix of Eastern Europeans, Cubans, Soviets, North Koreans, and so forth, present in Grenada when that Caribbean country was ruled by Marxist-Leninists. Colonel Qadhafi has been involved with radical movements and guerrilla and terrorist organizations in Central America, and once praised the revolutionaries there "who are going to follow the Vietnamese and Nicaraguan precedents and destroy the bases of U.S. fascism." The President of Costa Rica has complained of both Libyan and PLO interference in his democratic country. Qadhafi's relations with the Sandinistas are particularly warm, and have been the subject of a State Department study of last August; they include weapons transfers to Nicaragua.

The recent reports about Suriname thus deserve to be taken with gravity. Allow me to introduce into today's RECORD two articles detailing some of them in order that my colleagues will notice this quiet geopolitical change. The first is by the columnist Jack Anderson, as carried by the Washington Post. The second was an exclusive

report by Vicki Rivera of the Washington Times.

The articles follow:

[From the Washington Post, Dec. 2, 1985]

SURINAME BECOMING ANOTHER CUBA

(By Jack Anderson and Dale Van Atta)

Suriname is developing into another Cuba-style dictatorship in the Western Hemisphere. Marxist strongman Desi Bouterse, desperate for cash to keep his repressive regime afloat, has turned to two tainted sources of money: Libya's dictator and Colombia's drug dealers. But he's learning that there's no free lunch in foreign aid.

When the Netherlands granted its South American colony independence in 1975, the Dutch promised \$100 million a year in aid until 1990. The stipend continued even after Bouterse's military coup in 1980 and his growing leftward tilt.

Bouterse cultivated and modeled himself after Maurice Bishop, then the Marxist prime minister of Grenada. At Bishop's suggestion, Bouterse succumbed to Fidel Castro's overtures and welcomed a Cuban ambassador to Paramaribo in September 1982.

Cuban aid soon followed, as did the quid pro quo, dozens of Cubans arrived in Suriname to assist Bouterse in setting up a Marxist dictatorship—which would be under Castro's control. The Cubans trained Bouterse's bodyguards, and even acted in that capacity themselves. Surinamese officials were sent to Cuba for indoctrination.

Both the Dutch and U.S. governments (the United States was also sending Suriname some modest aid) grew increasingly uneasy at the blossoming Bouterse-Castro relationship. In December 1982, when Bouterse rounded up and executed 15 opposition leaders, Dutch and American aid was cut off.

Castro, himself dependent on Moscow gold to bolster the shaky Cuban economy and his foreign adventures, proved slow in providing the money he had promised Bouterse. So, according to our CIA sources, the Surinamese dictator accepted the offer of a loan from Colombian marijuana and cocaine traffickers.

Meanwhile, Brazil, which borders Suriname on the south, woke up to the danger of this Castro foothold and sent a military force across the border in April 1983. Literally under the gun, Bouterse agreed to decrease the Cuban presence in his country in return for a \$300 million aid deal with Brazil.

Bouterse dragged his feet on the bargain, until Bishop was deposed and murdered by Cuban-backed Grenadan Marxists. Blaming Castro for the death of his friend and mentor, and fearing for his own neck after the U.S.-led invasion of Grenada, Bouterse sent his Cuban advisers packing. Though he had previously claimed that there were only 15 Cubans in Suriname, about 100 were kicked out (leaving only eight, according to our sources).

This left Bouterse with nothing but his own poverty-stricken populace and the Brazilians to support his dictatorship. He needed more money, and gratefully accepted a promise of \$100 million from Libyan dictator Muammar Qaddafi.

What does Qaddafi expect for his money? Our sources say he hopes to expand his influence in South America. He also wants Surinamese passports for Libyan assassination squads, and hopes to supply them to his Palestinian terrorist sidekicks as well.

[From the Washington Times, Oct. 24, 1985]

LIBYA REPORTED DRILLING TERRORISTS IN SURINAME

(By Vicki Rivera)

In return for the promise of \$100 million in badly needed aid, Suriname strongman Desi Bouterse is permitting Libya to train terrorists in his country to use against other Caribbean nations, according to a Dutch political analyst.

With the cutoff of Dutch aid after the 1982 execution of 15 prominent opposition leaders and the falloff in revenues from bauxite, the main export commodity of Suriname, Bouterse's regime is desperate for cash, said Michael van Notten, a consultant to the Council for the Liberation of Suriname, based in the Netherlands.

Mr. van Notten was to accompany a delegation of Surinamese resistance leaders in exile on a visit to Washington, but the members of the delegation were apparently intimidated after seeing some of Mr. Bouterse's men in New York and decided to return to the Netherlands.

Mr. Bouterse, a former sergeant who took power in a 1980 coup, addressed the U.N. General Assembly in New York on Tuesday.

The agreement between Libya and Suriname was reached in February, Mr. van Notten said, and a Libyan's People Bureau was set up in July. A total of 243 Libyans are now reported to be in Suriname, 30 of whom came from neighboring Guyana, where they were believed to have conducted training in subservice activities, and 50 from Chad.

However, the State Department said it had no information to verify what it characterized as "rumors" of Libyan activities in Suriname.

"The Surinamese government is well aware of our concern about the development of relations with Libya," a State Department official said. "We made a point of saying that we don't want to see Libya using Suriname as a base of operations. They appear to be taking our concerns into consideration."

"The Libyans had learned to speak the local language, so they obviously planned a long stay," Mr. van Notten said.

About 40 Libyans are training Surinamese troops in the main airport, and another 200 set up a military camp in the midwestern part of the country where they are reported to be training non-Surinamese, he said.

"Most likely they are training rebels from [neighboring] French Guiana who are opposed to French rule. We also assume they're in contact with the independence movement in Guadeloupe."

A number of terrorist bombings have occurred in Guadeloupe in the past year.

The Libyans have established contacts with sympathizers in Aruba and Curacao and are believed to be building up a network that would use Aruba (an island off the Venezuelan coast) as a springboard from which to launch operations in Venezuela and Colombia, Mr. van Notten said.

EXTENSIONS OF REMARKS

A BULLISH PERSPECTIVE ON THE ECONOMY

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. KEMP. Mr. Speaker, the critics of Reaganomics are confused and in disarray. Despite their dire warnings of economic catastrophe, the U.S. economy keeps growing, generates record new jobs, and reaches closer to full employment without inflation. Tax rate reductions have begun a sea change in economic thinking about incentives and economic growth—a change in thought as sweeping as in 1932.

In a recent speech, William F. Gorog, president of the Magazine Publishers Association, has contributed to this revolution in economic thinking. His speech not only reviews the strength of this recovery, but he also punctures some common myths about jobs, interest rates, and deficits. My colleagues will be interested in Mr. Gorog's predictions of 5 to 5½ percent economic growth next year, and will find persuasive his reasons for optimism.

Bill Gorog's speech is an insightful, lucid, and intelligent look at today's economy, and I insert it into the RECORD for the attention of my colleagues and others.

REMARKS OF WILLIAM F. GOROG, PRESIDENT, MAGAZINE PUBLISHERS ASSOCIATION BEFORE THE 1985 AMERICAN MAGAZINE CONFERENCE

THE MAGAZINE INDUSTRY IN 1986 AND BEYOND

Several months ago, two of our board members suggested that it might be valuable for me to devote my time at this magazine conference to a forecast for the magazine industry for the year 1986. It brought to mind a comment that I frequently hear from my friends in Washington concerning the need for economists to cloak themselves in Heller's law—which simply stated is, "Never put a forecast and a date in the same sentence".

I find myself trapped in this instance by the title of the speech and will be forced to look at the specific time frame of 1986 but first will spend some time trying to analyze the confusing factors that must be considered before we can say that 1986 will be rare, medium, or well-done for the magazine industry.

It is apparent from recent published articles that the state of the art of economic forecasting is in total disarray. To show you what I mean, let's examine what we have read over the last few years concerning federal deficits, strength of the U.S. dollar, debtor nation status, and the problem of our international trade imbalance. We have been hearing doom and gloom for over three years on all of these subjects, and yet as my friend, Sid Jones, Under Secretary for Economic Affairs at Commerce said recently, "The U.S. economy appears to be running on an empty tank and has been doing so for three years—but without any impairment".

Let's first look at the issue of the deficit. Our leading prognosticators, both inside of the administration and out, stridently told us that huge government deficits would cause an inflation crowding-out, high interest rates, lack of funds for private capital investment and high unemployment. What in truth has happened? Inflation is now down

December 19, 1985

to the lowest point since 1972, crowding-out has not happened—apparently because of the massive influx of foreign investment, interest rates have dropped, and the unemployment rate, rather than rising, has been falling. All of which is unexplainable in normal economic terms.

We have also read a great deal about the problems of the U.S. dollar. Everyone wants to bring its value down and no one quite seems to understand why it's staying up. At one point we were told that the dollar was strong because of high inflation and high interest rates, sucking investment dollars from the rest of the world to the United States for treasuries and other commercial paper.

Strangely enough, when inflation rates went down and treasury rates went down accordingly, the dollar ascended to an all-time high, blowing that theory of why the dollar is overvalued. It's interesting to point out that many of these analysts seem to adapt their theories to the current situation, because there was a time when the strength of the dollar was based on sound U.S. fiscal and monetary practices, low inflation rate, and high GNP growth—the reverse of the explanation that is now being given for the same situation.

Let's look for a moment at the confusion picture concerning the U.S. trade imbalance. Again many analysts tell us that we're on the verge of absolute disaster because of the trade deficit. The imbalance should be pulling massive numbers of manufacturing jobs out of the United States creating high unemployment. A short trip through history, however, points at some unusual statistics. Our worst unemployment picture in history was during the great depression of the '30's when we had a relatively high trade surplus and the dollar was very competitively positioned. The largest trade deficit in history occurred in recent months and interestingly enough, unemployment has gone down. We have actually added nine million new jobs since 1979. In the same time period Japan added three million and Europe lost one million. In August of this year, the total number of manufacturing jobs rebounded in a major way.

Let's talk for a moment about our debtor nation status. Columns have been filled with the story of our sudden shift not only to a debtor nation status but they also predicted that we will shortly become the biggest debtor nation in the world—with the insinuation that the United States has suddenly become a banana republic with credit stature similar to many of the lesser developed nations. But what do those numbers really mean? The numbers reflect what foreigners have invested in the United States, and what we have invested overseas—in plant, equipment and properly as well as in commercial paper. Part of the underlying story, however, hasn't been told. Most major capital investments on the part of U.S. companies overseas were made several decades ago. These numbers represent our book value dollar investments made 10, 20 or 30 years ago. It's interesting to note that the major foreign investment in the United States has taken place in the last 10 years, with the bulk of the investment in the last 6. Which means on the basis of calculating value, what's carried at book two or three decades ago does not reflect the huge appreciation in value of those assets. When balanced to current value, we probably have a positive balance in the range of 300 billion dollars rather than being a debtor nation.

What does all this analytical confusion mean, as far as 1986 is concerned? Attempting to forecast for our industry on the basis of the prediction we've just discussed would be futile. I fully expect anytime now to hear Irving R. Levine state on the evening news that "There's bad economic news tonight—in the last quarter meaningless statistics were up five percent!" I would, then, suggest that the current econometric models don't work, that looking at any single piece of the picture can be very dangerous, and that we are entering a period of global economics that will require us to reevaluate our entire system for predicting the future.

Interestingly enough, with much talk about looking at the world economy, almost all of the issues that I have discussed, result from forecasts based on historical data from the sample of the American economic system. Our experts tell us, for example, that we can't have a strong economy if we don't have a strong base of manufacturing jobs. If this is true on a national and international scale, why wouldn't it also be true state by state? Why is it possible for North Dakota, Idaho and Wyoming to be relatively prosperous states without a manufacturing base? The answer given quickly of course, is that the U.S. economy is an entity; it works together and balances. But if this is true and we have truly entered a global economic environment, what's wrong with manufacturing in Taiwan, using the product at a lower price, providing a higher standard of living or U.S. consumers and moving U.S. workers to service industries? I am not proposing this as a solution and an answer. But I am suggesting that there are forces at work defining our future that are much too complex for mere computers looking at historical statistics to solve.

Let's forget the meaningless statistics and try to apply some common sense to estimate the 1986 business environment. Looking at the economy, '86 and beyond, and specifically what it means to our industry, I would suggest that if we're going to have a good 1986, we need three fundamentals: (1) a continued low rate of inflation, (2) interest rates which are lower than they are today, and (3) a major resurgence in a major sector of our economy.

Let's ask ourselves the question before we forecast 1986—What are our chances that these fundamentals can be in place? First, let's consider inflation. Contrary to predictions of some significant forecasters, I cannot believe that we're going to see an increase in inflation in 1986. These forecasts, I believe, are based on all of the fears we just discussed: the deficit, crowding-out, strength of the dollar, our international trade imbalance and our so-called debtor nation status. But going back to the fundamentals we spoke of before, let's really think through the inflation issue. How can we have accelerated inflation in 1986 when there is a world abundance of everything: beef, cotton, corn, soy beans, copper, steel, automobiles, VCR's, telephones, semi-conductors, oil, gas, coal, and an international over-supply of labor. There is also an abundance of money and banks are shopping for loans. Think about our own industry, there is not a single thing that we purchase that isn't terrifically competitive and even our fears of a paper shortage have disappeared.

Therefore, basic #1 for 1986 says to me, forget the econometric models—we will continue to have a low inflation rate through the entire year. We may see deterioration of corporate profits of manufacturing companies but in the sea of oversupply, the inflation rate will remain steady.

This in turn, means that we should see a drop in long-term interest rates. Historically, long-term rates should not be more than 3 to 3½ percentage points above the inflation rate, but for a long period of time, we have experienced artificially high rates because of national concern about the resurgence of inflation. If the prognosticators are wrong and I am right, we should see a drop in long-term rates as early as the beginning of the first quarter 1986. When those rates descend below 11½ percent, I believe we'll see the third needed factor for 1986 falling into place—and that is, we will experience a major housing boom. The 11½ percent point seems to be a psychological barrier for many and a real barrier for most concerning the ability to either up-grade or buy new housing. When that barrier passes, the pent-up demand for housing will energize the forest products, appliance, plumbing, electrical, and the construction industries. This in turn will accelerate GNP growth in all other segments of the economy. Now, I am not suggesting that 1986 is going to be a boom year. As a matter of fact, I would hope that it's not, for what we need more than anything is a continued period of stability without major fluctuations. But if I have to pin myself to a GNP forecast for 1986, I would suggest that we will see between a 5 and a 5½ percent growth for the year.

Now that I have stuck my neck out on the subject of the economy as a whole, what can we expect for magazines in 1986? We've done a lot of hand-wringing in 1985 with the current outlook being a flat year for lineage and no more than a 5 percent increase for advertising revenues. Again you have to be careful about being too pessimistic about these results. The numbers are flat, but compared to what? You have to remember that we have just come off two incredible years. 1983 and 1984 represented a 33 percent increase in ad revenues for our industry—up 1 billion, 200 million in total dollars. 1984 also had the Olympics and the elections, causing a major lift in ad lineage. So in perspective, '85 is slightly up over '84 but it is still going to be the best year in magazine history in revenues.

More important, however, is how we can position ourselves as an industry to put ourselves back on the growth track of 10 to 12 percent a year. I suggest we can only accomplish that objective if we reevaluate our marketing programs, recognize the major change that has taken place in consumer demographics, and seize the opportunities that this change offers our industry.

We were recently present at a sales meeting of a major consumer magazine that happens to be #1 in pages and ad revenue in its field. The sales manager was complaining about a slight loss in pages for the first seven months and exhorted his sales people to get after the competition to make up the deficit. Think just a moment about that kind of solution to his problem. He's already #1 on everybody's schedule, and a reduction in pages probably means that his advertisers were reducing expenditures for media across the board. His opportunity for improving his position is not in growth at the expense of other magazines in his class—the opportunity for growth is in convincing major clients and advertising agencies that they need to spend a larger portion of their total media budget in magazines. Our research has shown that when clients increase their print budget, everybody wins, the schedule gets longer and the original magazines get additional pages. When budgets are cut,

schedules are shortened, and pages diminish. The bottom line is that we must place more emphasis on greater use of magazines and then everyone wins.

MPA's efforts and emphasis in 1985 have been devoted to major presentations to clients who have the potential of making major changes in their media mix. Included have been presentations to Pontiac, Oldsmobile, Kraft Foods, Tandy/Radio Shack, IBM, and Compaq. Our message is simple—consumer demographics have changed dramatically. 51 percent of the adult women are now in the work force. Women in the 35 to 44 age group, have reached the phenomenal level of 67 percent in the work force. These families have more discretionary income—are watching less television and reading more magazines. When this message reaches clients, they can be convinced that more effective use of their advertising dollar can be made if they change their media mix to reach their lost audience through magazines. In the case of Kraft for example, we pointed out that a shift in media mix from 20 percent magazines and 80 percent television to 50/50 would create a major increase in gross rating points at no additional dollar cost.

These messages are powerful and effective. As you know 18 months ago we made major presentations of this nature to 24 cosmetics and toiletries companies. We tracked their magazine expenditures very carefully over the following 12 month period and some startling facts were apparent. The companies who heard our presentations on media mix increased their magazine spending by 25 percent—a total of 34 million dollars in the 12 month period. A control group of companies that did not have the presentation had less than a 5 percent increase in the same period. The story is loud and clear. If we all start to sell magazines generically, we'll not only get more pages for our own books but the results will increase schedules down the line.

In 1986, MPA will continue to emphasize presentations to major package good manufacturers, continue efforts in the computer field, and start a new effort in financial services. You have to understand, however, that MPA's resources are limited, and while we have a better opportunity to reach clients who may be cautious of individual sales reps, everyone has to start selling above the level of the print buyer. The story of the new American consumer demographics has to reach advertising executives who make media planning decisions and the client's major advertising executives.

This is our challenge for 1986 and beyond. We can expect a 5 or 6 percent growth if we just roll with the economy but if we want to get up to the 10 to 12 percent range in 1986, we're going to have to do it by creative selling and by understanding that we need to sell as an industry.

We have the best research, authentic audience data, and the best trained sales force in the media business. I'm not satisfied with a 21 percent share of total national media revenue. Let's make it change in 1986.

REDUCING FEDERAL SPENDING

HON. DICK CHENEY

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. CHENEY. Mr. Speaker, earlier this year, Mr. James Rouse of Saratoga, WY, came up with the idea of sponsoring an essay contest with cash prizes for the best essays on what the average citizen can do to reduce waste of the Government's money. Using his own money, Mr. Rouse paid \$1,000 for the first prize, \$500 for the second, and \$250 for the third prize, to three young people in his community who researched and wrote essays on this important subject.

I am pleased today to submit for publication in the RECORD an essay entitled, "What the Average American Can Do to Reduce Our National Debt," by Alysia Andrikopoulos of Encampment, WY, who received first prize for her work. I hope it serves as an inspiration to others to take an interest in the affairs of their Government.

WHAT THE AVERAGE AMERICAN CAN DO TO
REDUCE OUR NATIONAL DEBT
(By Alysia Andrikopoulos)

Can you fathom 90 million miles? In inches, that is 5.5 trillion—or the number of dollars our federal government will spend in the year 2000 if it maintains its present policies. The result of spending more than the government takes in means that by the year 2000 our federal deficit could reach \$2 trillion. That affects each American taxpayer—\$18,000 a year in interest alone. Government waste and spending inefficiency has contributed to a present deficit of \$195.4 billion.

If the government continues to spend as it currently does, it will erode the American social and economic systems. The deficit burden will effect future generations; if nothing is done now, the deficit will cause higher taxes, inflation, interest rates and unemployment. To resolve these problems, the government must assess priorities and make government programs more efficient. This essay will discuss the Grace Report and the ways that we, as average citizens, have the opportunity to influence these problems by publicizing them and organizing pressure groups, keeping in mind the resources available to us and the progress that has been made, remembering that hard work, sacrifice and perseverance will be absolutely necessary.

In 1982, President Reagan appointed J. Peter Grace head of the President's Private Sector Survey on Cost Control to suggest ways to eliminate excessive federal expenditures. The Grace Commission Report produced ninety-eight pounds of reports and 2,478 proposals for reducing waste, overspending and inefficiency. Their main recommendations were: correcting organizational defects, reducing program waste and inefficiency, improving management of federal work force, overcoming systems management. If implemented, these programs would save \$424.4 billion in only three years.

Now that the Grace Report has been concluded, the urgency to resolve this Armageddon of spending, waste and inefficiency is extremely tangible. The American people need to realize this urgency and work

toward stimulating government action. The average American citizen has a responsibility to demand a halt to wasteful government operations and spending.

The United States has a democracy that works of, by and for its people; and people should become more involved in making the government work! This must occur through a return to active communication with our local representatives. As the central portion of our federal government seems so distant, Americans don't always think of how they can influence it. Before the Grace Commission reported its findings, Americans thought their government worked efficiently. Now we know better, and can, from the local level, demand greater efficiency and governance in the spending of our tax dollars. Our federal government consists of representatives from states; the state governments consist of local representatives. It works like nature's good chain pyramid; therefore, if we demand action at the base, the top will be effected and know how to represent us. Let us cultivate at our local levels an attitude and a desire to save and be more efficient. More directly in this pyramid, we can elect the representatives and officials that we know will work toward our demands; with the present problem at hand, we can make the government deficit, spending waste and inefficiency a major part of campaigns. As seventy-three percent of the Grace Report's proposals will require direct congressional action, and the remaining proposals can be influenced by Congress, the citizens of this country need to take advantage of the freedom to voice their opinions.

The people aware of the Grace Commission's survey need to increase public awareness of the report. One can do this in many ways: essay contests, book and resource distribution, public speaking, letters to news editors, etc. There is no end to the things an individual can do to increase public awareness of the Grace Report. Organizing pressure groups will have a snowballing effect and make a greater impact on Congress to reduce the federal debt. Our Constitution provides us with many means of communicating our thoughts: petitioning, lobbying, freedom of speech and press. Organizations should take advantage of these freedoms in working toward their common goal.

One thing to keep in mind, is the fact that much has been accomplished in working toward reducing government inefficiency: Don't reinvent the wheel. First of all, the Grace Commission has already researched everything one need to know on the subject; use their pamphlet, books and leaflets—they are for us. Next, groups have already been formed; become directly involved with them to make their force stronger. Peter Grace and Jack Anderson formed a group in which one goal is a petition of 50 million signatures urging fiscal discipline. Citizens Against Waste is another Grace-inspired pressure group. Finally, economists have proven advice that could better our economy and eliminate a deficit; read about such outside information to direct yourself or organization toward accomplishment. Creative use of available resources will expedite work toward government efficiency.

People need to be prepared to sacrifice something to put this country on the right track. Whether this sacrifice be social security, farm subsidies, defense spending, welfare or food stamps, we all know that something will inevitably have to be given up. However, what an individual gives up is small compared to the good it will do the national economy.

A large federal debt has been pinpointed as an economic problem to the U.S.; this is something that we cannot afford to be apathetic about; this is something that in a democracy we can do something about. There are many things one can do to work toward the reduction of this debt: demand government efficiency through our representatives, elect people to represent our ideas, publicize our ideas, join groups, use available resources.

As a Taxpayer Survey of the Grace Commission Report says, "If everyone who read this book did just one thing to help implement the Grace proposals, the impact on Congress would be overwhelming."

This is the problem, this is a democracy, we are the people, and we can help.

JAPAN-TARGET OF UNFAIR
TRADE PRACTICES

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. DORNAN of California. Mr. Speaker, we are all concerned about the unfair trade practices of other countries that rob American manufacturers of overseas markets. But I was recently reminded of one particular case of unfair trade being practiced by one of our closest allies, Japan, against another of our closest allies, Israel. It has very little to do with trade and everything to do with blackmail, cowardice, and anti-Semitism.

Our former colleague, Mayor Ed Koch of New York City, for whom I have strong admiration and respect for his guts and plain talk, recently wrote me a letter outlining what surely is Arab blackmail of Japan, which imports all its oil, is engaging in a boycott of Israeli made products at the request—read "demand"—of Arab oil countries. That this also adversely affects American companies put on an Arab boycott list for doing business with Israel is reason enough for American anger and action. But that Japan, our close friend and ally, remains content to submit to this blackmail—as it did during the Arab oil embargo of our country—is a source of great disappointment and frustration. It is my fervent hope that our Japanese friends will soon realize that Israel is our most reliable ally in the Middle East and have the guts to end their embargo against Israel.

Mr. Speaker, I urge all my colleagues to read the following remarks by Mayor Koch and the transcript of his conversation with Norishige Hasegawa, vice chairman of the Keidanren, the Japanese equivalent of the Chamber of Commerce.

THE CITY OF NEW YORK,
OFFICE OF THE MAYOR,
New York, NY, December 6, 1985.

HON. ROBERT K. DORNAN,
U.S. House of Representatives,
The Capitol,
Washington, DC.

DEAR BOB: I just returned from eight days in Japan. While there I met with a number of government officials, from Yasuhiro Nakasone, the Prime Minister of Japan, to Shunichi Suzuki, the Governor of Tokyo. I

also met with a number of businessmen including members of the economic business council known as Keidanren.

On every occasion there was a discussion about free trade and Japan's fear that the United States might in some way restrict access to its markets through protectionist legislation. In each instance I was asked for my opinion on the subject. In sum, I responded as I think many other Americans would with the opinion that I do not believe Japan practices what it preaches. Japan, itself, does not engage in free trade. I pointed out the following three illustrations to underscore that point, although I am sure there are others.

First, Japan engages in cartel operations where businesses receive substantial government support. Indeed, government/bank financing is arranged in a way that would not only be unacceptable practice in the United States but indeed would be an illegal restraint of trade. This support structure gives Japanese companies inordinate advantage in their competition with United States firms.

Second, there is an inbred predisposition among the Japanese to buy Japanese made goods, in preference to foreign made goods whenever they are available. Culturally, the Japanese aren't moved by the concept of free trade and open markets when it comes to their own buying decisions. This is not meant to be a criticism of the Japanese, in fact to the contrary, I wish more Americans felt the same way about our own products.

Third, the Japanese government allows, and I believe engages in, a boycott of Israel at the request of Arab oil countries. The boycott has been extremely effective in limiting purchases by Japanese firms of Israeli-made merchandise to minimal proportions. It has also had the effect of severely limiting the sale of high-technology products produced by Japanese firms, which are available for sale to other countries of the world.

I raised these three illustrations with Norishige Hasegawa, who is the Vice Chairman of the Keidanren, which is the counterpart of the National Association of Manufacturers here in the United States. It is perceived as the most important business group in Japan. Mr. Hasegawa conceded that all three of my accusations had substance. He personally believed that these circumstances should be addressed and corrected. The actual conversation that I had was recorded, and I'm attaching a transcript which I believe you will find of interest.

I raised the subject the next day with Prime Minister Nakasone. While he was willing to concede the need to address the first two issues, he was adamant in his refusal to take any action to eliminate Japan's support of the Arab boycott against Israeli firms.

The brazenness of the Japanese companies was recently demonstrated when Mazda, a major Japanese automobile company, announced that since the Ford Motor Company had been removed from the Arab boycott list, it would now work with Ford in some collaborative effort.

What we are now seeing by Japanese companies, and I believe it is with the full support of the Japanese government, is not only a boycott of Israeli manufacturers, but a boycott of American companies complying with American law prohibiting submission to such Arab blackmail. Such a circumstance must enter into any consideration of our trade relations with Japan. American companies should be protected against

unfair competition and it is hypocritical for the Japanese to hide behind the principles of free trade in opposing such legislation, when their business practices are quite the opposite.

If to date you have been guided by your beliefs in free trade or were undecided on the issue of protectionism vis-a-vis the Japanese, I urge you to consider what I have said.

All the best,
Sincerely,

EDWARD L. KOCH,
Mayor.

ED KOCH AND KEIDANREN

First let me say to you Mr. Hasegawa, and the members of the various firms who are here: I appreciate the opportunity to talk to you and answer a few questions. Let me also say at the outset that most people of America by virtue of Japan's economy believe that Japan won the war.

Secondly, let me say about the strength of the dollar when I'm in New York City, I get so upset that the dollar is so strong and so adversely affects our exports—but when I am in Japan as a tourist I am so upset that the dollar is so weak.

Just a word on the relationship that affects the United States from my vantage point. Obviously I am not a member of the federal government, but I think I know the thinking of a lot of people in the United States just by being mayor of the largest city in the United States.

People are upset, rightly or wrongly, that the United States has such an adverse balance of trade with Japan and what they see is that unlike the U.S. where we have true total free economy that the economy we believe that Japan is so organized with the government—with the banks and with the industry, that you are able to use business methods, cartels, dumping of products, subsidizing of products that we are not able to do under our law. We may be wrong about it but that's the general feeling.

That may be totally wrong and probably the true answer is that the Japanese businessman happen to be the best businessman in the world. But you're going to have to get us a little handicap. If in fact it is only attributable to your business ability even though you would believe that that's simply an asset we have to deal with vis-a-vis you, the perception is that it is not the reason—perceptions are the prior reasons I gave you, and you have to deal with that.

Two other things that affect the Congress as it now discusses taking measures that relate to our export/import relations with Japan are: One, the perception that in Japan the Japanese citizen is conditioned to just buy Japanese whereas in America the American citizen is conditioned to buy foreign. The American citizen when he buys a piece of junk (never from Japan because Japan does not sell junk)—but when he buys a piece of junk that has the name of a foreign country on it, he shows it off with pride. So you have to condition Japanese citizens not to buy American junk but to buy American good things and show them off with pride.

The third thing that is on the minds of a number of people in the Congress and elsewhere, mine included, is the lack of rationality in the argument that the Japanese use to support free trade. They say free trade is food for the world and you in America should not be protectionists.

We say that the argument of the Japanese is flawed because they don't engage in

free trade yet some people will say—look at the boycott they have of Israel. They don't buy Israeli products in any large amount nor do they sell the top line technology to Israel because of the Arab boycott. That's unacceptable to Americans who believe that you may not, if you believe in free trade, engage in anti-free trade with a friendly country like Israel with which you have diplomatic relations and with which we have diplomatic relations.

I would urge you to ask your government to address all of those issues because I think it is important to the good relations between Japan and the United States from an economic point of view.

One last word by way of invitation coming from the City of New York and then if you have questions I will be delighted to respond.

I, as Mayor of the City of New York, have established a climate in that City that is helpful to business.

Alair Townsend, who is the deputy mayor on economic development, each and every day does what she can with my support to cut business taxes, to reduce the price of energy and to make it easy for you to acquire large plots of land cheaply where you can build factories.

Let me give you one industry that if you could get people to come to New York City to create you have no competitors in a lot of businesses.

We have in New York City a vacancy rate for residential buildings of less than 2 percent. We need private, one or two family homes to be built and apartment houses, not necessarily skyscrapers, but 6-8 stories high and to be built cheaply.

We do not have in New York City a factory that creates prefabricated housing. We need one. If you came there and built such a factory, it's unlimited the number of apartment units that we would be able to buy if you sold them cheaply.

Why don't I stop there and take questions:

Firstly, we have in the City of New York foreign trade zones where you can build a factory, and you're not taxed on what you create there unless you bring it in to the country for sale. But if it's for sale in other countries—there's no tax—and the benefit we get out of it is that you use our workers.

If you want to build a real factory not in a foreign trade zone for transmission to some other country, but because you want to sell in our country it's not just simply in the north part of the city that you referred to that land is available. The most attractive property in the City of New York today was formerly the Brooklyn army base which is right along the water, has wharves that your ships can come to and has 5 million sq. ft. of vacant space that is available today, and she has got the lease to it. Four dollars a square foot.

In the same Brooklyn army base you can get 5 million sq. ft. or any part you want at \$4.00 a ft. The energy costs have been reduced for the first 5 years by 48 percent of what anybody else pays in Manhattan and then after 5 years it's 30 percent. That's a real bargain, and I don't know how long I'm going to be able to offer it.

Now I want to turn to the subject of the boycott of Israel which you can see is in effect here in Japan, and I know it to be so. It is unacceptable from an American point of view that the great country of Japan would knuckle under. The western European countries have not knuckled under. They do not permit the boycott. In addition,

there may have been a time when Japan worried about the purchase of Arab oil. Today the Arab countries beg you to buy their oil, because there is a world surplus of oil. So today is the day when you should say to the Arabs—we have the same courage—we have the same philosophy as our allies in America and as our allies in Europe. They did not submit to your blackmail. We will not any longer.

HASEGAWA. We feel that the requests that you mentioned are very correct and that you wisely mentioned the oil situation has been changed so I think this gives a good chance at present to make that sort of assertion which you mentioned.

So we will work on our part to talk to our colleagues and also work on the Japanese government. I am embarrassed to confess that we were not aware of some of the points that you have mentioned so we would like to relay the points that you mentioned to our colleagues and like to give it serious thought.

When are you next coming to New York? I want to take you to a nice Japanese restaurant.

PROFILE: GERALD GIDWITZ

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday December 19, 1985

Mr. HYDE. Mr. Speaker, one of America's most patriotic and energetic citizens is Gerald Gidwitz of Chicago, IL.

I am proud to know him and count him as a good friend and to provide for my colleagues a profile of his career that appeared in the Chicago Tribune of December 16, 1985:

GIDWITZ CLAN GENERATES GOOD BUSINESS (By Sally Saville Hodge)

Gerald Gidwitz speaks with mock self-pity. He has started various businesses—most notably Helene Curtis Industries Inc. and Continental Materials Corp.—and brought his family into them, as any good father would.

"I let them run the companies," he said of his sons Ronald, 40, chief executive of Helene Curtis, and James, 39, who, along with his uncle Joseph, 80, runs Continental Materials. "And they took my jobs away."

But he shrugs it off with a grin: "So I just start something else."

At 79, when most men have long since given up the grind for a life of leisure in the Sun Belt, the patriarch of these old-line Chicago businesses is actively pursuing business and civic interests.

On the business end, he has bought several small, ailing farm equipment companies, consolidating them in one plant for better operating margins or greater productive efficiencies.

On the civic side, his interests range from fighting Communism—through pamphlets he writes and his involvement in the James-town Foundation, an organization dedicated to helping Communist defectors—to education, particularly to help people get off welfare.

It keeps Gidwitz busy enough that he's trying to hire an assistant.

In his office at the downtown headquarters of Helene Curtis, a hair care product firm, he gestures at a pile of books and papers cluttering a table. They all relate to

a farm equipment company, whose sales have plummeted to \$8 million from \$25 million and is verging on reorganization under Chapter 11 bankruptcy laws.

Gidwitz is trying to decide whether the company is salvageable.

Why the interest in farm equipment companies? "I look at things all the time, farm machinery among others," he said.

Besides, Gidwitz added with a smile, he has not lured his youngest son, Tom, into business. He expresses exasperation that his persuasive powers have not budged the 32-year-old aspiring novelist but modest pride that some of his literary leanings have been passed on. Two other children, Nancy 37, and Peter, 35, also aren't in family-related business.

Gidwitz got into the farm machinery business several years ago when he acquired a Mankato, Minn., manufacturer. He later acquired a second company and consolidated operations in one plant in Minnesota.

He's undecided whether the latest manufacturer to come to his attention will join the fold. "This company doesn't have the margins," he said. "The question is what has to be done to improve them. Maybe their prices are too low. If so, a 10 percent increase might help. Could they cut costs? Is it an efficient plant?"

He doesn't sound optimistic. He has seen the plant and considers it efficient. Most farm-related companies have cut their costs to the bone, and low prices are about the only way to achieve the little selling done by the industry, he says.

Gidwitz's interest in such companies is part of his larger concern for the country, including its defense posture, economy, competitive edge and social consciousness.

"You can't get off the world," he said, explaining his efforts. "We [the U.S.] don't have a plan. And unless we find a way to cure our problems, we're going to be in real trouble—like England, only they weren't as bad off in the educational area as we are."

Education, or the nation's shortcomings in that area, has long been a concern of Gidwitz.

Thirty or 40 years ago, he said, Helene Curtis held after-hours educational programs for workers. At first, he said, classes were established in any subject in which enough people expressed an interest.

"One year, though, they asked for tap dancing and pastry making classes," he said. "After that, we made it more restrictive."

When the Russians launched Sputnik and the space race in the late 1950s, workers developed an interest in Russian language lessons. Twenty-seven signed up for classes. Roosevelt University, which saw a similar interest among its students, contacted Gidwitz to see if its students could be sent to Helene Curtis' class.

At the same time, Gidwitz began a national organization known as "Education for Survival Foundation." According to press clippings from 1957, he said the purpose was "to make every school district in the nation aware of the grim fact that we are engaged in a battle of the classroom with Russia."

"Education for Survival" has long since died. "You need money for these things, Gidwitz said. "How much could I afford to spend?"

His interest in education, however, still is going strong.

He combined his concern over education with his concern over the welfare population to devise a program under which welfare recipients would be re-educated by their peers to gain basic qualifications to join the work rolls.

His literacy program, conducted with Roosevelt University, has been in pilot stages since 1982. Gidwitz is attempting to cut through bureaucratic red tape to expand it.

"His basic thrust is that those on welfare will always be on it unless we can re-educate them," said Michael Woelffer, director of the Illinois Department of Commerce and Community Affairs, which has funded Gidwitz's program in the past.

"Everything points to education as being the No. 1 priority of business in the future," Woelffer said.

Gidwitz's program sprang from an article he read in 1977 that said 50 percent of welfare recipients boasted high school degrees. It got his creative juices running.

"I went to Roosevelt University—I'm on the board—and asked if they could take these high school graduates on welfare and teach them to be tutors, so they would work with others on welfare, those who didn't learn when they went to poor schools," he said.

The answer was positive, and Gidwitz worked to get the funding for a pilot. As he explained in a 1982 proposal to Gov. James Thompson and Peter Fox, then Commerce and Community Affairs director: "Both groups are on the welfare rolls. The talents of the educated would be better applied than in ordinary social service work or charity work.

"The [proposed] 100 hours of learning time would not only improve the skills of the uneducated, but would keep them off the streets. Emphasis should be on teaching ordinary skills . . . and the need to participate in our democracy in order to make it work," he said.

The program showed mixed results the first year with 60 tutors overseeing 5 students. The state budget crunch in 1983 disrupted the program, because some tutors and students stopped attending sessions when their workfare funds were cut off and didn't return when the funds were released.

Even including the dropouts, though, the average student showed a median two-year gain in reading proficiency, in keeping with the program's goals.

Curtis, C. Meinick, the late dean of Roosevelt's College of Education, pointed out in a memo to Gidwitz that literacy gains—or, in some cases, losses—were correlated to attendance, as one might expect.

Gidwitz said, however, that many students discovered they would receive their workfare payments whether they attended the program or not. "It underscored to me the fact that you really need a carrot-and-stick approach," he said. "There was no check on truancy and no threat if they didn't attend."

Now, after several years of pilot programs, Gidwitz and Roosevelt would like to see the literacy program expanded outside of the university.

As George Olson, dean of the College of Education, said in a recent memo, the city's community colleges are undertaking literacy programs, and he would like to see the efforts linked.

The program recently received another \$50,000 from the state for another six months of operations.

Gidwitz is appreciative but his plans for the program are bigger than another pilot. He is seeking \$30 million to \$40 million of funding.

"Well, sure," he says in defense of such numbers. "We need enough money to raise the general level of education of our population to meet the competition that we're now

facing from better educated countries such as Japan."

HAZARD MANAGEMENT

HON. MARILYN LLOYD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mrs. LLOYD. Mr. Speaker, in a separate entry in the RECORD, I voiced my concern over the growing problems of effective decisionmaking with regard to public risks and pointed to the increasing costs of this problem and its close association with science and technology. For an excellent perspective on the generic nature of this critical situation, I recommend to the Members' attention the section entitled "Managing Hazards" in the fall issue of *Issues in Science and Technology*. In this series of four thoughtful essays, geographer Robert Kates, physicist Alvin Weinberg, attorney and engineer Peter Huber, and psychologist Baruch Fishchoff, discuss the increasing intensity of the stresses being placed on science to identify hazards and assess their associated risks, the difficulties of our judicial and regulatory institutions in responding to the physical and economic realities of public risks with balanced rational procedures, and the barriers to obtaining meaningful resolution of conflicts between the public and technical experts.

The costs of this dilemma to society, which include the unintentional increases of public exposure to hazards through inadequate appreciation of the relative risks presented by various alternatives, and relatedly, the deterrence of risk-reducing technology through fear of inappropriate judicial decisions on liability and compensation, are high. In my opinion, the challenge of resolving the imperative for public management of public risks with the current problems of public decisionmaking institutions is today's key issue in transferring the benefits of science and technology to society.

The activities associated with the Superfund bill, including the development and application of technologies to clean up toxic waste sites, the setting of standards for cleanup, and the allocation of costs and of present and future liabilities among the involved parties, furnish a timely example of these complex and generic problems. The escalating frequency with which these problems occur in an increasingly technical world will soon foreclose on the luxury of dealing with them on the ponderous case-by-case basis characteristic of our current efforts. An active search for generic approaches to improving the efficiency with which we address these issues must, in my opinion, be given our highest priority in all three branches of Government.

EXTENSIONS OF REMARKS

EDDIE BOLAND, THE HOUSE'S "MR. INTELLIGENCE," RECEIVES WELL-DESERVED CIA RECOGNITION

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. HAMILTON. Mr. Speaker, on Monday, our colleague EDDIE BOLAND, who chaired the Permanent Select Committee on Intelligence from its inception in 1977 until the end of the 98th Congress, was presented the CIA's Agency Seal Medallion by Director William J. Casey. The seal medallion is the Agency award presented to those from outside the Agency who render distinguished service to the U.S. intelligence effort. The Agency could not have presented this award to a more deserving American than EDDIE BOLAND.

Quite simply, EDDIE BOLAND made the House Intelligence Committee what it is today. His leadership, integrity, fairness, and understanding of the need for secrecy firmly established the excellent reputation of the Permanent Select Committee on Intelligence in the House and in the intelligence community for good judgment and good security. He recognized early that to be effective, the committee's work, which must remain secret, would have to be trusted implicitly by House Members. He recognized further that the intelligence community would not cooperate with a congressional oversight committee that did not pay strict attention to security and whose judgments were not based on a firm factual predicate. EDDIE BOLAND gave the committee that legacy. He was, as the CIA recognized, a firm supporter of the need for strong U.S. intelligence effort, but at the same time, he was never a captive of the intelligence community. When he disagreed with intelligence policy, he said so and he led the committee very effectively in making important improvements in our U.S. intelligence planning and capabilities. Oversight got a good name from EDDIE BOLAND and from the committee that he led.

Mr. Speaker, the award EDDIE BOLAND received on Monday was recognition by intelligence professionals of the real contributions that the Permanent Select Committee on Intelligence made under EDDIE BOLAND's leadership. But, it is not the intelligence community alone which recognized his contributions. The Vice President of the United States, GEORGE BUSH, attended the ceremony. His presence and his praise of EDDIE BOLAND showed that he and the President recognize that, while there may be disagreement at times, by far the greater share of issues raised in the oversight process result in agreement and strong congressional support. This administration, with whom EDDIE has had his disagreements, recognizes bipartisan support was the rule under his chairmanship. The administration recognizes that its emphasis on improvements in intelligence capabilities received steady, strong support from the

House Intelligence Committee under the leadership of a man whose Democratic credentials cannot be challenged but whose bipartisan support for every President since Eisenhower is unquestioned.

As his remarks in accepting the award reflect, EDDIE continues to be a strong supporter of intelligence oversight and remains the committee's ambassador to the intelligence community in explaining the important and useful role that intelligence oversight can play within our frame of government.

Mr. Speaker, I ask unanimous consent to insert at this point the citation that accompanied the award of the CIA's Seal Medallion and a copy of EDDIE BOLAND's remarks.

CENTRAL INTELLIGENCE AGENCY CITATION

Edward P. Boland is hereby awarded the Agency Seal Medallion in recognition of his outstanding accomplishments as Chairman of the House Permanent Select Committee on Intelligence from 27 July 1977 to 29 January 1985. His superb leadership established oversight of intelligence which was and is today in the finest spirit of bipartisan government. Consistently adhering to the highest standards of personal and professional integrity in furtherance of the national security interests of the United States, Congressman Boland clearly demonstrated that effective oversight of intelligence can be realized in a democratic nation without risk to the intelligence process. Serving with full knowledge that his achievements would never receive public recognition, he chose to align himself with the thousands of men and women who have devoted their lives to support the intelligence needs of our country. Congressman Boland's extraordinary contributions and exemplary dedication as the first Chairman of the House Permanent Select Committee on Intelligence reflect great credit on himself and the Congress of the United States.

REMARKS OF THE HONORABLE EDWARD P. BOLAND

Thank you for those kind remarks.

I am delighted to be able to bring some Christmas cheer to Langley.

It is the season of joy and thanksgiving after all, and I want you to know that your joy over the fact that Congress will adjourn tomorrow or the next day, nearly matches my thanksgiving at the same prospect.

I am thankful as well for the honor you have accorded to me this evening.

The United States intelligence service is the finest in the world, and your good opinion is something that I deeply appreciate.

In fact, the good opinion of the intelligence community is an indispensable element of good congressional oversight.

You can't do one without the other, and that reminds me of a story the bishop of Springfield tells.

He was flying to Rome. As his flight was nearing Rome, the pilot reported that one of the engines had quit and that they were operating on only three. There would be no problem, however, because, Rome wasn't too far away.

So he said he would keep them informed. A little while later, he said that they were still going strong. They only had the three engines, but there was no problem, they would land safely. "In fact," he said, "I have some good news. There are four bishops aboard. We'll get to Rome all right." Bishop

McGuire then heard a woman sitting behind him say, "I'd feel better if we had four engines and only three bishops."

Some would say we haven't been running on all four engines in the intelligence community lately.

We have been rocked by espionage scandals, confused by two-way defectors, and genuinely concerned about serious leaks.

I understand that leaks lead some in the community to suggest we would be better off without congressional oversight.

I truly believe that sentiment is mistaken—intelligence needs oversight.

Oversight which is sensitive to the extraordinary difficulty of intelligence work and the need for secrecy in it but oversight which is nonetheless independent!

Sir William Stephenson, the wartime head of British intelligence, summarized the great conundrum of intelligence oversight in two questions: How can we wield the weapons of secrecy without damage to ourselves? How can we preserve secrecy without endangering constitutional law and individual guarantees of freedom?

Stephenson knew that the resolution of the inherent conflicts between the need for secrecy in intelligence and the dictates of a free society was essentially a human problem noting with respect to intelligence that "as in all enterprise, the character and wisdom of those to whom it is entrusted will be decisive."

I believe that if I did anything in 7 years as chairman of the Permanent Select Committee on Intelligence, I helped put the committee in a posture of good, honest inquiry, good security, and hopefully, good judgment.

There will be those who question the committee's record in one or more of these areas.

Today, security looms as the largest legitimate concern.

What isn't legitimate is undermining the institution itself.

I don't see critics of the oversight committees suggesting the elimination of the NSC staff or the State Department.

This isn't because they have impeccable security.

They clearly don't.

Rather, they are thought to be permanent. If not always useful, institutions of Government.

Well, the intelligence committees are also permanent institutions.

Further, they can be very useful.

Theirs is a broad overview shared by few outside the Director's Office.

They are small and they can, given the kind of leadership Lee Hamilton and Bob Stump now exercise, provide the necessary security for the very sensitive matters they review.

It is my judgment that, in balance, oversight has been good for the intelligence community, for this Agency.

Your numbers and your budget have increased in time of fiscal austerity.

You are now more capable and more confident to perform an ever broadening array of intelligence tasks.

Congress played a major, supportive role in that build-up.

It did so with its eyes wide open.

Sometimes opponents of covert action provided resources to conduct covert action.

And critics of some intelligence operations supported many others.

I believe members and staff of the Intelligence Committees deserve the recognition that they too are part of the national intelligence community.

As to the difficulties that now confront the intelligence community, I have no doubt that you'll come through in good shape.

Perhaps on only three engines from time to time, but you'll land safely.

You'd better, because the Congress is now on board.

RISK ASSESSMENT AND PUBLIC DECISIONMAKING

HON. MARILYN LLOYD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mrs. LLOYD. Mr. Speaker, I would like to share with my colleagues my growing concern regarding the effectiveness with which we, as a society, are addressing the issue of risks in our decisions on the development and applications of technology. A list of topics which have or will require some form of risk assessment and subsequent public decision would include: The release of genetically engineered microorganisms for agricultural disease control, nuclear plant safety, siting of a nuclear waste repository, selection of an acid rain abatement strategy, food irradiation in lieu of chemical preservatives, and the establishment of standards for toxic waste cleanup projects. The benefits of new technologies seem inevitably accompanied by some degree of risk and our technological health depends increasingly on the skill with which we are able to address and resolve such issues.

There is a broad feeling in the technical community that the general public, including many public opinion and decision-makers, is hampered in arriving at meaningful resolutions of questions in this critical area by an unfamiliarity with the fundamental concepts employed in scientific risk assessment. The emphasis here is not on an understandable lack of specific technical knowledge or theoretical insight in a particular instance, but rather, the generic lack of a qualitative appreciation for the significance, implications, and limitations of the methodology for rational treatment of risks.

As an illustration, I quote the following excerpt taken from an editorial by Daniel E. Koshland, Jr., entitled "Scientific Literacy," which appeared in a recent issue of Science magazine:

... scientists in every discipline understand that certain decisions that must be made are associated with some level of risk, but we watch with consternation as society acts as if zero risk could be achieved. The same parents, for instance, who drive their children to school without seat belts demand a flat statement of certainty about the risk posed to their children by being in school with a child with AIDS. The ever-rising levels of malpractice awards are based on the premise that if doctors are punished enough they will become perfect, but ignore the possible outcome that the consequent fee increases will inhibit those with marginal incomes from going to the doctor. Living near a nuclear powerplant may be safer than attending a rock concert, but what television viewer would believe that?

There is a diversity of opinion among competent technical authorities on many of the specific issues I have mentioned. However, the framework in which they are discussed by the technical community is qualitatively different from that used in the media, in many public forums, and often in the courts, and is significantly more effective in leading to balanced, rational, and productive decisionmaking. The costs of our inability to follow a similar approach in the public decisionmaking process on these same issues are increasingly high. In my opinion, this represents one of the most formidable generic problems facing us today and one which pervades essentially all areas of science and technology. As such, it is clearly a problem of intense concern to me as chairman of an energy subcommittee, and I feel that we must assume the responsibility to actively seek and encourage responsible approaches to its alleviation.

REDUCING FEDERAL SPENDING

HON. DICK CHENEY

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. CHENEY. Mr. Speaker, earlier this year, Mr. James Rouse of Saratoga, WY, came up with the idea of sponsoring an essay contest with cash prizes for the best essays on what the average citizen can do to reduce waste of the Government's money. Using his own money, Mr. Rouse paid \$1,000 for the first prize, \$500 for the second, and \$250 for the third prize, to three young people in his community who researched and wrote the best essays on this important subject.

I am pleased today to submit for publication in the RECORD an essay titled, "The Deficit Budget," by Stephanie Bartholomew of Saratoga, WY, who received the third place prize for her work. I hope her essay serves as an inspiration to other young people to take an interest in their affairs of their Government.

THE DEFICIT BUDGET

(By Stephanie Bartholomew)

Irresponsibility has led the American economy into its most serious crisis ever: massive deficits. The deficit is the gap between what the government spends and what it takes in. If this irresponsibility in government spending is allowed to continue, the high standard of living Americans have grown accustomed to could easily become a part of the past. We are at a critical point affecting the future of the American economy, and the federal deficit must be reduced now.

In 1960 and 1970 the United States had a balanced budget. The federal deficit now stands at approximately \$222 billion. That is approximately \$1,000 for every man, woman, and child in the United States. Without action, the deficit will continue to rise, and will reach almost \$300 billion by the end of the decade. How did such preposterous deficits, that were unimaginable just a few years ago, come to exist? The irresponsibility of the politicians, local, state,

and federal governments, and all those who benefit from government-sponsored programs have carried us into such a debt. This irresponsibility must be corrected. Reduction in spending, cutbacks on government programs, and a structured change in the tax rules are all possibilities that could help reduce the deficit.

The first step in reducing the deficit is the most obvious and most necessary; the United States must cut back on government spending. Total government spending has increased ridiculously within the last ten years. If this spending rate is allowed to continue, the government will be spending more than \$1 trillion by 1990; an increase in spending that in this decade alone is greater than the entire increase in the 200 years our nation has prospered.

Americans will find that there are no easy cuts left; these cuts are federal programs that most often benefit the middle class. One proposed budget, that includes only slight defense trims, contains \$40 billion in cuts in domestic programs. These domestic programs that are being considered for budget cuts are housing loans, community services programs, general revenue sharing (provides funds to local governments), Job Corps, library grants, student loans, the Small Business Administration, federal farm subsidies, and research and education grants. Unfortunately, this deficit package is still \$175 billion short of a balanced budget.

President Reagan claims that the deficit can be treated without raising taxes, without altering social security benefits, and without tampering with the monies allotted for the United State's massive defense program. I believe it is necessary to make a cut, or at least a freeze, in social security benefits. Lately, there has been a rapid rise in social security and medicare benefits; in the past decade, social security benefits have tripled. Currently, \$175 billion is spent on social security. These benefits are being paid without regard to financial need, though; and much of this money goes to individuals who are certainly not poor.

Cuts being made on government spending should not be restricted to non-defense programs such as social security benefits and the domestic programs as mentioned above. In recent years there has been a sharp increase in defense outlays. The fact is that although Congress wishes to continue military spending, the need to reduce the deficit has become very great. We cannot have it both ways; reduced government spending means reduced defense spending. Our present deficit situation cannot be resolved otherwise, as Washington Senator Slade Gorton states, "We simply can't get from here to there without a defense freeze."

The above actions of tough domestic program cuts, a reduction in defense spending, and a freeze of social security benefits could create a savings of up to \$160 billion. After Congress has completed a thorough search for federal spending cuts, it will be time to turn to the responsibility of raising revenue.

New sources of revenue have to be found if the budget is ever to come closer to being balanced. I believe it is inevitable that taxes will have to go up. Some well-structured changes in the tax rules will become necessary. President Reagan firmly states that a tax increase need not be a part of the deficit reduction plan. The American economy has reached a critical point, though; and what we want may be in contradiction to what we need to do. Taxes, as a source of revenue, will not be used until all the loopholes can

be closed by a simplified tax program. There is much talk, and perhaps much need, about and for new taxes; but there is poor probability of any action soon. Are we shirking yet another responsibility?

One possibility for an increased revenue is a proposed 5 percent tax on energy. This relatively small tax could produce, by the end of the decade, an annual \$15 billion. Another way to increase revenue would be a tax that places an extra ten cents on each gallon of gasoline. This increase in price only offsets half of the twenty cents per gallon decline in price that has occurred over the past four years. A gasoline tax such as this would produce a revenue of approximately \$10 billion a year.

The Great Budget Battle of 1985, a political battle, has begun. Characteristic of all battles, it will result with "winners" and "losers." The "losers" include the poor, middle-income families with children in elementary school through college, the elderly, federal workers and retirees, school systems and libraries, city dwellers, suburbanites, rural residents, farmers, veterans, subway riders, Amtrak passengers, small businesses, and the list goes on until each and every one of us is included. This battle will cause pain, but a pain that must be endured. A loss of benefits for each of the above mentioned groups is small in comparison to the losses that would be caused by the destruction of our economy. "It's a burden on future generations," says Jack Albertines, president of the American Business Conference in Washington, D.C. "If deficits are not reduced, we will leave our children with a legacy of high taxes, reduced federal services, and slower growth."

The deficit problem cannot be solved overnight. Gradually, though, with the response of the people, the ugly deficit can be controlled, and our children can continue to live prosperously. "I am proud of the state of the economy," President Reagan declares. The President and all Americans do indeed have the right to be proud of the present economy. What Americans don't realize is that while the present seems comfortable, the future economy could be destroyed because of the irresponsibility surrounding the national debt. We, the people of the United States, need to take the above actions to cure the ills caused by years of fiscal irresponsibility.

AIR POLLUTION AND ACID RAIN

HON. MARILYN LLOYD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1985

Mrs. LLOYD. Mr. Speaker, and Members, I would like to call your attention to a recent editorial appearing in *Science* magazine entitled, "Air Pollution and Acid Rain." In this editorial, Philip Abelson gives an excellent sketch of the direction of our evolving understanding of the complex chemistry associated with acid rain—a phenomenon which has been popularly perceived almost entirely in the context of sulfur emissions from the combustion of coal. In his comments on ongoing research, Abelson points out the increasing refinement this work is providing in demonstrating the importance of NO_x emissions and ozone, both as significant pollutants in their own right and because of their key

roles in the overall atmospheric chemistry associated with deleterious effects. As he notes, this emerging picture seriously questions the effectiveness of an acid rain control strategy which focuses exclusively on limiting the SO₂ emissions from coal-fired electric utility plants.

In the past, many of us have joined in opposing an immediate mandate for such a simplistic strategy and instead have vigorously supported the accelerated assessment program whose benefits, in terms of improved understanding of critical acid rain phenomena, are now beginning to be realized. While this understanding is still far from complete, it is clear that our improved knowledge already suggests the possibility of more effective avenues for addressing this issue than by the imposition of costly SO₂ controls on coal-fired boilers as has been prematurely proposed as a solution to the acid rain problem. It is my opinion that only continued research can provide the crucial guidance necessary for developing a balanced and affordable strategy for acid rain abatement.

The effectiveness of an acid rain control strategy will necessarily be dictated by the degree to which it recognizes the effects of all relevant pollutants and all sources in balancing the benefits of given levels of emissions control against the cost of achieving those levels. I am confident that the current research will ultimately provide a firm basis for such an assessment.

I recommend Dr. Abelson's editorial to all Members as an authoritative and balanced perspective on these issues.

[From *Science* Magazine, Nov. 8, 1985]

AIR POLLUTION AND ACID RAIN

(By Philip H. Abelson)

Research being conducted on air pollution and acid rain is leading to a changing picture of the relative importance of SO₂ and NO_x. Political and regulatory efforts have been focused on sulfur oxides because they produced about twice as much acid as NO_x. However, that emphasis disregards the role of NO_x in the formation of toxic photochemical oxidants. Controlled studies at experimental facilities and observations in the field have identified effects of ozone and NO_x as more damaging to vegetation than SO₂ alone.

In sunlight a complex series of reactions occurs in the troposphere, including photolysis of NO₂ to produce excited atomic oxygen and thence ozone. Additional reactive species formed include hydrogen peroxide, methyl hydroperoxide, peroxyacetic acid, and reactive free radicals, including OH, NO, and HO₂. Maxima in the amounts of these species usually occur between 9:00 a.m. and 4:00 p.m. in midsummer. Monitoring has revealed considerable variability in concentrations of the oxidizing pollutants related to abundance of the input substances. Some ozone may be present that originates in the stratosphere.

It has been known that SO₂, NO_x, and O₃ can have toxic effects on plants. In the early days, experiments tended to be performed "scientifically"; that is, plants were exposed in chambers in which the chemicals were tested one at a time. Under those circumstances, it was noted that concentrations of SO₂ and NO_x greater than ambient were required to produce notable pathology.

Indeed, low concentrations of NO_x were sometimes beneficial (perhaps a fertilizer effect). However, in the real world, pollutants are present together. When experiments were conducted with ambient midday levels of ozone present (for example, 50 to 100 parts per billion), toxicity was noted. When the ozone was supplemented with NO_x, there was usually a substantial additional toxicity attributable to NO_x. Similar results were noted when ozone was supplemented with SO₂.

The deleterious effects of ozone on agricultural crops has been documented and analyzed in a report issued by the Environmental Protection Agency. It is estimated that a reduction in ambient ozone levels of 25 percent would produce nearly \$2 billion in benefits, while a 25 percent increase in ozone would lead to an additional \$2.3 billion in crop losses.

The photochemical oxidants, particularly OH, have an important role in the oxidation of SO₂ leading to H₂SO₄. In the summer, with abundant OH present, the oxidation proceeds much more rapidly than in winter. Sulfur dioxide emissions in winter and summer are about the same, but the total deposition of sulfate in January and February at stations in northeastern states was found to be a third or less than what it was in midsummer. Deposition of nitrate showed little seasonal effect. Thus, at the critical time of the spring runoff, the contribution of nitric acid was about equivalent to that of sulfuric acid.

Initiatives to reduce acid rain tend to be centered on the electrical utilities and on their emissions of SO₂. When new coal-fired plants are built, they are required to include facilities for flue gas desulfurization. This adds substantially to the cost of the plant, decreases the efficiency of energy conversion to electricity, and diminishes overall reliability. While the process is effective in capturing SO₂, it is ineffective in removing NO. Any program aimed at reducing acid rain should take into consideration the total air pollution problem, including NO_x. Efforts to reduce SO₂ emissions should be accompanied by a corresponding emphasis on reducing NO_x, whatever the source. For the electrical utilities, this would mean providing more flexibility to use technologies that reduce both SO₂ and NO_x. But in addition, the other large contributors to NO_x, such as motor vehicles, should come under scrutiny.

REENGAGING IN GUATEMALA

HON. MICHAEL D. BARNES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. BARNES. Mr. Speaker, we have been presented with a historic opportunity in Guatemala. Because of the election of Vinicio Cerezo to the Presidency, that unfortunate country has its first opportunity in a generation to insitute truly democratic government. And if Guatemala succeeds in developing a stable democracy that is responsive to its people, that will be the best possible guarantee of U.S. security in the area.

Whether President Cerezo and the Guatemalan people succeed in this historic endeavor will depend a great deal on the policies of the United States. There is an enormous danger that we will fail to understand that the crucial contribution that we

must make is, above all, to give political support—and I emphasize the word “political”—to President Cerezo as he attempts to consolidate his power, exercise authority, and produce benefits for his people. “They—the military—will give us the office,” he said at a news conference the other day. “We are going to have to recover the power.” In doing so, President Cerezo will require the support of fellow democrats throughout the region and the world. But, as he also said at the news conference, “If you are a leftist you can get support, and if you are a rightist you can get support, but the hardest thing to get support for is democracy.”

Mr. Speaker, there is a lot of talk of increasing aid to Guatemala, and I am for that. But we can double, triple, quadruple aid, but if we do not do it in a way that helps President Cerezo politically, it will do no good. An insightful editorial in today's Washington Post captured the importance of keeping “full solidarity with the democratic cause,” and “taking—our—cues in these matter directly from Mr. Cerezo.” There is going to be a temptation in the administration to punish Mr. Cerezo for failing to line up behind U.S. Nicaragua policy. But, as the Post correctly points out, “No direct support that Guatemala might conceivably lend to U.S. policy in Nicaragua could serve Americans more than stability within Guatemala itself.”

I urge my colleagues to pay careful attention to this editorial which follows:

REENGAGING IN GUATEMALA

Guatemala defies the common image of Central America as a place where nothing important happens without an American hand. On its own—true, with a viciousness that repelled the United States—Guatemala beat down a guerrilla challenge in the 1970s. Again on its own—and with a promise that is attracting the United States now—Guatemala is putting an elected civilian government atop the country's military-run power structure. The question is how the United States ought to reengage in this dominant Central American land.

The prime requirement is to keep full solidarity with the democratic cause. President-elect Vinicio Cerezo, 42, a man of courage and vision, won a huge popular mandate, and his Christian Democratic party controls the legislature. This gives him a foundation on which, necessarily by degrees, to assert the claims of democracy and law against a military unaccustomed to acknowledging either.

Some suggest the armed forces are ready to yield their traditional privileged but demeaning role as the far right's gendarme and to become a self-respecting professional army. But it's a long way from happening. The United States can help a bit by taking its cues in these matters directly from Mr. Cerezo—in particular, by deferring all talk of military and police aid until he indicates interest. In Washington this week, he put this matter off. The United States also needs to be responsive to Guatemala's economic needs. Brazil's drought, pushing up Guatemalan coffee prices, won't be enough.

The second requirement for Washington is to subordinate its concern about Nicaragua to the American interest in a democratic Guatemala. A country whose whole modern history was bent by the American-

directed coup of 1954, Guatemala has pursued neutrality in Central America's raging conflicts. Mr. Cerezo visited Managua before coming to Washington. He looks to a policy of “active neutrality,” a vague concept but one that the apparent eclipse of the Contadora process may leave a little room for. Guatemala shares no border with Nicaragua, feels beyond the reach of its guerrillas, and hopes to gain both in trade and in regional standing by keeping lines open to Managua. In any event, no direct support that Guatemala might conceivably lend to U.S. policy in Nicaragua could serve Americans more than stability within Guatemala itself.

Guatemala has been a metaphor for state violence. Four hundred members of Mr. Cerezo's party have been assassinated, and yet men and women like him are still willing to put their lives on the line. His election is a moment of rare potential to a country that desperately needs democracy and peace. The United States must help him, carefully, to use it well.

SOME WELL-DESERVED PRAISE FOR GUATEMALA'S DEMOCRATS

HON. ROBERT GARCIA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. GARCIA. Mr. Speaker, today's Washington Post ran an editorial on Guatemala, saying that the recent election of Vinicio Cerezo, as that nation's President, “is a moment of rare potential.”

In an article in yesterday's New York Times, reporter Stephen Kinzer called Guatemala's recent elections, “one of the most orderly * * * ever held in Central America.”

All of this praise is not undeserved, nor should it go unnoticed. This is a historic opportunity for Guatemala, a chance to establish an authentic, indigenous democracy. Certainly, one election does not a democracy make. Nonetheless, Mr. Cerezo's victory is auspicious, if for no other reason than an honest election actually took place, and a popular political leader has been allowed to claim victory.

This is a tribute to Mr. Cerezo's tenacity and to the tenacity of those who have believed in the possibility of democracy taking root in Guatemala. Both the democrats in Guatemala and members of the staff at the Guatemalan Embassy in Washington have held on to that belief, asking over the past few difficult years only that others listen to them. They too must share in their new President's victory.

None of this is to say that suddenly all will be well in Guatemala, that the military will suddenly behave like the U.S. military, that the oligarchy will suddenly be open to taxation and land reform. It is only to say that this is an abertura, or opening, for those democrats in Guatemala who have never lost sight of or veered from their worthy purpose.

I am submitting the Post editorial and the Times article for the RECORD.

[From the Washington Post, Dec. 19, 1985]

REENGAGING IN GUATEMALA

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[From the New York Times, Dec. 18, 1985]

AFTER 30 YEARS, GUATEMALA TESTS DEMOCRACY

(By Stephen Kinzer)

GUATEMALA, Dec. 15.—Just five years ago, Francisco Villagrán Kramer resigned his post as Vice President of Guatemala and fled the country.

"Death or exile is the fate of those who fight for justice in Guatemala," he said at the time.

Today, Mr. Villagrán's apartment in the capital is a gathering place for young activ-

ists eager to discuss what the future holds for Guatemalan democracy. He himself is said to be a possible candidate to head the Supreme Court.

The military has run Guatemala for more than 30 years, and during that period Guatemalans have suffered some of the harshest repression in Latin America. Tens of thousands of people, many of them Indians descended from Mayan tribes, have died violently. During some periods, street-corner killings of students, businessmen, political organizers, university professors and trade unionists were common.

Yet Guatemalans elected a President last week in one of the most orderly elections ever held in Central America. They overwhelmingly chose an attractive young leader of the center-left Christian Democratic Party, Marco Vinicio Cerezo Arévalo, who has built his career on demands that the military return to their barracks and leave the task of governing to civilians.

The dramatic evolution of Guatemalan politics over the last three years, according to diplomats and other political analysts here, was the product of antimilitary sentiment that was becoming explosive and of the recognition by senior officers that the army was losing popular support.

The trend toward civilian governments in Latin America, which has all but eliminated rightist military dictatorships on the continent, was also said to have strongly, if belatedly influenced Guatemalan generals to call elections.

"What Guatemala is living through now is almost a miracle, and what a thrill it is," wrote a newspaper columnist who reflected the excitement many people felt after last week's election. "This process of being able to choose the candidate one prefers after a free election like we have never seen before, and of being sure that the one who wins will actually take over the presidency, is completely new to us, but we love it!"

There have been voices of caution amid the self-congratulations. The afternoon newspaper *La Hora*, which has been critical of the military, warned that the nation was facing "a long and slow process" in establishing democracy, but agreed that moderate optimism was justifiable.

NEW CHORUS OF HISTORY

With Guatemala about to inaugurate a civilian President, only two Latin American countries, Paraguay and Chile, remain under the rule of rightwing generals. A decade ago, the group included the Dominican Republic, Honduras, El Salvador, Ecuador, Argentina, Bolivia, Uruguay and Brazil, all of which have since elected civilian governments.

"Beginning in 1983, there has been a new democratic opening in Guatemala," wrote Julio Godoy, one of the country's rising young political commentators, in a recent analysis.

"The opening was made necessary by the new chorus of history in Latin America," Mr. Godoy wrote. "Fascist military regimes have become unthinkable in the region, their basis eroded by their isolation from the people they sought to rule. Corruption and official crime turned them into violators of the very state of law they were supposed to represent."

For Guatemala, the darkest period of recent history was the regime of Gen. Fernando Romeo Lucas García, who held the presidency from 1978 to 1982. He was the third general in a row to have been chosen in elections generally considered fraudulent, and during his presidency political terror

reached levels that drove many Guatemalans to despair for their country's future.

In 1982, General Lucas tried to impose his Defense Minister, Gen. Angel Aníbal Guevara, as President in yet another rigged election. But a group of young officers, sensing the level of public frustration and outrage, deposed General Lucas in March 1982 and declared the election results null. They named Efraín Ríos Montt, a retired general who had been cheated of the presidency in 1974, to head the Government.

General Ríos Montt pledged to hold free elections and in a step that was to prove decisive he called on law school deans and bar association officials to nominate 20 distinguished jurists for an electoral tribunal that would supervise the transition to democracy. From the list of 20, the Supreme Court chose 10—5 members and 5 alternates.

HERO OF ELECTORAL PROCESS

The tribunal's president, Arturo Herbruger Asturias, who had been Guatemala's Chief Justice during the civilian governments that ruled in the late 1940's and early 1950's, was to become one of the heroes of the electoral process.

"I took on the job as a kind of adventure," Mr. Herbruger said. "We didn't know how serious Ríos Montt was, but we decided at the beginning that we would all resign if anyone in power tried to obstruct our work."

General Ríos Montt revealed himself as a religious visionary and something as an eccentric, and he alienated many officers with his moralistic crackdown on corruption. He also began to hint that he wanted to stay in power for many years before holding elections. On March 23, 1983, he was overthrown by his Defense Minister, Gen. Oscar Mejía Victores, who as his first official act visited the electoral tribunal and pledged his full support for its plan to hold early elections.

"I think General Mejía was taking into account that the country was at a real turning point," Mr. Herbruger said in an interview. "He wants to leave a good name in the history books. I think he has been able to convince his comrades that their job is not to govern anymore."

In many ways, the Mejía Government was not unlike its predecessors. Political killings and kidnappings continued, many thousands of peasants were kept in protective villages, corruption was said to be rampant, and human rights and church workers reported continuing abuses in the countryside. But in his determination to allow free elections, General Mejía proved different from previous military leaders.

PRESSURE FROM ABROAD

The civilian adviser closest to the Mejía Government, Foreign Minister Fernando Andrade Díaz-Duran, said last week that General Mejía was very much affected by the continental trend toward democracy.

"Ríos Montt was behaving like a Savonarola who wanted to burn all the sinners, and the officers were horrified when he started to say he would need seven or eight years in power to set the country right," Mr. Andrade said in an interview. "After Mejía took over and said he would call elections, people assumed he would support his own candidate and then impose him, as had been done in the past."

"But Mejía traveled a lot, and he was received by people like Alfonsín, Belisario, Felipe Gonzalez and de la Madrid," said Mr. Andrade, referring to the elected leaders of Argentina, Colombia, Spain and Mexico.

"They treated him like a statesman and impressed upon him what a historic responsibility he had. It made a great impact on him.

The trend toward democracy in Latin America, which began in the mid-1970's, was the product of various factors, including public discontent, economic crisis and international pressure.

"You can't discount the contribution of Jimmy Carter while he was President," said Edgar Ponce Villela, a political activist who ran for Mayor of the capital city in municipal elections last month. "Carter was very firm against dictatorships, and he helped to set this process in motion."

NICARAGUAN INFLUENCE FEARED

Mr. Ponce said the consolidation of a leftist regime in nearby Nicaragua has also contributed to fears among some Guatemalan officers that if they refused to allow a transition to democracy, Marxist revolutionaries aligned with Nicaragua might grow in strength here.

Guatemalans voted for a constituent assembly in July 1984 and the election went remarkably smoothly. But twice this year, once in April and again in September, right-wing politicians linked to entrenched business interests tried unsuccessfully to seize power and disrupt the political process.

"The most serious attempt was in April, when there was street violence protesting new tax laws," Mr. Andrade recalled. "These groups actually reached the point of appealing to certain commanders to join them in a coup, but the commanders remained loyal to Mejia."

General Mejia has been traveling to military bases in all parts of the country to meet with officers. This weekend he was at bases in the eastern provinces of Zacapa and Jutiapa. Aldes said he was urging his men to support the incoming Government.

"Let us hope the army never again has to participate in rescue actions because of problems in the government," the general said at a news conference after last week's election. Some took his choice of words to imply a warning that the military was not abandoning politics altogether.

GENERAL TO RETIRE

General Mejia will automatically pass into retirement when he turns power over to Mr. Cerezo on Jan. 14.

Mr. Cerezo has warned repeatedly that there will be constraints on his freedom to act. Diplomats say there are certain steps, such as beginning broad prosecutions of officers implicated in human rights abuses, that the army might view as provocative.

"There are groups in this country which are insatiable," said Mr. Andrade. "No one can assume anything, but I myself doubt there will be any adventure by the military."

Diplomats in Guatemala had high praise last week for the efficiency of the electoral process, and expressed guarded hope for the country's future.

SECURITY COUNCIL RESOLUTION ON HOSTAGE-TAKING

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. YATRON. Mr. Speaker, it is with special pride that I join in the chorus of praise

for the outstanding work done by our colleagues, the Honorable DANTE B. FASCELL, chairman of the House Foreign Affairs Committee, and the Honorable DAN MICA, chairman of the Subcommittee on International Operations, in mobilizing the international community against terrorism and the taking of innocent hostages.

Their action in this cause resulted yesterday in a historic vote by the United Nations Security Council to unanimously condemn hostage-taking, which follows the recent action on a resolution voted unanimously by the United Nations General Assembly which condemns all acts of terrorism wherever they are committed and by whomever. Our U.N. Ambassador, Vernon Walters, credited our two colleagues with the success of this effort. He praised their initiatives and the meetings they arranged with the representatives of 36 member states for mobilizing the resolve of the civilized nations to condemn such criminal acts.

I certainly share Ambassador Walters' appreciation of their great work, and I have inserted the full text of the Ambassador's statement and resolution as well.

STATEMENT BY AMBASSADOR VERNON A. WALTERS

We are extremely pleased that the Security Council has unanimously gone on record in condemning all acts of hostage-taking. This is a historic step, almost without precedent in the entire 40 years of the United Nations. This resolution reflects positively on the United Nations organization; it is an act in which all members states can take pride. It is a fitting climax to this important 40th Anniversary year of the United Nations.

By condemning unequivocally all acts of hostage-taking, the Security Council has clearly stated the world community's abhorrence of such criminal acts. We can only hope that all states, all parties, that have any influence over groups now holding hostages, will take to heart today's clear and unanimous message and work for the immediate and safe release of all hostages, wherever and by whomever held.

We also hope that this Security Council resolution bodes well for improved cooperation between and among states, an essential condition for combatting terrorism. Only by concerted worldwide action can we hope to put an end to the repugnant practice of hostage-taking. It is clear from the resolution that no "cause," no "excuses," can justify such threats to human rights and human lives.

My government fully supports the Security Council's call for all states to consider, promptly and favorably, becoming parties to the International Convention Against the Taking of Hostages and other related international conventions. The United States will continue its efforts to have the world community adopt additional effective measures to protect the innocent lives of all people. As recent history has so sadly proven, international terrorism knows no boundaries.

Today's resolution re-inforces the October 9 Security Council statement on terrorism and the December 9 General Assembly resolution condemning all acts of terrorism. Together, these texts place the entire United Nations firmly on record against all terrorist crimes. While we cannot expect the lunatic fringe to desist from such acts, we do expect all law-abiding states to take all practicable measures to prevent terrorism, and to prosecute and punish all terrorists, wherever they are, in the spirit of these clear

statements by the United Nations.

The United States is proud of its leadership role in today's action by the Security Council. It could not have been done without the broad support of all Security Council members which represent every sector of the globe. I thank my colleagues on the Council for the essential role they played with us in accomplishing this historic act. And let me pay special tribute to Congressman Dante Fascell, Chairman of the House Foreign Affairs Committee, and Congressman Daniel Mica, Chairman of the Subcommittee on International Operations and member of the U.S. Delegation to the 40th General Assembly, for their strong initiatives in the United States Congress and in meetings here at United Nations Headquarters toward this end. We look forward to concrete actions by all states to put into effect the resolution adopted today.

I cannot close without saying one word of thanks to my colleagues of all countries on the Security Council: The permanent members of the Security Council—China, France, the United Kingdom, the Soviet Union—for their help and cooperation in achieving this result today. Obviously, to achieve the kind of unanimous result which we achieved required a high degree of cooperation and work, work at all levels, work between the staffs of the representatives and the staffs from the non-permanent members, who also cooperated in making possible this quite extraordinary resolution passed unanimously in less than three minutes. Needless to say, a lot of work went before. But we were able to achieve the kind of agreement that enabled us this morning to produce this document, which I think represents the conscious of all mankind. Thank you.

TEXT OF U.N. SECURITY COUNCIL RESOLUTION PASSED UNANIMOUSLY DECEMBER 18

Deeply disturbed at the prevalence of incidents of hostage-taking and abduction, several of which are of protracted duration and have included loss of life;

Considering that the taking of hostages and abductions are offenses of grave concern to the international community, having severe adverse consequences for the rights of the victims and for the promotion of friendly relations and cooperation among states;

Recalling the statement of 9 October 1985 by the President of the Security Council (S/17554) resolutely condemning all acts of terrorism, including hostage-taking;

Recalling resolution 40/61 of December 11, 1985 of the General Assembly;

Bearing in mind the international convention against the taking of hostages adopted on 17 December 1979, the convention on the prevention and punishment of crimes against internationally protected persons, including diplomatic agents, the convention for the suppression of unlawful acts against the safety of civil aviation, the convention for the suppression of unlawful seizure of aircraft, and other relevant conventions.

1. Condemns unequivocally all acts of hostage-taking and abduction;
2. Calls for the immediate safe release of all hostages and abducted persons wherever and by whomever they are being held;
3. Affirms the obligation of all states in whose territory hostages or abducted persons are held urgently to take all appropriate measures to secure their safe release

and to prevent the commission of acts of hostage-taking and abduction in the future;

4. Appeals to all states that have not yet done so to consider the possibility of becoming parties to the international convention against the taking of hostages, convention on the prevention and punishment of crimes against internationally protected persons, including diplomatic agents, and other relevant conventions;

5. Urges the further development of international cooperation between states in devising and adopting effective measures which are in accordance with the rules of international law to facilitate the prevention, prosecution and punishment of all acts of hostage-taking and abduction as manifestations of international terrorism.

WHY I VOTE AGAINST GUN CONTROL

HON. JOHN R. KASICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. KASICH. Mr. Speaker, as the House continues to debate the gun control issue, I call to the attention of my colleagues an outstanding article from *Outdoor Life* entitled "Why I Vote Against Gun Control" by Congressman FRED ECKERT of New York.

I urge my colleagues and anyone else concerned with the gun control issue to take a few minutes to read this thoughtful article. Congressman ECKERT has written a clear and concise piece that uses common-sense reasoning to show why gun control does not work. If you read nothing else on gun control, I urge you to read this excellent piece

[From *Outdoor Life*, May 1982]

WHY I VOTE AGAINST GUN CONTROL

(By Fred J. Eckert, New York State Senator)

No, I'm not a gun nut. Sure, I do own one shotgun. Yes I do hunt—on opening day of deer season, sometimes the next day, on opening day of duck season and, once in a great while, I do some pheasant hunting. I never hunted until I was 22 years old, and I started mainly to be sociable with my wife's family. I didn't become interested enough in hunting to buy a gun of my own until I was 33 years old. I grew up in an urban area in a fairly liberal community. I am a native Northeasterner, reasonably well educated, and I collect books, not guns.

I make these points because hostile news media foster the inane notion that those who oppose gun control are pistol-packing fanatics with next to no brains while all crusaders for gun control are intelligent, sophisticated and reasonable.

Let me tell you something. Some of the least intelligent and unreasonable arguments I have come across in nine years as a state legislator were and are made by gun-control fanatics.

A lawmaker who opposes gun control? It must be because I live in fear of the "gun lobby." That's the usual (and simplistic) explanation. Can't hang that on me. In 1978, the National Rifle Association sent out a circular just before election day portraying me as sympathetic to gun control. I was re-elected with 67 percent of the vote. They were wrong—the NRA, not the voters—but the mistake was not caught until after elec-

tion day. In 1980, the NRA correctly portrayed me as an opponent of gun control. I was re-elected again with 67 percent of the vote. The point is that gun control isn't a big issue in my district and the "gun lobby" isn't a potent political force here.

Now we can look at the real issue. And just what is the real issue? The gun-control zealots see the real issue as gun control; I see it as crime control. It's an important distinction.

The zealots would have the public believe that gun control and crime control are the same. It is this myth that makes gun control so attractive to liberal politicians, whose soft views on such real crime-control issues as capital punishment, stiffer sentences and preventive detention are so squarely at odds with the strong views of the public. Favoring gun control is their way of appearing tough on something they falsely label as crime-fighting.

In nine years as a state legislator, I have seen volumes of conflicting statistics, witnessed plenty of emotional outbursts and sat through hours of arguments—but I have yet to find any convincing evidence that gun-control laws ever have or could effectively curb crime.

Is there any convincing evidence that gun control laws curb crime?

There isn't. There are claims, arguments and speculation but not real evidence.

Let me share with you the arguments that I hear and my answers.

"We've got to do something!" That's the emotional plea. Any reasonable person can understand the anxiety caused by crime.

Isn't it awful that so many people are killed with guns in America? Of course it's awful.

Aren't you concerned about violence and crime? Of course I'm concerned about violence and crime.

Then do something! Pass a gun control law! Simple? No, it's simplistic. The stark reality is that the great bulk of crimes do not involve guns. For instance, guns are not involved in most burglaries, muggings or rapes.

Well, they sure are used in a lot of murders! True. But do you really believe that the kind of person who commits murder would hesitate to obtain a gun illegally?

Am I saying that gun-control laws don't deter anyone from obtaining a gun? Not at all. They do deter some people. People like honest shopkeepers who have been repeatedly robbed by gun-carrying thugs; innocent people who fear for their lives and property and need a gun for security and protection. But gun-control laws do not deter nuts bent on assassination; dangerous terrorists or professional criminals and organized crime. Gun control is no threat to them.

They will always know how to obtain guns illegally. And it's a safe bet that they relish laws that make it more difficult for law-abiding citizens to obtain the protection a gun provides.

Senator, that's the "gun lobby" line. You should listen to the facts. Do you realize it is a proven fact that in many murders involving the use of a gun, the killer and the victim knew each other, that lots of them involve friends or relatives, that some of them are caused by lovers' quarrels? Don't you see that a lot of these spontaneous killings would be prevented if guns were not so readily available? Isn't that a good reason for gun control laws? No and no again. Why should we be surprised because many killers know their victims? Why should we assume that a murder was "spontaneous" rather

than planned just because the killer knew the victim? Shouldn't we expect a killer to claim he didn't plan to kill his friend or relative or sweetheart? Would we expect a killer to ask for a stiffer sentence by admitting premeditation?

But crimes of passion do occur and some people do shoot people during a rage! Gun-control laws would stop some of this! The would-be killer would have time to cool off if a gun wasn't so handy!

I realize that some people temporarily lose control of themselves, and that they may cool off and not kill or harm if a weapon is not available. But that is not a case for gun control. It's a case for praying that no lethal weapon is handy. An enraged person does not care if he kills with a gun or a knife or a baseball bat or whatever. And you can't prevent such killings unless you can guarantee the absence of anything that could help him kill. That can't be done.

Senator, be reasonable! Certainly you must realize that controlling guns just has to help prevent killings and other crimes? When gun-control proponents are hard pressed, they invariably fall back on repeating this unsubstantiated claim in a way that suggests it is a self-evident truth. What does seem obvious to me is that gun-control laws do not control the criminal use of guns. If gun control works, how do you explain the extremely high rate of firearms killings and other crimes in a place that has had the most strict gun-control law and the most strict gun-control enforcement in the nation for decades—New York City?

You don't think New York City is a fair example? OK. What about Detroit, Boston, Washington, Los Angeles, Miami, Newark, St. Louis? They all have very strict gun laws. Yet each of these cities has an extremely high homicide rate and an extremely high robbery rate. If gun-control laws curb crime, how do you explain that?

They're big cities? Is that why? Then how is it that many other big cities that do not have strict gun control laws—Denver, Milwaukee, San Diego, Jacksonville—have considerably lower homicide and robbery rates?

You want proof that gun control works? Just compare us with some of the foreign countries. Fine. Go right ahead.

Great Britain has gun laws more strict than the strictest American laws. And the rate of violent crime involving firearms is far less in Great Britain than in the United States, right? If Great Britain has strict gun control and a low rate of violent crime involving firearms, and the United States has far less restrictive gun control and a higher rate of firearms violence, doesn't that tell us something? Sure, it tells us that England has fewer violent crimes involving firearms. Period. It makes no more sense to jump to the conclusion that Great Britain's lower rate of violent crime is caused by its strict gun-control laws than it would to believe that New York City has a higher rate of violent crime than Great Britain just because it has stricter gun laws.

There is absolutely no proof that Great Britain's lower rate of firearms violence is a result of its gun laws. It is far more reasonable to conclude that it is a result of cultural differences between Americans and Englishmen.

Oh, yeah, then how do you explain Japan? Japan has strict gun control and a far lower rate of firearms violence than we do. True, but, there is no evidence that the reason for the lower rate is gun control rather than cultural differences, just as the fact that the rate of firearms violence among Japa-

nese-American citizens is lower than the rate in Japan itself certainly does not prove that living in a country with less restrictive gun laws makes persons of Japanese descent even less prone to violence.

Both Great Britain and Japan, incidentally, have criminal justice systems that produce a significantly greater conviction rate than ours. Certainly that has to be considered a factor in their lower crime rates.

Senator, think! Doesn't it stand to reason that the more guns there are in private hands, the more gun-related crimes we are going to have? No. Gun-control advocates who like to point to the experiences of foreign countries should try explaining why the country with the highest per capita possession of guns in the world—Switzerland—has one of the lowest rates of violent crime. Israel, too, has extremely high per capita possession of firearms and a very low rate of violent crime. Despite the nearly universal availability of firearms in both Switzerland and Israel, those two countries have crime rates comparable to that of Great Britain.

Senator, at least admit that more and more people are buying guns and we are having more and more crime. Doesn't that mean something to you? Sure it does, but not what you think it means. I don't believe there is more and more crime because more and more people are buying guns. The reverse is true—more and more people are buying guns because they are scared by more and more crime.

What about the statistics? What about the studies? There are mountains of statistics and volumes of studies on the subject of gun control—much of it conflicting. I have ploughed through a great deal of it. My conclusion is that there are no statistics or studies to prove that the imposition of gun control can reduce the rate of violent crime. Indeed, the well-known Cambridge University study of the early 1970s concluded that gun-control laws have had no effect on the crime rate in Great Britain. And the University of Wisconsin study (1975) also concluded that "... gun control laws have no individual or collective effect in reducing the rate of violent crime."

What about the police? Isn't it true that many heads of law-enforcement agencies support gun control? Yes, just as true as it is that many of them oppose gun control. Neither the proponents nor the opponents of gun control can honestly claim that law-enforcement leaders stand squarely on their side. Look at Los Angeles, where the sheriff of Los Angeles County spoke out for gun control at the same time the chief of police of the City of Los Angeles was speaking out against it. If we want to cite law-enforcement leaders, why not point out that the superintendent of Scotland Yard has said that gun control in the United States is not practical.

How about this compromise? Let the people retain their ownership of guns, but let's secure all guns in safe places such as armories. The gun owners can check them out when they want to go hunting or target shooting. Next to the idiotic claim that gun owners are trying to prove their masculinity, the most foolish idea about guns is the push to round up thousands and thousands of guns and place them all in central locations where screwballs or terrorists could instantly acquire a massive arsenal that could be used against our ill-equipped police and a totally disarmed public!

Senator, are you going to stand there and say that gun control laws are not necessary? I am going to stand here and say that gun-

control laws are futile and that they are totally impractical. They are only a minor inconvenience to the criminal and they are an unconstitutional infringement on the rights of law-abiding citizens.

Let's deal with the constitutional issue for a moment. The Constitution of the United States specifically states, in the Second Amendment, part of our Bill of Rights, that the right of the people to keep and bear arms shall not be infringed.

Senator, you know what the Second Amendment says! It says: "A well-regulated Militia being necessary to the security of a free State, the right of the people to keep and bear Arms shall not be infringed." Now certainly you know what that really means? Yes, I do. It means that the Founding Fathers deliberately withheld monopolistic power over firearms from the government as part of their brilliant system of checks and balances against excessive power in the hands of the government. The Second Amendment was conceived in order to preserve and protect our individual liberties.

No! No! All it means is that a militia—like the National Guard—can have guns. I think that if the Founding Fathers meant that, they would have said that. To them, the militia meant the people. I believe that they included the Second Amendment in the Bill of Rights as a check against domestic tyranny.

Even if I did not object on constitutional grounds, I would still oppose gun control because it is no more than a totally impractical illusion.

Do you know there are from 125 million to 200 million firearms in the United States today, depending on whose estimate you choose to believe? Anyone who honestly believes that we would have less violent crime if only guns were not so readily available has to believe in taking away 125 million to 200 million firearms from the citizens.

Generally speaking, gun-control proponents avoid saying that, but the views they hold logically compel them to take such a position sooner or later. How could we round up 125 million to 200 million firearms? It's impossible!

How much do you think it would cost for the government to buy up all the guns, even just all the handguns, in the country? Billions! Imagine the massive bureaucracy it would require. And who among us doubts for an instant that most guns would never be surrendered? No wonder the superintendent of Scotland Yard said that gun-control is just not practical in the United States!

Gun-control proponents usually fall back to a position that holds, in effect, that we can at least make a start by restricting possession of guns, or at least handguns, but their real long-range goal is to ban private possession of all firearms. That is a threat to individual liberty.

We know from experience and from common sense that gun-control laws don't work. We can make it impossible for the law-abiding citizen to obtain a gun, but there is no possible law that could prevent criminals from obtaining guns illegally. We can restrict cheap guns, but all that accomplishes is to increase the profits of gun dealers. We can ban short-barrel guns, but what's to prevent people from buying long-barrel guns and cutting them down? We could totally outlaw the manufacture of firearms in the United States, but that would simply create a massive gun-smuggling industry. We could severely restrict sale and possession of ammunition, but illicit ammunition makers would flourish.

Given the enormous number of firearms in private hands in the United States and the widespread support for the private ownership of firearms, real gun control in the United States today is about as practical as abolition of free speech.

I vote against gun control for three basic reasons:

(1) It is an unconstitutional infringement on a basic American right.

(2) There is no convincing evidence that gun control reduces crime.

(3) It is totally impractical.

Massachusetts passed the kind of gun-control law that many of my colleagues tried to pass and are continuing to try to pass here in New York State. Their law imposes a minimum mandatory jail sentence for illegal possession of a handgun. The legislators who voted for these laws claimed they did so to fight crime. Interesting! Massachusetts did not impose a mandatory minimum sentence for armed robbery, burglary, rape, or even murder! Ask a gun-control proponent to explain that.

Crime—that's what we need to control. We need tougher crime-control laws, tougher courts and tougher corrections systems.

The answer to crime in America today isn't to take guns away from law-abiding citizens who feel a gun affords them protection. The answer is to put more criminals where they belong.

ESCALATION IN NICARAGUA

HON. MICHAEL D. BARNES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. BARNES. Mr. Speaker, during the past several years many of us have lamented the fact that the Reagan administration seems determined to keep United States-Nicaraguan relations on an escalatory cycle. Our entreaties have not yet been successful in changing administration policy to one of seeking peaceful settlements in the region. But we must continue to speak out on this matter. I continue to hope that some way can be found to stop the escalation and seek peace.

In that spirit, I wish to share with my colleagues a recent column on the subject by the respected columnist of the Christian Science Monitor, Joseph C. Harsch. There is much calm wisdom in this column, in marked contrast to the administration's overheated rhetoric. I hope my colleagues will give Mr. Harsch's column their careful attention:

STRUGGLE FOR NICARAGUA: ESCALATION

According to the back files of the International Institute for Strategic Studies (IISS), there were 200 Cuban soldiers deployed in Nicaragua in 1981 when Ronald Reagan came to Washington and took over American foreign policy.

The number went to 1,000 in 1983 and then to 3,000 in 1984. The latest edition of the annual IISS report on "The Military Balance" again carries the figure of 3,000.

In other words, the presence of Cuban troops in Nicaragua in support of the present Sandinista government of Nicaragua is not new. But it climbed as the Reagan administration in Washington organized and deployed a counterrevolutionary

force against that Sandinista government in Nicaragua.

There was a flurry of excitement in Washington last week over those Cuban troops in Nicaragua. United States Assistant Secretary of State Elliott Abrams, testifying before a congressional committee on Dec. 5, said that the Cubans were, and had been for some time, taking part in combat. Surprisingly, he used the figure of 2,500 for Cubans in Nicaragua. Normally in such matters, United States government officials use the highest figure available, particularly when they want more money from Congress.

The flurry of renewed interest in the story of the United States vs. Nicaragua had started earlier in the week, on Monday, Dec. 2, when the U.S.-backed rebels, or "contras," successfully shot down a Soviet-built helicopter. The contras used a Soviet-built SA-7 guided missile for the shooting.

The Soviet SA-7 is a lightweight handheld anti-aircraft weapon. It has been deployed for over 10 years. It is widely used in the armed forces of the Soviet Union and its clients worldwide. Apparently it can be bought on the open market. The story offered in Washington of how the contras obtained a Soviet built SA-7 is that it was probably bought in Portugal.

The use of the SA-7 by the contras was apparently a shock to the Nicaraguans. Nicaraguan President Daniel Ortega Saavedra promptly denounced it as an act of "escalation."

That takes us back a ways. There has been steady escalation in and around Nicaragua for some time. It began with the 1981 decision of the Reagan administration to organize and mount an anti-Sandinista force. Deployment of that force in Honduras began in 1982. It reached its peak of effectiveness in mid-summer of 1984. At that time, contra raids penetrated within some 40 miles of the capital.

That phase of contra activity had been made possible by light planes capable of supplying the rebels well inside Nicaragua. They could, with supply by air, stay "inside" for days, even weeks at a time. But in war there is often a new answer to a new move.

The United States supplied the supply planes to the contras. The Soviets responded by sending helicopter gunships to the Sandinistas. Those gunships put the contras into a winter lull. Their supply planes fell easy victim to the Sandinista gunships. The contras have had a quiet season in which to regroup.

They were revived when Congress reluctantly authorized \$27 million for "humanitarian" help. How "humanitarian" help got translated into Soviet SA-7 weapons is a story that lies hidden in that realm of action called covert in the current jargon of Washington. But obviously the SA-7s are an answer to the gunships.

So there has been steady escalation back and forth ever since 1982. The United States built the contra force. The Cubans sent 3,000 soldiers to help the Nicaraguans. The United States provided the contras with the capability of supply by air. The Soviets answered with gunships. The contras got SA-7s.

Where does it lead? U.S. Secretary of State George P. Shultz has gone off on a trip to Europe, leaving behind a hint that he might come back and ask Congress to provide overt United States military aid to the contras on the ground that the Cubans have escalated their role by going into combat with the Nicaraguans.

It begins to look as though the Sandinista regime in Nicaragua can be brought down

only by actual overt use of U.S. troops. So long as United States aid is supposedly "clandestine" and "covert," it is possible for Moscow and Havana to countermove by a new move.

At some point, Mr. Reagan will probably either have to give up in Nicaragua or send in the United States Marines, plus a big chunk of the United States Army. The Sandinistas now have about 60,000 men under arms, with steadily improving training and equipment.

REDUCING FEDERAL SPENDING

HON. DICK CHENEY

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. CHENEY. Mr. Speaker, earlier this year, Mr. James Rouse of Saratoga, WY, came up with the idea of sponsoring an essay contest with cash prizes for the best essays on what the average citizen can do to reduce waste of the Government's money. Using his own money, Mr. Rouse paid \$1,000 for the first prize, \$500 for the second, and \$250 for the third prize, to three young people in his community who researched and wrote essays on this important subject.

I am pleased today, Mr. Speaker, to submit for publication in the RECORD an essay entitled, "To Spend or Not To Spend?" by Miss Jennifer Justice of Encampment High School in Encampment, WY. Jennifer received \$500 for her excellent work. I hope it serves as an inspiration to other young people to take an interest in the affairs of their Government.

TO SPEND OR NOT TO SPEND?

(By Jennifer Justice, Encampment High School, Encampment, WY)

We live in a time period that has been called the "Me Generation". The Eighties are an era in which people have come to realize the importance of personal incentive and the consequential profits. Unfortunately, this success can result in greed. This applies to the United States' government as well as individual citizens. By 1984, the U.S. government had built up a \$184 billion deficit. There are three essential factors in reducing this incredible deficit: identification, information, and interest.

J. Peter Grace, prominent businessman and author of "Burning Money," a report on government waste, found in his recent research that nearly every governmental operation has an element resulting in waste and inefficiency. Grace claims that we can "fix it" (excessive government spending) by identifying and eliminating that waste and inefficiency. Throughout his report, Grace identifies the problems with specific examples:

1. He tells of routine Social Security payments made to some 8,000 American people who are deceased.

2. Grace says that the Veteran's Administration spends twice as much per hospital bed and four times as much per nursing home bed as the private medical sector.

3. The Pentagon purchases 3-cent screws for \$91, 25-cent compressor caps for \$100, 9-cent batteries for \$114, and 60-cent light bulbs for \$511. The government pays \$436 for a \$7 hammer. A retired Air Force officer

I know describes waste in the military. He tells the story of a large quantity of new street lights being buried at the base dump before an inspection. They were not listed on the inventory and therefore caused a problem. Two years later, a contest was held to get suggestions on how to light the missile complex parking lot at low cost. This officer turned in the suggestion to dig up the "unknown" streetlights. Not only did the officer win \$100, the parking lot was lit entirely by the "problem" lamps. Had it not been for one scavenger officer, the government would have again succeeded in abusing taxpayers' money.

4. Repeatedly, we see absurd waste of the taxpayers' money. Federal travel expenses for 1984 were \$4.8 billion. Had the government taken the time to centralize travel procurement and take advantage of large-business accounts, it would have saved taxpayers \$984 million over a period of three years.

5. There are 4,000 military bases in the United States, but only 312 of them are considered significant; the rest are considered support facilities with less than 150 employees each. If efforts to close unnecessary bases were successful, it would result in a potential savings of \$2 billion per year.

6. The formula used to calculate food stamp benefits has not changed since 1971, though the American economy has. This results in \$1 billion a year of taxpayers' money again being abused.

The abuse and waste goes on and on. Simply stated in the words of J. Peter Grace, "The problem is too much Federal spending, and neither ignoring it nor covering it up will make it go away."

The next factor in reducing government waste involves information. The problems lie in Federal operations. The information that is necessary for efficiency is usually inaccurate, out-of-date, unavailable, or incomplete. For the American people to really make a difference on the issue of government waste, they have to be informed as to how their government is spending their money. Unfortunately, usable data is hard to come by because of the lack of organization in the United States government. For instance, the Veterans' Administration pays \$15 billion per year to six million claimants, and while they know that over \$500 million is paid in error, they have no formal system to correct the problem and therefore the American people pay once more for the government's misuse of information. To truly make the American people aware of the huge waste of funds in the U.S. government, hence causing them to take steps to make a change in policy, careful study must be done on the subject of governmental waste and abuse. The citizens of the United States need to be familiar with the things taking place in their "democratic" government.

The third and final step toward reducing government waste is to peak the interest of the people. The United States government was founded on the democratic ideals; ideals that said that the people took a strong interest in their government and its operation. Grace calls for a "crusade of the people" to form a more efficient and productive government by forcing Congress to get rid of government waste and abuse. Congress is the key toward making these improvements because the legislature has the power to control spending. It is the American people who lose when the government misuses its finances. The people must show their concern for the future of America by demanding that their Congress waste less in its

functioning. Grace claims that one of the most important ways to do this is by requiring Congress to grant the President the item veto. Millions of dollars are wasted each year on "riders" attached to larger bills that the President has no control over without the item vote. This step starts with personal letters from the people.

Wyoming Congressman Dick Cheney said at a recent youth leadership seminar that one of the most effective ways to influence the government is to write personal letters to members of the Congress. Cheney stressed the significance in government, so the people should become personally involved and interested in the government of their country.

Identification, information, and interest; three important steps toward reducing government waste and abuse. The concerned citizens of the United States must first identify where the problem lies, become informed on the problem subjects, then act on what they know because of their genuine interest in the stability of the American government. If the question really is, "To spend or not to spend?", I choose not to spend and follow through by making a commitment to be a conscientious, well-informed voter, voting only for those politicians whom I have seen in action in events such as political forums, and who will recognize my concerns as a voter and taxpayer.

I commit myself to the task of writing my representatives to express those concerns. In the words of J. Peter Grace, "By taking action as an individual citizen, voter, and taxpayer, you reject the fashionable cynicism that says that the American democracy is no longer workable. We have the best, most envied form of government in the world. It is so, precisely because it does respond to the will of the people."

PROTECTIONISM COULD LEAD TO WORLD WAR III

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. FRENZEL. Mr. Speaker, a noted former professor of political science at the University of Minnesota and consultant to the well-respected Minnesota International Center, Mr. William C. Rogers, has written a short paper which paints a rather stark scenario on how passage of extreme protectionist bills, such as the textile bill, could lead to a major trade war that could actually result in isolation of the United States, a turn by our allies toward the Soviet Union and possibly the start of World War III.

I would recommend the paper to my colleagues as one worth reading.

PROTECTIONISM AND THE COMING OF WORLD WAR III

(By William C. Rogers)

For the last year the possible dire economic consequences of the current rise of protectionist pressures in the United States Congress have been trumpeted from the administration in Washington, from the media, and from practically every university economics department in the country. The message is: new barriers to U.S. imports would harm consumers, especially the poorest of our people, as well as hurt the econo-

my of other countries including our allies and many recipients of American aid programs.

One example of this danger can be drawn from the textile bill passed by Congress. It is one of over 300 protectionist bills before Congress. Estimates are that each American textile job saved would cost our economy \$42,000 for every \$11,000 a year job saved. Lower income people would have to pay more for their clothes and would have less money to spend on other consumer goods, thus hurting industries such as agriculture and manufacturing. More serious, would be the inevitable retaliation from other countries injured by the proposed new barriers. Would they continue to be willing to buy U.S. products in these circumstances? Not if they could help it, we are told. Multiply the damage of the textile bill by 50 or 100 and the U.S. might find itself in the place it occupied in the 1930s when it had the dubious honor of having the highest tariffs in the world after Spain.

The Great Depression can be traced in a very direct way to the Smoot-Hawley Tariff of 1930, the highest in our history. It was signed by President Hoover to satisfy the demands of farmers and scores of industries which blamed "foreign devils" for their economic plight. Farmers who benefited from World War I food shortages which increased U.S. exports from \$2.5 billion in 1913 to \$8.2 billion in 1920, wanted the good days to continue. But after the war Europe began to grow its own food again and U.S. agriculture slumped. Far from helping, the new tariffs helped bring on a farm depression.

While the economic arguments against protectionism are fairly well known, against protectionism, a far more dangerous military argument against protectionism is seldom voiced. It must be faced, however. World War III could well result from a new tariff war. Bad as World War II was, it would be child's play compared to nuclear warfare. World War II had some of its deepest roots in the protectionism that developed in the 1920s and the 1930s and we shall suggest trade barriers could fuel World War III.¹ We will attempt to trace the relationship between protectionism and war as it worked in the past before examining the possible path from today's protectionism to tomorrow's disaster.

The years immediately before and after World War I are probably about as well known to most of us as the rise and fall of the Assyrian Empire. World War II is this generation's war. Yet the decade before 1914, when "the lights went out all over Europe," saw a great expansion and improvement in the world economy. Trade was very free and open as was the movement of people. The United States and Venezuela were among the few countries which even bothered with passports. The world banker was London and the British luxuriated in their vaunted free trade policy. The United States and Japan were becoming world powers. Unfortunately the search for military power and the rise of nationalism triumphed over the relatively harmless pursuit of profits. The Kaiser's Germany wanted her "place in the sun." The Czar's Russia was pursuing Pan Slavism. France wanted revenge for her 1870 humiliation and America happily isolationist and nearly disarmed after the Civil War was content to "twist the lion's tail" at election times while enjoy-

ing the open world economy, protected by the British Navy and our two oceans.

The period immediately after World War I saw a revival of high tariff policies among the victorious allies but most notably in the United States. High tariffs had been a fixture in the USA since after the Civil War when the cry was raised to protect our newly developed "infant industries." They were finally effectively opposed by Woodrow Wilson when he was elected. The needs of World War I made them obsolete. But after the war in 1920 the high tariff Republicans were in office again. According to Morrison and Commager's classic American history text, "Within a month of his accession to the Presidency, Harding announced 'the urgency for an instant tariff cannot be too much emphasized.'" Congress responded with the Emergency Tariff of 27 May, 1921, historically important because of its prohibitive agricultural schedules. "More important was the Fordney-McCumber Tariff of September, 1922, which established rates higher than ever before in our history. Duties on sugar, textiles, pig iron, rails, and chinaware were restored to the old Paine-Aldrich level while increases on toys, hardware, chemicals, dyes and lace ranged from 60-400%." The United States led the way to a protectionist world after the first world war. (Do these protectionist triumphs have a familiar ring to them? Sugar, textiles, and steel are certainly items that Congressmen in the 1980's are eager to protect once again).

Meanwhile, across the Pacific, Japan's military, which had been on the Allied side against Germany, was willing to give the newly developed Japanese business classes a try at governing. In a respite from its Samurai inspired military adventures, Japan gave peaceful economic growth a chance, but the going was hard. Britain was recovering from the War and passed an Empire Preference Trade Act in 1923. The U.S. fearing both the "yellow peril" of Japanese immigration and a flood of "cheap Japanese goods" enacted an humiliating Japanese exclusion act. The Japanese military fumed with anger but stayed confined to barracks, waiting and hoping that the business interests would fall in their peaceful commercial methods of improving the Japanese economy.² The army hoped to solve Japan's economic problems by conquest.

Violent reaction to the impact of protectionism across the Atlantic came from two militaristic demagogues in central Europe. Mussolini had triumphed in Italy in 1922 with his "March on Rome." He called for a new Roman Empire to meet Italy's economic needs. Adolph Hitler, frothing at the mouth in a prostrate Germany had launched his famous "beer hall putsch" in 1923 and ten years was Chancellor. Neither dictator had any faith in peaceful trade and commerce as a cure for their nations' ills—quite the contrary. Hitler scorned the attempts of "bourgeois" leaders to restore Germany's economy after the war, and when they had nearly succeeded after the Locarno Pact and the first London Economic Conference he continued to demand "lebensraum" and "autarki" instead of a restored world economy. While the world economy was beginning to recover in the 1920's the Wall Street crash of 1929 gave powerful new support for the protectionist route. This tariff war eventually led to the seizure of power by military tyrants in Italy, Japan and Germany. The invasions of Manchuria, Ethiopia and Poland, and eventually the bombing of Pearl Harbor followed. If

¹ Some details about Annie Wilson and her run into Mexico have been altered to protect her anonymity.

the world had regained a free and open trading system after 1919, such as we have had for the last 40 years since World War II, there is a good chance World War II could have been prevented. And what does all of this have to do with today? The Allies in 1945 were determined to avoid the economic disasters following World War I. The Bretton Woods Conference of 1944 established a new open world economic order which has made the world more prosperous than at anytime in history. But will it last?

The current alarming trade protectionist developments aimed by Congress at the Pacific Basin must remind us of the march of events which took Japan from being a peaceful trader in 1919 to taking the road to military conquest in 1931. American and European protectionism was a major cause of this tragedy.

What is the scenario by which protectionism could lead to World War III? The Soviet Union's main objective since the end of World War II has been to split the United States from its allies in Europe and from Japan. This would isolate the United States and make the Soviet Union the dominant world power. Would Soviet world hegemony lead to world peace? Some might hope so, but most would doubt it. A recent issue of the Naval Institute "Proceedings" examines the possible American military response to such a Soviet triumph in the Pacific.⁵ Some may reply that this is a typical militaristic Pentagon response to an imaginary threat used as a ploy to gain bigger appropriations, yet a trade war which would cause Japan's standard of living to drop precipitously could cause her to look elsewhere than to America and Europe for economic salvation. For a long time the Russians have been wanting technical help to develop Siberia. They could get it from Japan. China, of course, remains a natural market for Japan and indeed is a large trading partner already. An arrangement of this sort would be on China's terms now, unlike the period of Japanese dominance ending in 1945. The potential of a Japanese-Chinese-Russian relationship in the Pacific should be a cause of apprehension in California at least! (See Edwin P. Hoyt's new book "The Militarists: The Rise of Japanese Militarism Since WWII" for just such a scenario).

Even more alarming than the possibility of losing our strongest and oldest ally in the Pacific is the damage we may be doing to a new friend in the area—China. Singapore Prime Minister Lee Kuan Yew spelled it out in an October 1985 speech to a joint session of Congress. He said "China is seeking growth through trade, not territorial aggrandizement . . . For nearly 30 years . . . China was a ceaseless spoiler of other countries' economic plans as she undermined their stability. She was an exporter of revolution". He pointed out that China had reduced her army by one million men to take advantage of trade with the West. He then asked "Is America willing to write off the peaceful and constructive developments of the last 40 years that she has made possible . . . when she has nearly won this contest for the hearts and minds of the Third World?"

And what about Europe? Europe in modern times has always lived on exports. Without being able to sell to America she would have difficulty buying many of the things that are necessary for her standard of living. Again Russia and Eastern Europe beckon as a market place of last resort, again on Communist terms. Much has been written over the years about the possible

"Finlandization" of Europe. A trade war would certainly make this much more of a possibility. If the Europeans were faced with the possibility of maintaining their own defenses and their own economies without the participation of the United States and with a loss of our trade there would certainly be a temptation to neutrality. A Soviet offer for a united and disarmed Germany might under these conditions have great appeal.

A growth in anti-Americanism would feed nationalism and its twin brother militarism in the Third World where the impact of a protectionist America can only be imagined. If Cuba and Nicaragua are a problem now, what would be the effect on the rest of Central America and Mexico of a new America protectionist wall?

The bogey man of world communism has been used to explain many excesses of U.S. foreign policy, but in a protectionist world it is reasonably clear which of the two super powers would benefit the most. The Soviets have lived with protectionism since the Stalin years. Their market has been virtually closed to the world for 50 years and they now have learned to live with this situation.

Would the United States accept a Soviet dominated world without resistance? Certainly the "Fortress America" concept of former President Hoover would have overwhelming support. The Strategic Defense Initiative would also be looked to for salvation. But would a purely defensive posture be acceptable to the American people even when faced with Armageddon? Would not some incident or groups of incidents trigger small armed conflicts before this scenario of "America Isolated" came to pass? With American troops in Europe and our navy in the Pacific, would we stand by as one former ally after another was absorbed willingly or unwillingly into the Soviet sphere of influence? The fate of the 300 protectionist bills in the U.S. Congress may hold the answer to the question which we failed to ask ourselves in the 1930s—"can protectionism lead to war"?

CHRONOLOGY

- 1921—"Emergency Tariff" in U.S.A.
- 1920's—Victorious allies raise tariffs.
- 1922—U.S. Fordney-McCumber Tariff.
- 1923—British Imperial Preference Act.
- 1924—End of rise of PW Trade barriers (Kirk and Sharp, Contemporary Politics, 1940).
- 1925—Locarno Pact.
- 1927—French-German commercial treaty.
- 1927—League of Nations International Economic Conference report ("excellent but not adapted").
- 1928—French troops leave Rhine.
- 1929—Midsummer "extremely promising"—U.S. German Young Plan.
- 1929—October—Wall Street crash.
- 1930—London Economic Conference I—moratorium.
- 1930—Smoot-Hawley Tariff Act passes.
- 1931—Manchuria invaded by Japan.
- 1933—Hitler becomes Chancellor.
- 1934—London Economic Conference failure partly due to U.S.'s refusal to cooperate.
- 1934—Ethiopian invasion by Italy.
- 1936—Italy, Japan and Germany in Anti Comintern Pact against USSR.
- 1936—German troops in Rhineland.
- 1941—Pearl Harbor.
- 1944—Bretton Woods Conference establishing Bank and Fund and new post-World War II open world economic order.
- 1945—Surrender of Axis Powers.
- 1985—300 protectionist bills before Congress.

FOOTNOTES

¹ Of course there is a case for "the level playing field" approach to selective protectionism. Other countries take advantage of America with their own trade barriers. The Reagan Administration has a new and aggressive policy to "even the tile" although some say it is mainly for show to stop the protectionist excesses of the Congress. The arguments for protecting our basic industries voiced by the AFL-CIO in strident terms is less convincing. (See any issue of "AFL-CIO NEWS" 815 16th Street, Washington, D.C. 20006).

² Morrison, Samuel Elliot Morrison and Comager, Henry Steel, The Growth of the American Republic, Vol. II, Oxford University Press, (1962) New York, N.Y. p. 635.

³ Shigenori, Togo, The Cause of Japan, Simon and Schuster, (1956) New York, N.Y. "Already in the years 1918 and 1932—the 'period of normal government'—three premiers and assorted other public figures had met death by violence" and by 1931 "any who opposed aggrandizement and militarism were stigmatized as 'corrupt politicians' or 'selfish financial magnates,' who must be silenced."

⁴ In the modern age, few if any wars have been fought for purely economic reasons, Marxist explanations to the contrary. Wars are fought for many reasons. Chief among them in contemporary times has been nationalism and ideology. Nevertheless, economic reasons have been used to justify armed conflict and real and genuine economic injustices and hardships which can be used to justify acts of force. (See Quincy Wright, A Study of War, for a definitive treatment of the causes of war). Other factors and fancies used by the Axis powers to gain power and mobilize public opinion for war included the desire for revenge, fear of Communism, racial hatred, "Socialism," and "population pressures." On this last point, the Japanese military complained that a nation of 75 million in 1930 could not exist without colonies. Now Japan has 100 million people living in astonishing prosperity.

⁵ Proceedings, U.S. Naval Institute, August, 1985. The first article states "The Soviets have increased the size of their Pacific Ocean Fleet by more than 50 ships and submarines since 1983." Other articles deal with Japan, Oceania, New Zealand, Southeast Asia, Guam and the Pacific Coast. It warns of a world in which U.S. influence is not felt past the mid-Pacific.

NATIONAL ASSOCIATION OF HOUSING COOPERATIVES

HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. HAWKINS. Mr. Speaker, nearly 500 housing cooperators from around the Nation convened in my city of Los Angeles to hold the 25th Annual Conference of the National Association of Housing Cooperatives, October 16-20. The theme of the conference was "a celebration of knowledge and experience."

Housing cooperatives are the cornerstone of providing economic democracy to our Nation, affordable, nonprofit, housing ownership. NAHC is the primary professional and consumer association for housing cooperatives in the United States. NAHC members share a belief in the principles of cooperative enterprise, and a dedication to the interests of cooperative housing communities.

NAHC's annual conference consisted of 3 days of intensive workshops designed to improve the operation and quality of life of housing cooperatives. Among the 34 workshops were such interesting subjects as cooperatives for the elderly, crisis in commercial insurance, disaster planning and recov-

ery, newsletters for your co-op, and energy conservation and rehabilitation.

At the NAHC annual meeting, members of the board of directors were elected or re-elected. These were: Charles Flannagan of Brooklyn, OH; Peter Merrill of Portland, ME; Paul Fisher of Bronx, NY; Roger Willcox of Norwalk, CT; and Lydia Joseph of Sausalito, CA. At the board of directors organizing meeting the following officers were elected: chairman emeritus, Charles Rappaport of Queens, NY; president emeritus, Roger Willcox; chairman, Marlene Cooper, Atlanta, GA; president, Herbert H. Fisher of Chicago, IL; executive vice president, Terry Lewis of Ann Arbor, MI; treasurer, Paul Fisher, secretary, Dean McKennon of Beverly, MA; immediate past president, Lydia Joseph, and members of the executive committee, Bill Magee of Chicago, IL and Kenneth Mordaunt of Brooklyn, NY.

Mr. Speaker, the keynote speech at the NAHC annual conference was delivered by the association's president, Herbert H. Fisher, a Chicago attorney. In his address he stated:

NAHC exists to serve, to provide leadership and to maintain integrity in today's cooperative housing market based upon the interests of the housing cooperators and their need and desire for decent housing operated on a democratic basis.

I commend Mr. Fisher's keynote speech to my colleagues, for it contains many words of wisdom.

KEYNOTE SPEECH (EXCERPTS), BY HERBERT H. FISHER, PRESIDENT, NATIONAL ASSOCIATION OF HOUSING COOPERATIVES

It is with utmost pleasure, pride and satisfaction that I am called upon to welcome you to this 25th Annual Conference of the National Association of Housing Cooperatives being held in this, its 35th year of organizational existence.

It is only with recognition of the significant contributions of those who have served this organization and the housing cooperative community of our Nation in the past, both housing cooperators and professionals serving housing cooperatives, many still making their contributions, that we are today able—without reservation and with legitimate recognition—engage in a "A Celebration of Knowledge and Experience" the theme of this Conference.

There is no place else in this country that anyone interested in housing cooperatives or needing information or support can turn for reliable knowledge and experience than to the National Association of Housing Cooperatives and its members.

NAHC exists to serve, to provide leadership and to maintain integrity in today's cooperative housing market based upon the interests of the housing cooperators and their need and desire for decent housing operated on a democratic basis. NAHC is dedicated to that service and to the protection of those interests—protection of housing cooperatives and you, their cooperators—present and future. As was the slogan of the labor movement of the 30's—"In Unity There is Strength", we must face the future with such strength as comes from our unity. We must soothe the disunion and avoid disunity by common and mutual efforts.

Also, with pride I can review what we have accomplished during the past year—since

our most successful conference in Boston. We have contributed 4 NAHC members to the National Cooperative Bank Board. We have called our member's attention to the eligibility of GNMA certificates as investment vehicles. We have called attention to pending legislation which would require housing cooperatives to report the pass-through of mortgage interest. We warned of content in the FNMA drafted recognition agreements used by the Share Loan Service Corporation. We have sought to contribute to housing cooperatives generally by offering a definition for housing cooperatives. We have allied ourselves with the Low Income Coalition to find a solution to our Nation's housing problems. We co-sponsored with the Cooperative Housing Foundation a dinner in recognition of attendees at the International Cooperative Alliance Meeting in Washington, DC. We reinstated our Cooperative Housing Newsletter competition. We made input into HUD's involvement of Section 203 (n) (insured share loan program) regulations. We are seeking a definition or allowable expenses for Board functioning, conference attendance and education which all HUD offices will recognize. We published Alex Miller's work on Marketing Cooperative Memberships. We perpetuated the memory of Jerry Voorhis by continuing the Jerry Voorhis Award. We reminded cooperatives of the increased penalties for failing to provide 1099 forms for non-employees doing contracted work for the cooperative and if patronage dividends of over \$10 are declared. We also got our Cooperative Housing Bulletin back on a regular bi-monthly publication and distribution schedule.

Of greater long term significance is our having reinstated the publication of the Cooperative Housing Journal after a few years of suspended publication. We are proud of that accomplishment in reducing to writing our Knowledge and Experience into articles of lasting value for leaders of housing cooperatives—and for the entire membership.

In a most important legislative activity, NAHC took the initiative, not to dictate, but to secure the consensus upon which we can eventually defeat threatening Federal Legislation and secure the modernization of Section 216 of the Internal Revenue Code through which housing cooperatives pass through the Cooperative's mortgage interest and real estate tax expense to their cooperators' individual tax returns.

It is only NAHC, together with its affiliated associations, which is trying to find a solution to the attempts of IRS to tax reserve interest income under Section 277 of the Internal Revenue Code.

You have all proven you can survive against the most adverse economic conditions to be imposed upon housing—inflation, unemployment, utility and fuel costs escalating, increasing employee wage levels, and even internal member/shareholder dissension. Your cooperatives remain as bastions of democratic economic entities providing safe, sanitary and decent housing for your member/shareholders. You are now being asked to look outward and truly join with other housing cooperatives and their housing cooperators to fight some common battles which transcend whether or not you are a cooperative related to HUD programs or not; whether you provide housing for upper income families or for families of modest incomes; whether you are located in suburban dales or in inner city canyons.

The Internal Revenue Service and proposed changes in the Internal Revenue

Code now threaten all of us. Low and moderate income families, who may not now be concerned about reserve income being taxed or about the pass through of the cooperative's real estate tax and interest expense on individual cooperator's tax returns, may be facing the day when now depleted reserves are replenished or when economic integration of their cooperatives may be their only chance at survival; or the upwardly mobile member/shareholders may desire, to remain in the cooperative and are willing to pay surcharges in order to do so because of the pass through of deductions to their own individual tax returns. Cooperatives with Section 8 contracts must plan for the day those Housing Assistance Payments contracts will expire.

Cooperators must recognize that we must all work to finding a solution to our Nation's ignored housing problems to avoid cooperatives from becoming fortresses striving to survive against the onslaughts of the housing disadvantaged. All cooperators must support NAHC's effort to find solutions, cooperative or otherwise, to the housing shortage facing the majority of our nation—a shortage due to the lack of affordable housing available today.

It is only NAHC, knowing the increased educational needs of housing cooperatives and of groups seeking to create housing cooperatives for individually tailored educational and training programs, which has in place training programs in Los Angeles and Philadelphia. We have the knowledge and experience with our own expanding resources, together with our membership and our regional associations, to do what is needed.

DICK SULLIVAN

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. HOWARD. Mr. Speaker, Members of Congress often rise to recognize an act of bravery, eulogize a patriotic constituent or pay tribute to the heroic or unselfish acts of good samaritans. But all too often, we overlook the heroes with whom we work every day.

We owe a great debt of gratitude to the individuals who staff our personal offices and the committees on which we serve. These public servants do much of the work in this institution but get little of the recognition.

For 29 years, the Public Works and Transportation Committee has benefited from the loyal and enlightened leadership of its chief counsel, Dick Sullivan. Five full committee chairmen before me relied on Mr. Sullivan's sound advice to steer landmark legislation through hearings, mark-ups, floor debate, and often arduous conferences. Dick Sullivan has never shrunk from a showdown and is always eager and willing to defend the jurisdiction of the Public Works and Transportation Committee.

The phrase, "fiercely loyal" was never more appropriately applied than to describe Dick Sullivan. He has been loyal to his staff and to me without exception, he

has been loyal to Congress and its traditions and he has been loyal to our country.

It is for these reasons that I would like to share the attached Wall Street Journal article which provides a rare and I think, accurate, insight into Dick Sullivan as a man and as a great professional. The article follows:

[From the Wall Street Journal, Dec. 12, 1985]

A CHANGING CONGRESS IS SHOWN BY STORIES OF TWO STAFF MEMBERS
(By David Rogers)

WASHINGTON. Richard J. Sullivan remembers Jack Benny at New York's palace theater, the Ninth Infantry in World War II and the old Bronx Democratic machine. "I survived Catholic School," reads a sign on his cluttered desk.

James D. Bond's war was Vietnam; his home, North Dakota. From the first came a certain fatalism; from the second, a Midwest Republican loyalty nurtured by his late grandfather, a Fargo newspaper publisher. "I believe in burning communist crops," he jokes, puffing on a Cuban cigar.

Generations apart, Mr. Sullivan and Mr. Bond symbolize two eras of Congress.

As the veteran counsel to the House Public Works Committee, the 68-year-old Mr. Sullivan reached the zenith of his power during a period when ambitious legislation—for public works or social policy—was Washington's agenda. Today, though, times are tougher for Mr. Sullivan; and it is the 40-year-old Mr. Bond, clerk to the Senate Appropriations subcommittee for foreign operations, who is ascendant. He is a creature of leaner times; the limits on resources in recent years have given his panel extraordinary clout because of its power to allocate those resources.

The Gramm-Rudman budget bill, that Congress passed last night, both dramatizes and accelerates the change in political eras. With its progressively lower deficit targets and mandatory spending cuts, the measure assures that limited resources will be the reality for the foreseeable future. And if Mr. Sullivan represents an era that said "yes," Mr. Bond's job more often is to say "no."

SHIFTING POWER

Together, the two men offer an unusual portrait of a changing Congress in the age of deficit politics. Their story shows how power within the institution has shifted—from the authorizing committees that set policy to the appropriations committees that control the purse strings, and from a generation of builders to one of budgeteers.

On a more personal level, a close look at the two men offers a glimpse of the little-known world of House and Senate staffers, men and women who both influence power and are its instruments.

White-haired and irascible, Dick Sullivan is the model of an urban, ethnic Democrat. His expansive style matches his view of an activist New Deal government. In nearly three decades as chief counsel, he has served six chairmen; with his gruff, theatrical manner, he has dominated the panel as few staff members ever have.

Says Frederick Salvucci, Massachusetts' transportation secretary, who has sometimes dealt with Mr. Sullivan: "This guy could be called a committee staffer, but I wish to hell he was a senator. He is a guy who has been around a long time and believes in public investment."

Mr. Sullivan's committee career stretches back to 1957, corresponding with the period

in which landmark highway, water and environmental legislation was enacted. Those years of federal commitment and largess suited not only Mr. Sullivan's own political skills but also the ambitions of influential members.

SIGN OF THE TIMES

Today, however, the committee must struggle simply to protect its basic jurisdiction, let alone initiate huge new projects. A pending water bill, for instance, would mark the first major authorization of new projects in a decade. Another sign of the times: neither Public Works Chairman James Howard, a New Jersey Democrat, nor any other chairman of a major authorizing committee could initially get a seat on the House-Senate conference on the Gramm-Rudman bill.

Mr. Sullivan "is one of the finest politicians I know, but in a sense he is out of style," says George Mead, a North American Van Lines lobbyist. "When you can't get big highway and water legislation through, Dick doesn't know what to do."

The son of a New York City policeman, Mr. Sullivan went from World War II and Fordham Law School into the Bronx Democratic clubhouses. There, he "met the judges," a ritual for a politically minded young attorney, and ultimately won a job as counsel to Democratic Rep. Charles Buckley, the Bronx political chieftain who was then Public Works chairman.

Mr. Sullivan never fulfilled his ambition of succeeding Mr. Buckley in the House, but today he sometimes almost unconsciously slips into the phrasings of a congressman in floor debate. Once, during an angry meeting over the 1982 Environmental Protection Agency scandals, he delivered a long attack on uncooperative Justice Department lawyers and then exploded: "I yield back the balance of my time!"

"His flipping into member's parlance was accepted by everyone," remembers Stanley Brand, then counsel to the House clerk. "It illustrated his deep feelings about the committee. The members expected that of him—to be so committed to their position . . . to fall into that role."

Mr. Sullivan's sway within his domain can make him many friends. Back in 1975, for instance, he almost singlehandedly rewrote a legislative amendment that has since been worth hundreds of millions of dollars to mass transit systems such as the one in Boston, the home of House Speaker Thomas O'Neill. The committee had already cleared the provision, but aides drafting its precise wording differed with the phrasing sought by Massachusetts officials. In the final minutes before the bill was filed for action on the House floor, Mr. Sullivan made changes to meet the State's concerns. "It was literally Sullivan who saved that," says Mr. Salvucci, the Massachusetts transportation secretary.

Mindful of such influence, private interests sometimes have paid to hear Mr. Sullivan's views. House disclosure forms from the past six years show that Mr. Sullivan has received frequent honorariums from appearances before trade and corporate groups with a stake in legislation before Public Works. This income, though, has declined from approximately \$9,490 in 1978 to \$1,000 in 1984, the most recent year for which disclosure reports have been filed. "Part of it was for charity, part of it was for educating six kids," says Mr. Sullivan, who now earns \$71,050 but went through years of salary freezes because of Congress's re-

luctance to raise its own pay or that of senior staffers.

Today, Mr. Sullivan's power is challenged by younger, specialized subcommittee chairmen. The House and Senate changes that brought about this decentralization of committee power coincided with the emergence of a formal budget process. The net effect of all these changes is a more technical, less emotional staff, and because of budget constraints, a greater preoccupation with oversight than new legislation. The attraction of higher salaries outside adds to the turnover among staff members.

Even Mr. Sullivan's hard-charging style seems a bit old-fashioned. "I have not yet gotten a call from Dick that was not 'urgent' or 'important,'" says Chairman Howard. The same impatience can chafe others.

If Mr. Sullivan seems a legend past his time, his knowledge of the past may remain his greatest asset. "He has the institutional memory that is lacking in many of the staff people," says Rep. James Oberstar, a Minnesota Democrat who once worked with him on the Public Works staff and who now chairs the investigations and oversight subcommittee. "When he retires it will be the end of an era, the once dominant staff power figure [giving way] to a network of selfless professionals."

Rep. Oberstar's description notwithstanding, Jim Bond is no wallflower. He is a man of arched eyebrows and his own peppery brand of bluster, with a taste for the good life. "He starts at the top of the menu," says one lobbyist who knows him.

In other ways, though, Mr. Bond typifies the new breed of congressional staffer. He is self-conscious about bending his activism to the wishes of the senators he serves. "To the extent I'm out front, I'm nervous," he says, and this hesitancy reflects the perils of the power he enjoys in the budget wars. In fractionating out foreign aid, he walks between what he calls the "Rambo" and "misery" lobbies of the right and left.

Mr. Bond earns \$66,350 a year as an Appropriations Subcommittee clerk, a role that has grown vastly more important since the 1980 Republican takeover of the Senate and the wave of budget crises since. Officially, the far better known Senate Foreign Relations Committee is responsible for authorizing foreign-aid programs. But to an extraordinary degree, it is the Appropriations Subcommittee, whose chairman is Wisconsin Republican Robert W. Kasten, that has taken the lead in pushing the Reagan administration's policies.

Indiana's Richard Lugar, the new Foreign Affairs chairman, is seeking to reassert his panel's importance, most recently in private talks on foreign aid last week. But in an era of limits, the budget process works to the advantage of the appropriations panel. "The bottom line really in foreign assistance is not authority," says William Schneider, the undersecretary of state for security assistance. "The problem is resources, and this has focused on the appropriations committees."

A former House aide, Mr. Schneider knew both Mr. Bond and Sen. Kasten before they knew each other. Now, they form an unusual three-man axis that has had marked success in shaping foreign aid. Working together, they pushed the subcommittee to take the lead in directing military aid to El Salvador during the administration's first years. While satisfying Sen. Kasten's—and Mr. Bond's—pro-Israel stance the committee's annual bills have reshaped foreign-aid

priorities, nearly tripling the level of security assistance abroad since 1981.

"Jim has been very good at holding the ladder steady while Kasten climbs to success," says one Democratic observer. After eight years, he has learned the budget rules—and accounting tricks—he needs to serve his panel's interests.

His boldest ploy came this fall. To stay below budget, the panel eliminated all financing for new Export-Import Bank loans to U.S. exporters. But it then moved forward more than \$3 billion in unused money from last year, spreading it over fiscal 1986 and 1987 to keep the bank in business. The maneuver allowed Sen. Kasten to please the business interests that support the Ex-Im Bank. And it even left him enough leeway to forge an alliance with Hawaii Democrat Daniel Inouye to provide up to \$531 million to help Israel meet its debt costs on past U.S. loans.

In both cases, the subcommittee ultimately retreated, but only after first winning approval from the full appropriations panel and making its point with the administration. Senate financing for Ex-Im loans is still twice the House-passed level, and the State Department has promised to expedite its review of the debt problems facing Israel.

Mr. Bond's style in these dealings is often combative and impatient. But some call him "the Iron Marshmallow." His gruff exterior belies a compassion and good humor, and he has matured with the job after walking with what one colleague calls "heavy shoes" in his first years. After being so long in the minority, Republicans had to relearn the intricacies of governing, and there is a certain irony that a Vietnam infantry veteran should be the staffer to help lead foreign-aid appropriations.

His stated policy—"to reflect the views of the people I work for"—is easier said than done. Though Mr. Kasten is his immediate superior, Mr. Bond has a longer-standing relationship with Appropriations Committee Chairman Mark Hatfield of Oregon, who appointed him to his job. The two senators come from separate wings of the party, and Mr. Bond feels tugged by conflicting personal and political loyalties.

"Kasten is a political guy who will carry the administration's water on things that Mark Hatfield is flat-out opposed to," says a Senate GOP aide. There have been deeply felt differences on issues ranging from El Salvador arms to financing for aid to small farmers in developing nations.

At a 40th-birthday party at Mr. Bond's home last spring, though, such conflicts seemed far away. Guests included not just staff and administration friends, but also representatives of the American-Israel Public Affairs Committee and lobbyists representing major beneficiaries of U.S. aid.

One of Mr. Bond's gifts was a limerick celebrating the power of his panel to vote money each year after having brushed aside the old authorizing panels with the magic words, "notwithstanding any other provision of law."

Says Mr. Bond of the Appropriations Committee: "It's where all the action is."

JUSTICE REBORN IN ARGENTINA

HON. MICHAEL D. BARNES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. BARNES. Mr. Speaker, the sentencing of five former junta leaders and the acquittal of four others by the Argentine courts has completed the first stage of the crucial and sensitive process by which the Government and people of Argentina must come to terms with their own past. Some in Argentina are pleased with this outcome and some are not, and some are more confident than others that justice will continue to be done with respect to the many other cases of abuse of authority by previous military governments. There is ample scope for legitimate disagreement on these matters which, of course, must ultimately be worked out by the Argentine people themselves. But all friends of Argentina must rejoice at the process itself—the rebirth of justice under the leadership of a courageous and skillful democratic government. I know all my colleagues, on both sides of the aisle, join me in paying tribute to the government of President Raul Alfonsín for its dedicated work to return justice in Argentina.

I wish to share with the House the following three sensitive editorials on this subject:

[From the New York Times, Dec. 11, 1985]

JUSTICE REBORN IN ARGENTINA

Formal justice played little role in Jorge Videla's dictatorship in Argentina. Those who offended his regime were abducted, tortured or murdered. In the new Argentina of President Raul Alfonsín, justice is back. After a fair trial, Mr. Videla, along with Adm. Emilio Massera, was sentenced to spend the rest of his life in prison. Three other military collaborators drew lesser sentences.

During a seven-year dictatorship, General Videla and his military accomplices demoralized and bankrupted Argentina. Then, the army that had fought a dirty war against its own population launched a foolish war against Britain and ended in humiliating defeat. Mr. Alfonsín, the elected civilian successor to three military juntas, boldly ordered those junta leaders to trial for sowing "terror, pain and death throughout Argentine society."

That was a remarkably brave step. Even in retreat, the military apparatus of conspiracy and repression frightened the country. Of all the elected Presidents since World War II, the army had permitted only the ex-soldier Juan Perón to complete a full term. And he too was overthrown before completing his second mandate. When Mr. Alfonsín assumed office two years ago this week, the structures of military power were intact. In similar situations, other democrats have equated survival with deference to the generals.

Mr. Alfonsín understood that democracy would have to be audacious to survive. When military courts stalled the junta trials, they were transferred to civilian jurisdiction. He moved boldly on other fronts as well, challenging the unelected and anti-democratic labor bosses of the Peronist op-

position and applying successful shock treatment to an economy previously thought incurable.

There have been some wobbles too, including a 45-day state of siege that ended this week. And more tests lie ahead in the four remaining years of Mr. Alfonsín's term: further trials and appeals and a second-stage economic strategy among them. Still, those practical challenges seem more manageable because of what underlies the sentencing of Mr. Videla and four of his military collaborators: the return of justice and self-respect to Argentina.

[From the Washington Post, Dec. 11, 1985]

VERDICT ON THE JUNTA

The Argentine court's verdict is a ringing assertion of the rule of law and the standards of public morality. It found five defendants guilty of crimes committed when they were running the country and sentenced two of them, including a former president of the country, to life imprisonment. The acquittal of four other defendants is generating further controversy in Argentina; in seven years, from 1976 to 1983, some 9,000 people disappeared, most of them murdered in military prisons. But the court showed discrimination in assessing the evidence against each of these men as individuals, and the salutary influence of this example of justice will reach far beyond Argentina.

The generals and admirals claimed, by way of defending themselves, that they were saving the country from communism and from revolution at the hands of urban guerrillas and subversives. The urban guerrillas and subversives were not a figment of the generals' imagination. They killed dozens of people in the early and middle 1970s. And they succeeded in bringing revolution of a sort to Argentina—one that carried to power their enemies in the military, who embarked on a hysterical and vengeful campaign against not only radical gunmen but, as time passed, against almost anyone who held any opinion that the generals and admirals took to be unorthodox. To defend even the most rudimentary concept of civil rights brought a person into dire jeopardy. The junta thought of all opposition as communism, and to stamp it out they engaged in endless brutality, torture and murder. Among the great achievements of this long trial is full and accurate public record of all that had happened.

One of the enduring inanities of politics is the assertion that, whatever its defects in principle, authoritarian government is at least strong and efficient. Is it? In Argentina, over seven years, the junta mindlessly ran down a national economy that is potentially one of the world's richest. It rolled up the gigantic foreign debts with which the country is now struggling. It spent lavishly on its own armed forces and started a war in the Falklands in which it was rapidly defeated.

In heartening contrast, there is the current democratic government under President Alfonsín. It has led the country into a series of necessary but drastic economic reforms, of a sort that the junta always dodged on grounds that they would be unpopular. The current government has now given its predecessors a fair trial with scrupulous regard to its own high standards of justice under the junta's standards, all of these men would have been shot in a barracks basement without so much as a magistrate's hearing. Argentina's democracy is

providing a memorable demonstration of moral courage and strength.

[From the Christian Science Monitor, Dec. 11, 1985]

ARGENTINA'S DEMOCRATIC PROGRESS

This week's conviction of five former top junta leaders is the latest—and most dramatic—example of the extraordinary progress Argentina has made in the two years, this week, since Raúl Alfonsín became its President.

Civilian rule then replaced military dictatorship; the armed forces, preeminent for eight years, are held in check at present. The rule of law has superseded state-led terrorism. Labor unions, previously able to defeat, anti-inflation efforts, have been faced down. And inflation, running last June at an annual rate of 1,000 percent, has been chopped to 25 percent.

From being considered a pariah in the Western Hemisphere, for human rights and economic reasons, Argentina has become an example to the world's many troubled nations of the progress that can be achieved, given strong national support for change and a determined leader with well-considered programs.

This week's convictions also sent a second message—that the day of judicial judgment may lie ahead for repressive regimes in any nation, no matter how secure they may now consider themselves. In numerous countries of the third world the armed forces have long operated with near-impunity to violating human rights, offering security reasons as an excuse. An insidious concept takes root in many nations that the demand for order justifies such repression; but this view is false.

The Argentine court's president correctly said that the military effort to combat insurgency "should never have overstepped the bounds of law."

The five junta leaders were essentially convicted of responsibility for human rights crimes by the military, passed off then as part of an effort against left-wing urban terrorists. The trial of the former top leaders, which graphically depicted torture and kidnapping, was virtually unprecedented in Latin America.

In human rights, other nations can, and should, follow Argentina's model.

Argentina's economic progress stems in large measure from having followed its own program, rather than just the more-restrictive IMF approach. Other nations should also consider devising their own programs, then gaining the confidence of the international financial community.

CORNELL UNIVERSITY'S COMMITMENT TO MERIT REVIEW

HON. MATTHEW F. MCHUGH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. MCHUGH. Mr. Speaker, I would like to call to the attention of my colleagues the following telegram that I received from Dr. Frank H.T. Rhodes, president of Cornell University.

As my colleagues will see, Dr. Rhodes and the faculty of Cornell University continue to support independent, merit review for all projects for which Federal funds are available. Even though the university is an

indirect beneficiary of earmarked research and development funds, it remains the policy of the university to accept funds only for those projects on which a merit review has been conducted.

DECEMBER 19, 1985.

DEAR MATT: Amendment No. 1378 to the Continuing Resolution for the Department of Defense provides \$10 million for supercomputer development. These funds were later identified in the Conference Report with Cornell University. Cornell respects the responsibility of Congress to set priorities in broad policy areas such as access to supercomputers and restoring U.S. leadership in supercomputer technologies. The University attaches equal importance to the merit review processes used by funding agencies to select specific projects for support.

Cornell University will not accept funding awards which bypass normal review procedures. We are told that Amendment No. 1378 was intended to help restore U.S. leadership in supercomputer technology, a purpose we fully support, and was not intended to circumvent such merit review. The University did not develop or support any initiative intended to bypass merit review.

With all good wishes.

Sincerely yours,

FRANK H.T. RHODES,
President, Cornell University.

DEFENSE INTELLIGENCE COMMERCIAL ENTITIES ACT

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. WHITEHURST. Mr. Speaker, on December 16, 1985, I introduced H.R. 3963, the Defense Intelligence Commercial Entities Act. To assist those who review the legislation, I am inserting the section-by-section explanation of the legislation in the CONGRESSIONAL RECORD:

DEFENSE INTELLIGENCE COMMERCIAL ENTITIES ACT

SECTION-BY-SECTION EXPLANATION

The bill consists of three sections. Section 1 provides that the short title of the Act is the "Defense Intelligence Commercial Entities Act." Section 2 enacts a new chapter 19, entitled "Department of Defense Intelligence Commercial Entities," in part I of Subtitle A of title 10, United States Code, and makes conforming amendments to tables of chapters in title 10. Section 3 provides that the amendments made by the legislation to title 10 take effect ninety days after enactment of the legislation.

The provisions of chapter 19 of title 10 enacted by Section 2 of the bill are explained below:

Section 391

Subsection 391(a)(1) grants to the Secretary of Defense the authority, with the concurrence of the Attorney General and the Director of Central Intelligence, to establish and operate commercial entities to provide cover for foreign intelligence collection activities of the Department of Defense.

The requirement for the concurrence of the Attorney General ensures an independent high-level legal review of plans for establishment and operation of a DOD intelligence commercial entity, and ensures the

harmony of the plans with the intelligence, counterintelligence, and law enforcement functions of components of the Department of Justice. The requirement for the concurrence of the Director of Central Intelligence ensures that the plans will be consistent with national intelligence needs and ensures the harmony of the plans with the intelligence, counterintelligence and special activities of other elements of the United States Intelligence Community.

To exercise his authority to establish a commercial entity, the Secretary of Defense must certify in writing that establishment and operation of that entity is essential to the conduct of an authorized foreign intelligence collection activity of the Department of Defense. Thus, the Secretary may authorize establishment of a commercial entity only when no reasonable and effective alternative method exists for carrying out an authorized DOD foreign intelligence collection activity.

The Secretary may initially authorize the establishment and operation of a commercial entity for any period not to exceed two years.

Subsection 391(a)(2) permits the Secretary of Defense to renew the authority to operate a commercial entity at the expiration of the previous period for which he has authorized its operation. The renewal requires the concurrence of the Attorney General and the Director of Central Intelligence and the written certification of the Secretary of Defense that the operation of the entity is essential to the conduct of an authorized foreign intelligence collection activity of the Department of Defense. The Secretary may renew the authority to operate the commercial entity for any period not to exceed two years. The number of successive periods for which operation of the commercial entity may be authorized is not limited.

Subsection (b) provides that the Secretary of Defense may terminate a commercial entity at any time. His authority to terminate a commercial entity is not conditioned upon any concurrence or certification.

Section 392

Section 392 grants to the Secretary of Defense authority to acquire, use and dispose of items needed in the establishment, operation and termination of DOD intelligence commercial entities. The broad authority granted ensures that the Secretary can provide the necessary administrative support for such commercial entities.

In addition to requiring administrative support common to any governmental organization, such as workspace, equipment, and personal services, a DOD intelligence commercial entity will require special administrative support due to its commercial functions and appearance. Thus, for example, the entity may require private legal services, commercial, and occupational licenses from a State or foreign government, private liability insurance, and private banking services. Section 392 ensures that the Secretary of Defense can meet the administrative support needs of a defense intelligence commercial entity, including its unusual needs stemming from its ostensibly commercial status.

The authority granted by Section 392 is independent of, and in addition to, any other acquisition, use or disposal authority which the Secretary of Defense possesses.

Section 393

Section 393 ensures that the handling and use of funds in connection with defense intelligence commercial entities will be con-

sistent with the ostensible commercial status of those entities. Section 393 displaces several limitations contained in Section 3302 of title 31, United States Code, on governmental use of funds. Observance of the limitations contained in Section 3302 of title 31 would be inconsistent with the ostensible commercial status of defense intelligence commercial entities.

Subsection 393(a) permits the Secretary of Defense to establish and maintain commercial banking accounts in the establishment, operation, and termination of defense intelligence commercial entities. The authority to use commercial banking services applies both with respect to appropriated funds used in connection with a defense intelligence commercial entity and with respect to funds generated by the commercial activities of that entity.

Subsection 393(b) permits use of funds generated by the commercial activities of a defense intelligence commercial entity to offset the necessary and reasonable expenses incurred by that entity. The funds generated by a particularly entity may only be used to offset the expenses of that particular entity.

Subsection 393(c) provides that funds generated by a defense intelligence commercial entity that are no longer needed for the conduct of the activities of that entity shall be remitted to the Treasury as miscellaneous receipts.

Subsection 393(d) provides for the disposition of the proceeds generated by termination of a defense intelligence commercial entity. After all outstanding obligations of the entity are met, the remaining proceeds revert to the Treasury.

Section 394

Section 394 provides that the establishment, operation, and termination of a defense intelligence commercial entity; any acquisition, use or disposition with respect to such entity; and any deposit, withdrawal or use of funds with respect to such entity, will be carried out in accordance with prevailing commercial practices, consistent with the protection of intelligence sources methods and activities from unauthorized disclosure, and without regard to certain requirements of federal statutes.

To maintain its usefulness as a cover for foreign intelligence collection activities, a defense intelligence commercial entity must maintain commercial credibility. The entity must appear to anyone who scrutinizes it to be a bona fide commercial entity, rather than an entity of the United States Government. Accordingly, the entity must conduct all aspects of its activities in the same manner as would a private sector commercial entity. Circumstances may arise, however, in which observing prevailing commercial practices would not be consistent with the protection of intelligence sources, methods or activities from unauthorized disclosure, and in such cases prevailing commercial practices would not be observed.

The section grants extraordinary authority to waive the applicability of requirements in a broad spectrum of federal statutes to the extent necessary to protect intelligence sources, methods and activities from unauthorized disclosure. Without the waiver authority, a defense intelligence commercial entity would be obliged to observe federal statutes that normally apply to U.S. Government entities but do not apply to a bona fide commercial entity. Such inconsistency between the conduct of an entity and its ostensible status might reveal to an interested observer that the

entity is not what it claims to be, risking the compromise of commercial cover and of the intelligence activities conducted by the entity.

A federal statute within one of the enumerated categories (federal appropriations, federal receipt and use of funds other than appropriated funds, federal acquisitions, federal property management, federal services management, federal information management, federal tort claims, federal employment or federal government corporations) ceases to apply if, and to the extent that, the Secretary of Defense certifies that compliance with the statute would be inconsistent with the protection of intelligence sources, methods and activities from unauthorized disclosure. The section provides that a statute is waived only to the extent that compliance would be inconsistent with such protection. Thus, the Secretary's authority extends not to blanket waiver of the applicability of the statute, but only to the waiver of the applicability of the particular requirements of that statute which would be inconsistent with the protection of intelligence sources, methods and activities from unauthorized disclosure (which may in some circumstances amount to waiver of the applicability of the entire statute).

The section makes clear that the Secretary's waiver authority does not apply with respect to the chapter enacted by this legislation (chapter 19 of title 10, United States Code), Title V of the National Security Act of 1947 (which relates to congressional oversight of intelligence activities) and the War Powers Resolution. Thus, nothing in the statute in any way limits the role of the Congress in oversight of intelligence activities and military activities.

Section 395

Subsection 395(a) makes clear that the chapter enacted by the legislation (chapter 19 of title 10, United States Code) provides authority only for establishment and use of commercial entities as cover for DOD foreign intelligence collection activities, and does not provide the authority for those underlying foreign intelligence collection activities.

Subsection 395(b) establishes clear limitations on the activities of defense intelligence commercial entities and their personnel within the United States. They may engage within the United States only in (1) training, (2) administration, and (3) recruitment of non-U.S. persons to serve outside the United States as intelligence sources. Administration includes the full range of support activities necessary to establish, operate and terminate a commercial entity, such as finance, logistics, and procurement, which may be performed by establishment and operation within the United States of defense intelligence commercial entities solely to provide such support. The subsection ensures that the activities of defense intelligence commercial entities will have a foreign focus and will not be used to conduct domestic intelligence activities.

Subsection 395(c) provides that no defense intelligence commercial entity may have as its overt activity communications media activity, religious activity, or traffic in arms or security-related services.

The prohibition against establishing a defense intelligence commercial entity to engage in communications media activity protects against the possibility of media activity by such an entity having an accidental or intentional effect on the domestic political processes of the United States. The prohibition prevents establishment of defense

intelligence commercial entities to engage in radio broadcasting, television broadcasting, newspaper publishing, book or magazine publishing, wire services and similar activities. The prohibition against the overt activity of a defense intelligence commercial entity being communications media activity does not prevent incidental commercial use of communications media by such an entity if prevailing commercial practices so require. Thus, for example, if a defense intelligence commercial entity is engaged in a cover business of a type in which one would normally place commercial advertisements or solicitations in a local newspaper, the entity may do so.

The prohibition against establishing a defense intelligence commercial entity to engage in religious activity protects the integrity of religious freedom and religious institutions.

The prohibition against establishing a defense intelligence commercial entity to engage in traffic in arms or security-related services prevents the possibility of using defense intelligence commercial entities to circumvent United States arms transfer policies or to implement those policies. The Arms Export Control Act, the Foreign Assistance Act, and the statutory mechanisms for covert arms transfers govern the transfer of arms and defense services. The prohibition does not in any way prohibit the personnel of a defense intelligence commercial entity from defending themselves, nor does it prevent the use of such personnel on detached duty in military operations, consistent with the War Powers Resolution.

Subsection 395(d) requires that every U.S. person employed by, or assigned or detailed to, a defense intelligence commercial entity be informed prior to employment, assignment or detail that the entity as an entity of the United States Government engaged in intelligence activities. The provision thus prohibits unwitting employment, assignment or detail of United States persons.

Section 396

Subsection 396(a) authorizes and directs the Secretary of Defense, after consultation with the Attorney General and the Director of Central Intelligence, to issue regulations to implement the legislation, and specifies a number of requirements which those regulations must satisfy.

The Secretary's regulations must provide for effective centralized Department of Defense oversight of activities related to defense intelligence commercial entities. The requirement for centralization of the internal oversight role promotes consistency among DOD components in establishing policies and practices involving defense intelligence commercial entities and also facilitates oversight of defense intelligence commercial activities by non-DOD entities, such as the Congress. The requirement that the internal oversight role occur at the departmental level, rather than at the lower level of individual DOD components, ensures appropriate high-level attention within the Department of Defense to any problems which may come to light in the course of internal oversight activities.

The Secretary's regulations must provide effective management, operational, security, legal, and accounting controls for all matters relating to defense intelligence commercial entities. The Secretary's careful design and establishment of strict controls will be of critical importance, especially given that such controls often will replace statutory controls which the legislation authorizes

the Secretary to waive in certain circumstances.

The Secretary's regulations must provide for coordination of defense intelligence commercial entity activities with the Department of State, the Federal Bureau of Investigation, and the Central Intelligence Agency.

The Secretary's regulations must ensure compliance with the chapter enacted by the legislation (chapter 19 title 10, United States Code), Title V of the National Security Act of 1947 (relating to congressional oversight of intelligence activities), and the War Powers Resolution.

Subsection 396(b) authorizes and directs the Department of Defense Inspector General to conduct, at least annually, a program and operations review and evaluation and a financial audit of all activities relating to defense intelligence commercial entities and to report thereon to the Secretary of Defense and the intelligence committee of the Congress.

Section 397

Subsection 397(a) provides that defense intelligence commercial entities are entities of the United States Government. As such, defense intelligence commercial entities will enjoy within the constitutional scheme any immunities and privileges enjoyed by the other federal entities. Thus, for example, the sovereign immunity of the United States Government to suit, to the extent not otherwise waived by statute, will extend to defense intelligence commercial entities.

Subsection 397(b) explicitly preempts the applicability of State laws to, and the jurisdiction of State courts over, defense intelligence commercial entities. Thus, defense intelligence commercial entities will be subject exclusively to federal law. Subsection 397(b) provides that, although defense intelligence commercial entities are not subject to State laws and State court jurisdiction, they may engage in conduct which appears to comply with State laws and State court jurisdiction if the Secretary of Defense determines that doing so is necessary to protect intelligence sources, methods and activities from unauthorized disclosure or is necessary in the interests of justice.

Under the authority granted in subsection 397(b), with the appropriate certification, a defense intelligence commercial entity may engage in conduct which appears to comply with State laws in the same manner as would a bona fide commercial entity. Thus, for example, if the Secretary of Defense certifies that protection of intelligence sources, methods and activities requires doing so, he might authorize a defense intelligence commercial entity to incorporate within a particular State, even though that State's incorporation laws do not provide for incorporation by federal entities. Similarly, even though federal agencies are not subject to State taxation, the Secretary of Defense, based upon the appropriate certification, may authorize the entity to file State tax returns and remit State taxes.

Also, under the authority granted in subsection 397(b), a defense intelligence commercial entity may engage in conduct which appears to submit to State court jurisdiction in the same manner as would a bona fide commercial entity. Thus, for example, if the Secretary of Defense certifies that protection of intelligence sources, methods and activities or the interests of justice require doing so, he might authorize a defense intelligence commercial entity to participate in a lawsuit in a State court based on breach of a

commercial contract in the same manner as would a bona fide commercial entity.

The Department of Defense may well make substantial use of the authority to authorize defense intelligence commercial entities to engage in conduct appearing to comply with State commercial laws, since it may become the Department's practice to establish such entities by incorporation or registration under the laws of the several States. In contrast, the Department should only rarely need to use the authority to authorize defense intelligence commercial entities to engage in conduct appearing to submit to the jurisdiction of a State court, as the authorized activities of such entities within the United States are quite restricted, and thus are not likely to give rise to many situations in which submission to State court jurisdiction would be appropriate.

Section 398 provides that the Secretary of Defense may delegate only to the Deputy Secretary of Defense the Secretary's authority, functions and duties under subsections 391(a), 394(b), 396(a) and 397(b) of title 10, United States Code, as enacted by this legislation. By requiring the Secretary or Deputy Secretary of Defense to exercise the authority, duties, and functions set forth in these subsections, the legislation ensures high-level attention to sensitive decisions involving defense intelligence commercial entities.

Under Section 398, the Secretary of Defense may delegate only to the Deputy Secretary of Defense the authority to authorize and renew authorization for the establishment and operation of defense intelligence commercial entities based upon the requisite certification (§ 391(a)); the authority to waive the applicability of certain federal statutes based upon the requisite certification (§ 394(2)); the authority to issue implementing regulations (§ 396(a)); and the authority to authorize defense intelligence commercial entities to appear to comply with State commercial laws and court jurisdiction to which they are not subject. Authorities, duties and functions provided in the legislation, other than in the subsections specifically cited by Section 398, are subject to delegation in accordance with subsection 133(d) of title 10, United States Code.

The limitation on delegation of certain specified authorities, duties and functions will not place an inordinate administrative burden on the Secretary and Deputy Secretary. Exercise of the authority to authorize establishment and operation of a commercial entity will occur only once for each entity, and subsequent renewals to operate will occur only occasionally. Exercise of the authority to waive various federal statutory requirements applicable to an entity, to authorize apparent compliance with State statutes, and to authorize apparent submission to State court jurisdiction, will often accompany the authorization to establish and operate the entity, although changes may be necessary with respect to an entity from time to time. Exercise of the authority to issue implementing regulations should occur once, with changes to such regulations thereafter occurring only occasionally, as experience demands. The greatest burden upon the Secretary and Deputy Secretary will thus occur at the time of creation of a defense intelligence commercial entity, when the nature and scope of its activities and the legal regime governing it are established. Cabinet-level involvement in decisions of such sensitivity at that time is appropriate.

Section 399

Section 399 defines the terms "commercial entity," "foreign intelligence collection activities," "intelligence activities," and "United States person" used in the new chapter 19 of title 10, United States Code, enacted by the legislation.

The definition of "commercial entity" comprehends all forms of non-governmental legal entities, within or outside the United States, established and operated solely to conceal DOD foreign intelligence collection activities under cover of its overt function. The definition makes clear that the legislation authorizes establishment of DOD commercial entities only to provide cover for DOD foreign intelligence collection activities. The legislation does not authorize establishment of such entities to engage in any intelligence activities other than foreign intelligence collection activities, nor to provide cover for any intelligence activities other than foreign intelligence collection activities. Thus, for example, DOD may not establish such entities to engage in the conduct of, or to provide cover for, counterintelligence operations (as distinguished from the collection of counterintelligence information) or covert action. The term "commercial entity" is used throughout the legislation.

The definition of "foreign intelligence collection activities" comprehends only collection by the Department or Defense or the armed forces of foreign intelligence or counterintelligence information, and related support activities. It does not include any other types of intelligence activities, such as counterintelligence operations or covert action. The legislation authorizes the establishment of defense intelligence commercial entities only to provide cover for "foreign intelligence collection activities." The term "foreign intelligence collection activities" is used in Sections 391, 395, and 399.

The definition of "intelligence activities" comprehends all intelligence and intelligence-related activities of the United States Government. The term "intelligence activities" is used in Section 395.

The term "United States person" means only citizens of the United States and aliens admitted to permanent residence in the United States. The term "United States person" is used in Sections 395 and 399.

IMPACT OF INSURANCE CRISIS WIDESPREAD

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. FLORIO. Mr. Speaker, the crisis in the unavailability of liability insurance is widespread, affecting all kinds of activities. I am inserting in the RECORD an article from the Newark Star-Ledger regarding the impact of the crisis on charter and fishing boats.

[From the Newark (NJ) Star-Ledger, Dec. 8, 1985]

BOAT INSURANCE CRISIS TRIGGERS INDUSTRY
SOS

(By Vincent R. Zarate)

Up to now the state officials had thought their insurance liability crisis existed only on land.

Not so, they have learned.

The state's insurance problem has now gone to sea.

The owners and skippers of 200 charter and fishing boats fear they are heading for rough waters because soaring insurance costs and a scarcity of firms offering the coverage.

The problem with the charter and fishing boats was revealed to state officials and legislators by the United Boatmen of New Jersey, representing party and charter boatmen from Hoboken to Cape May.

They have asked the insurance commissioner and the Legislature to come to their aid to do something about rates and to pass laws protecting them from cancellations and nonrenewal of existing policies.

Further, the Independent Agents Association of Somerset County has urged Insurance Commissioner Hazel Gluck to include ocean marine policies in the new emergency rules that require state approval before companies can cancel or refuse to renew existing liability insurance policies for commercial land-based operations and municipalities.

"We need help immediately with some sort of a retroactive price ceiling because our insurance rates have increased from 50 to 90 percent in one year, and we expect that next year it will get worse," David Bramhall of Brielle, executive director of the United Boatmen, wrote in a letter to state officials.

"Within the past six months the rates being charged have gone right through the ceiling, with no end in sight," wrote Bramhall.

And he warned, "The premiums have already reached the point where they will be driving many of us out of business."

Bramhall estimates the charter and fishing boat industry in New Jersey is a \$120 million a year industry, but he fears that if the state ignores the insurance plight, "Many skippers will be unable to afford the costs."

In their letter to the officials and legislators, the boatmen complain the average rates for typical liability and hull coverage on a 24-year-old, 65-foot boat has gone up \$5,000 in one year.

The group contends the insurance costs for a 20-year-old boat that is 70 feet long was \$7,750 in 1984 and now costs \$11,250 and will increase substantially next year. A 70-footer built in 1984 costs \$18,000 to insure, an increase of \$5,000 from a year ago.

The boatmen contend that while premiums continue to rise, companies have reduced the liability coverage from the once average \$500,000 an incident down to \$300,000.

Bramhall and Howard Bogan, the other executive director of the boatmen's group, wrote:

"When you attempt to shop and find another company it is always the same story—no one is writing policies, or the rates are sky high."

Many Luftglass, an insurance broker from Somerville who handles insurance coverage for 30 charter boats, said, "New business is very hard to place for ocean marine coverage and it is becoming extremely expensive."

He added, "We are afraid the second shoe may drop and companies will refuse to renew or pull out of the business entirely."

Luftglass estimated that average insurance on party boats can range from \$15,000 all the way to \$100,000 a year depending on how much liability protection a shipowner wants.

He said he feared, "A lot of boats are going out that are uninsured because the skipper cannot afford it, or cannot find any company to sell it to them . . . particularly the older boats built 20 to 50 years ago."

He said that five to six years ago when companies "wrote almost anything to get money for high investments," the company paid the bill for the appraisal of the boat before it was insured.

"Now that there is a tight market again, the boatowner must pay the usual \$500 fee to have his boat appraised," said Luftglass.

The boatmen's association directors said all the charter and party boats undergo strict U.S. Coast Guard inspection every year to 18 months.

They noted that if a boat does not pass a Coast Guard or survey inspection, "It should not be insurable."

But they contended that if a boat does pass the strict examination standards of the Coast Guard then the boat should be "insurable at a realistic rate."

Gluck said she has been made aware of the problem but noted that ocean marine insurance historically has been unregulated in the state because of the special nature of that type of insurance.

She said the department is "very concerned" about companies refusing to renew existing policies or threatening cancellation of existing policies. She said the department would investigate the complaint of the boatmen.

If the Legislature finds there is a major crisis in insurance coverage for the charter fishing fleet of the state, the Legislature could pass laws to give the department greater authority over the ocean marine insurance business, she said.

Several insurance company executives said that the rising prices for premiums for the boatmen is part of the entire national problem of commercial insurance and its availability.

Officials from CIGNA and Hartford Insurance Co. said the cost of that type of insurance was underpriced but was sold so companies could obtain cash for the high investment returns dominant in the market about five years ago.

James Beatty of CIGNA said that companies are being more selective in writing new business. But many are keeping existing business but at higher rates.

LATIN DEBT DILEMMA

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. FASCELL. Mr. Speaker, I would like to bring to the Members' attention a series of editorials on the external debt crisis facing Latin America which appeared in December 1985, issues of the Miami Herald.

These editorials succinctly point out the extent which the Latin debt crisis imperils, not just the political and economic stability of the Latin debtor nations, but also our own interests here in the United States. Their political and economic prosperity is linked to our own financial and economic prospects—as we learned all too well when the economic retrenchment in Mexico and other Latin countries in 1983-84 resulted in a significant fall-off in U.S. exports to the region—and also to our foreign policy in-

terests in promoting democracy in Latin America. The series also points out that the success in dealing with the debt crisis in 1982-83 unfortunately was only a temporary solution and did little more than postpone the day of reckoning, which increasingly looks to be just around the corner.

The impending igniting of the debt time-bomb has increased the urgency of taking action to preempt that explosion. The editorials suggest such measures as writing off debt which is clearly uncollectable, further reschedulings on equitable terms, and new infusion of foreign capital. They also suggest a process for reinvesting debt service payments. Consideration should be given to other proposals, such as a limitation on debt service payments, a World Bank role in commercial lending, and pooling of commercial lending. What is needed now is open, innovative thinking—open even to radical solutions—and goodwill by all parties—the debtors, the commercial lenders, and Western governments—in order to arrive at mechanisms that will protect the interests of the existing order: That will permit the debtor nations to service the debt, while rekindling economic growth, and permit the lending institutions to secure their financial stability.

I have enclosed also a companion editorial from the December 17, 1985, New York Times which notes the role being played by the decline in international commodity prices and the need for the principal industrial countries to implement their unfulfilled decision to coordinate economic policy, with the United States reducing its budget deficit and Japan and Western Europe reducing taxes and increasing Government spending and economic expansion.

What we have to date on the debt situation and economic malaise is rhetoric and proposed action plans, but no concrete measures. We must act soon before the political/economic cost becomes unsustainable.

[From the Miami Herald, Dec. 2, 1985]

U.S. BUYS TROUBLE

Much of Latin America is bankrupt. Euphemistic "reschedulings" and "renegotiations" of the region's \$380-billion foreign debt no longer can conceal these debtors' near-insolvency or the precarious state of the U.S. banks to which most of the money is owed. So far, the lenders' bookkeeping ingenuity in disguising unsound loans as healthy assets has allowed Federal banking authorities to look the other way. But investors are not so easily fooled: Depressed bank-stock prices reflect the market's anxiety about the biggest lenders' long-term solvency.

If the fallout from an abrupt bursting of the Latin debt bubble could be confined to a few thousand bank stockholders and a handful of tinhorn *generalissimos*, the U.S. Government's *laissez-faire* policy might seem reasonable enough. After all, the banks and the debtor governments share responsibility for their current debacle. Why not let them play out their mutual hostage crisis, and may the fittest survive?

But fate is not so just as that. In the mid-1970s, banks eager to recycle petro-dollar deposits from history's largest oil-price hike embarked on a Latin American lending

binge. The aggregate Latin debt has grown since then until no one in this hemisphere is immune to its disastrous potential consequences.

In the United States, questionable loans on their books exceed the total capital of some of the largest money-center banks. Most U.S. regional banks maintain large deposits and correspondent relationships with one or more of these "megabanks." That interdependency means that the collapse of one or two megabanks would reverberate throughout the land. If Federal regulators interceded to avert such a failure, taxpayers would foot the bailout bill.

In Latin America, the debt crisis already has spawned or aggravated widespread suffering. Most debtor countries have sacrificed a full decade of domestic economic growth in their largely unsuccessful efforts to keep current on interest payments. Several military regimes that accepted massive loans during the '70s—and invested the money imprudently or stole it outright—have given way to democratically elected governments. Those governments now face a double burden: bankrupt domestic economies and a population demanding compensation after years of privation. In 1985, several newly elected Latin American leaders have warned that their people will not tolerate indefinite economic hardships if their only reward is to see their nation's scant wealth transferred abroad.

Ordinary Americans will share in the costs whether the debtor countries repudiate their debts to U.S. banks, oust democratic leaders in favor of anti-U.S. regimes, or continue to trade long-term economic growth for marginal short-term solvency. The relevant question is not whether, but when and under what circumstances, the American people and their elected national leaders will confront a crisis that has become inescapable.

[From the Miami Herald, Dec. 3, 1985]

MEXICO STRUGGLING

Although analysts should have seen trouble coming much earlier, the Latin debt crisis can be said to have begun officially in August 1982. That's when Mexico suspended payments of principal on its \$86-billion foreign debt. Within days, financial markets from New York to Tokyo were buzzing with rumors that Latin America's second-largest debtor was about to go bankrupt—and trigger the biggest banking disaster since the Depression. Jolted from their complacency, U.S. banks, Federal regulators, and the International Monetary Fund (IMF) joined to rescue Mexico from insolvency.

The elements of the Mexican rescue plan, and of the avalanche of similar plans designed for other troubled debtors, were straightforward enough. With IMF assistance, banks extended short-term loans to enable the debtor country to resume paying interest on its debts. Amortization of principal typically was postponed or stretched out. In return, the debtor country pledged to implement economic reforms—starting by immediately reducing government spending—designed to produce a trade surplus. By exporting more than it imports, a debtor country would earn the foreign exchange—principally dollars—needed to make debt payments.

In lending strapped countries money for interest payments, U.S. banks of course were effectively digging themselves—and troubled debtors—into a deeper hole. But perpetuating the fiction that Latin loans are being repaid allows banks to skirt Feder-

al regulations that require them to set aside loss reserves sufficient to cover any "troubled" loan—and to subtract the amount of those reserves from current earnings.

By 1984, Mexico had imposed harsh austerity measures, and the Mexican trade surplus increased sooner than expected. Those signs were being heralded as evidence that the IMF's prescription was working—and that the worst of the Latin debt crisis was over.

The underlying reality was not so sanguine. Mexican exports did grow modestly, but most of the improvement in Mexico's trade surplus resulted from a sharp drop in imports. The resulting scarcity of imported goods fueled a 59-percent rise in Mexico's inflation. That in turn prompted outraged cries from Mexicans already reeling under austerity's impact.

In 1985, moreover, a worldwide economic slowdown and tumbling oil prices have curtailed the growth of Mexican exports. In the first seven months of the year, Mexico's trade surplus plunged 47 percent from the year-ago level. September's catastrophic earthquake quashed all hopes that Mexico might be able to meet its newly rescheduled debt payments. Even before that, however, it was evident that the IMF's "magic formula" for ending the Latin debt crisis had only postponed the day of reckoning for U.S. banks.

[From the Miami Herald, Dec. 4, 1985]

SMALL DEBTORS PINCHED

Borrow \$1,000, goes the old saw, and the bank owns you. Borrow \$1 billion, and you own the bank. Thus it sometimes seems in Latin America, where large debtors have been able to demand favorable rescheduling terms while uncompromising lenders force smaller borrowers to the wall.

Four nations—Brazil, Mexico, Argentina, and Venezuela—account for about four-fifths of U.S. banks' outstanding Latin loans. A default by any of these "megadebtors" could send several lenders into a tailspin. So U.S. bankers have been quick to back off, if only temporarily, whenever any of the Big Four appeared to be near the breaking point. But debtors such as Peru and Bolivia, whose loan balances don't imperil any major U.S. bank, have found their negotiations with lenders more difficult.

The consequences of that discriminatory treatment have so far been short of catastrophic—at least for the lenders. In May 1984, Bolivia claimed the dubious distinction of being the first Latin debtor to announce formally that it would no longer pay interest on its foreign debt. That event passed "almost unnoticed. Peruvian President Alan Garcia made a bigger splash last July when he declared that his country henceforth would limit debt payments to 10 percent of its foreign-exchange earnings. But Peru hasn't paid that much in years.

Even so, the perils of continuing to give small debtors short shrift are many. For creditors, the danger is that one desperate debtor's decision to repudiate its obligations will trigger a chain reaction of small-debtor defaults whose cumulative impact is far from insignificant. For the U.S. Government, the much-greater risk is that long-suffering Latin peoples will replace democratic governments with militant regimes hostile to the International Monetary Fund's dictates—and to the interests of the lending nations generally.

Americans need look no further than Cuba or Nicaragua to be reminded of how much political mischief such economic ban-

tams can stir up. Countries that constitute only a small blip on the major lenders' balance sheets may prove menacing to neighbors whose security is threatened by the activities of a revolutionary government in their midst.

Lenders have consistently downplayed the political risks inherent in holding small-debtor governments to unrealistic payment schedules. But Peru's President Garcia, whose own government's stability is imperiled by a continuing struggle with Maoist guerrillas, scarcely overstates the perils. For the smaller Latin nations, he argues, the choice is simple: debt, or democracy.

[From the Miami Herald, Dec. 5, 1985]

FLAWED FIXES

In prescribing stringent austerity measures for Mexico and other troubled Latin American debtors, U.S. banks and the International Monetary Fund (IMF) made two critical mistakes. Unless both are rectified soon, lenders will forfeit the last opportunity to salvage their investment in Latin America. Worse, the debtor nations will be doomed to another decade of negative economic growth and political upheaval.

The first flaw in the lenders' quick-fix scheme was its failure to anticipate the political risks inherent in any effort to reduce government spending. When the debt crisis began, standards of living in many debtor countries already had been plummeting for years. Lenders ought to have foreseen that no government—much less democratic regimes dependent on broad popular support—could exact many more sacrifices from constituents already ravaged by economic adversity.

Even if their people remained stoic about their sacrifices, however, the debtor nations' recovery would founder on the second serious deficiency in the lenders' rescue plan. The plan siphons away in interest payments 6 to 8 percent of the region's gross domestic product. That simply smothers what little productive capacity the debtor countries retained. Deprived of new investment, these debtors' existing export industries languish. Thus the debtors' ability to meet their interest obligations in the years ahead grows ever more doubtful.

Encouragingly, more and more policy makers are recognizing the obvious: Latin America cannot starve itself out of debt. After preaching the gospel of austerity for years, the Reagan Administration recently did an abrupt about-face. It declared that henceforth growth would be the watchword of U.S. economic policy toward the region.

In an October speech before the annual meeting of the World Bank in Seoul, Treasury Secretary James Baker outlined a new U.S. plan. It de-emphasizes short-term lending to finance debt-service payments in favor of longer-term loans to foster export-oriented productive enterprises. Like the IMF's balance-of-payments loans, these longer-term development loans would require debtor governments to make lender-prescribed changes in economic policy.

But no multilateral lending agency boasts resources sufficient to revive Latin economies constrained to export more than half of their foreign-exchange earnings as interest payments. With new foreign investment dwindling, domestic capital fleeing to industrialized countries, and import restrictions choking supplies of raw materials, spare parts, and machinery, many debtor countries simply are wasting away. For Latin America, any hope of resuming economic

growth or achieving political stability hinges on initiatives far more dramatic than any yet proposed by this country's bureaucrats and bankers.

[From the Miami Herald, Dec. 6, 1985]

REDUCING THE BURDEN

In an ordinary corporate bankruptcy, creditors have two options:

They can liquidate the debtor's assets and divide the proceeds, or they can give the debtor breathing room to restore its profitability. Latin America's primary assets—land, labor, and natural resources—do not lend themselves readily to liquidation. Therefore, U.S. creditors and Latin debtors inevitably must sink or swim together.

But the handful of banks whose lending exposure exceeds their total capital aren't the only players with vital interests in Latin America's economic viability. The collapse of one or more money-center banks would jeopardize smaller financial institutions' own solvency. U.S. manufacturers sell nearly one-fourth of their exports to the Latin debtor countries. Industrialized nations import the region's commodities. The ability of democratically elected Latin leaders to govern is being undermined by lender-mandated austerity measures. The physical security of ordinary Americans is diminished whenever extremism takes root in the hemisphere. All of these interests thus have a stake in solving the debt conundrum.

There are ways out. As in a Chapter 11 reorganization, the creditors' first priority should be to preserve and enhance the debtor countries' productive capacity. Existing loans must be rescheduled to permit longer repayment periods and lower interest spreads. Small debtors must be accorded terms no less generous than those extended to the Big Four. Where no reasonable scenario for eventual repayment exists—Bolivia is one example—a negotiated debt cancellation may be the best alternative to a sudden, unilateral repudiation. The U.S. Government should take the lead in determining where writeoffs are appropriate, and the Treasury Department should be prepared to take necessary steps to protect the integrity of banks whose balance sheets are affected.

Reducing the burden of debt-service payments is only half of the solution though. To expand its productive sector, Latin America needs new infusions of foreign capital. But how can banks already suffering from overexposure be persuaded to extend new loans? And wouldn't that amount to throwing good money after bad?

On Sunday, in concluding this series on Latin debt, *The Herald* will outline one scholar's bold plan to recycle foreign investment in productive enterprises calculated to return the region to long-term solvency.

[From the Miami Herald, Dec. 8, 1985]

A NOVEL SOLUTION

Before a bank lends money to an individual or a business, it ordinarily wants to know how the loan will be used and how the debtor will raise sufficient funds to pay it back. But in the mid-1970s, when U.S. banks made most of their bad loans in Latin America, many lenders ignored these fundamental precepts. For most banks, any ranking minister's signature was deemed sufficient to guarantee that a sovereign government's debt would be repaid.

Today those lenders can only guess at where their money went. But it seems safe to conclude that only a fraction of it was in-

vested in enterprises calculated to yield a return, much less profits sufficient to support any debtor country's soaring interest "nut."

Robert Wesson, director of Latin American studies at the Hoover Institution, says that much of the money lent in Latin America simply has been lost—through inefficient subsidies, bloated bureaucratic salaries, and outright theft. Suppose there were a way, over time, for banks and debtor countries to make those funds reappear. Wouldn't it be in everyone's best interest to pursue it?

Dr. Wesson proposes a way. His plan would require each Latin debtor to make payments into a fund held and managed by creditors and restricted to reinvestment within the debtor country. Lenders have learned the price of sloppy loan supervision the hard way. They could be relied upon to support only the most promising enterprises. "It would mean putting money where it should have gone in the first place," Dr. Wesson says, "into productive undertakings, instead of largely covering government deficits and state enterprises."

As Dr. Wesson sees it, political realities preclude debtor countries from imposing harsh austerity measures solely to make money available for interest payments. But fiscal self-discipline might appear more attractive if the fruits of their sacrifices were reinvested in these debtor's own economies.

The banks of course would demand part of any profits from their compulsory investments. And it might be prudent to give each debtor government a small equity stake in its reinvestment fund. Debtors whose fortunes were tied explicitly to the success of private enterprises would be far likelier to undertake the structural changes—in trade policy, banking practices, exchange rates—needed to enhance those enterprises. And new jobs and improved living standards would allow democratic leaders to disarm nationalist critics waiting to make political hay of lender-inspired reforms.

In concert with the Reagan Administration's plans for increased World Bank participation, this reinvestment scheme offers the best hope for restoring Latin America to solvency. The Administration has at its disposal many levers to encourage the lenders' participation—its bank-regulating authority and ability to influence interstate-banking laws come readily to mind—and it should not hesitate to work them. As all parties move toward an inevitable reckoning of the Latin debt crisis, it's past time for the U.S. Government to assert its citizens' own overriding interest in an equitable resolution.

[From the New York Times, Dec. 17, 1985]

A WORLD ECONOMY IDLING IN NEUTRAL

The prices of raw materials—rubber, copper, sugar—are in a worldwide nosedive. It's the 1970's in reverse: OPEC can't hold the line against declining oil prices. The international cartel that guarded the price of tin collapsed in a flurry of uncollectible i.o.u.'s in October.

It's hard not to cackle over chickens coming home to roost, but commodity deflation is a mixed blessing. The gains for the industrialized economies are mirrored by the losses of raw-materials exporters, many of them very poor and deeply in debt to Western banks. Common decency and self-interest require something better than gloating.

An array of raw materials that cost \$100 in 1980 now costs only \$74.30. Even after adjusting for the distortions created by a

strong dollar, most commodity exporters' purchasing power has plummeted. According to *The Economist*, the decline in one year saved the industrialized economies \$65 billion. Part of that is at the expense of wealthy oil producers. But oil prices have fallen less than those of most metals and farm products. The big losers include Bolivia, Ghana and the Philippines.

One direct consequence is a shorter fuse on the debt bomb. Interest rates have declined by a third in the last three years. But declining commodity prices have offset the debtors' gain. Some, including Peru, Chile, the Ivory Coast and Morocco, owe more of their export earnings for debt service than in 1982. Their living standards are declining. Worse, they must reduce imports of capital equipment, losing the growth route out of debt.

If low commodity prices are the problem, why not just raise them? In theory, both producers and consumers could benefit from "buffer stock" agreements that soak up commodity surpluses when prices are low and relieve shortages when prices are high. The Carter Administration was inclined to cooperate in their creation. Even more market-oriented Reaganites have quietly blessed a buffer-stock agreement in coffee. But it is rarely possible to satisfy both buyers and sellers for very long; these arguments usually fall apart.

Treasury Secretary Baker suggests that the quickest remedy is to reopen the loan windows of Western banks. That makes sense for debtors like Brazil and Argentina, which could use the extra capital productively. But loading more debt onto overburdened economies is a palliative at best. More effective relief requires more demand for third-world commodities, and lower interest rates.

The Federal Reserve could serve those objectives by liberalizing credit. But relying only on America's monetary policy runs the risk of re-igniting inflation. The more prudent path would be for the advanced nations to coordinate economic policies. The United States' contribution would have to be to reduce its budget deficit markedly, easing the Government's demand for private capital and letting interest rates fall. Japan and Western Europe would have to reduce taxes or increase government spending, stimulating imports of raw materials from the third world.

The industrial countries agreed in principle to this division of responsibility last fall. But their good intentions have not been translated into policy. That's understandable; the Japanese Diet is as reluctant to increase spending as Congress has been to reduce ours. But with half the world's economy idling in neutral, the inaction by all is indefensible.

GUATEMALAN ELECTIONS—A FIRST NOT A FINAL STEP TOWARD DEMOCRACY

HON. ROBERT J. MRAZEK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. MRAZEK. Mr. Speaker, the recent elections in Guatemala truly represent a positive step toward that nation's return to democratic government. While I believe we in Congress should make every possible

effort to support the new leader, Mr. Vinicio Cerezo, the recent elections are not, as this administration has claimed, the "final step in the reestablishment of democracy."

Thousands upon thousands of Guatemalans were killed or disappeared since the imposition of military rule in 1954. Thousands of people have been uprooted from their native homes—especially the Indians in the highlands. We should not expect civilian trust of Guatemala's new leaders to become embedded in the society overnight—especially because we should not anticipate that the military will readily abrogate its immense power over Guatemalan society to civilian leaders.

Guatemala's return to democracy will be a slow and arduous process, which can be hastened—or stalled—by United States policy. Mr. Cerezo has declared that Guatemala will continue its policy of neutrality toward the war in Nicaragua, and will actively seek resolution of all the conflicts in the region. If the United States tries to push Mr. Cerezo into supporting the United States position regarding Nicaragua, or if we drop millions of dollars of military aid into Mr. Cerezo's hands while the military still retains control over key elements of the government, we will only exacerbate tensions in Guatemala and impede Mr. Cerezo's efforts to establish real democratic rule in his beleaguered nation.

Joseph Aldridge, director of the Washington Office on Latin America, a human rights and foreign policy educational organization, has written an excellent piece in *Newsday* on the significance of the Guatemalan elections. Mr. Eldridge has been following events in Guatemala for years and his observations should be taken into account by any one who truly believes that the recent elections signify the final stage—rather than an important first stage—of Guatemala's return to civilian, democratic rule.

GUATEMALA AND CIVIL RULE

(By Joseph T. Eldridge)

On Sunday, Guatemala elected its first civilian president in almost two decades. Christian Democrat Vinicio Cerezo, in an overwhelming electoral mandate, won the final round of voting by a landslide. In defeating the candidate of a center-right party, he and his center-left party garnered 68 percent of the votes, more than any other candidate in Guatemalan history.

The Reagan administration, in its briefing documents for Guatemala elections, declared the voting the "final step in the reestablishment of democracy." Unfortunately, this optimistic view seems to be limited to the White House and its faithful followers. At the very best, the Nov. 3 general election and Sunday's runoff represent only the first step. When he assumes the presidency in January, Cerezo will face the daunting task of asserting control over the military, improving the abominable human rights situations and stabilizing a disastrous economic decline.

The elections themselves were reluctantly permitted by the armed forces—who still control Guatemala—for several compelling reasons. First, the military government's dismal human rights record has eroded internal and international legitimacy. According to a British parliamentary group's find-

ings, "The Guatemalan military has created a nation of widows and orphans. Over the past 30 years, over 100,000 people have been killed and 38,000 [have] disappeared."

Nowhere has the violence been more insidious than in the highlands. Every aspect of the Indians' lives is watched and supervised by military-appointed "interinstructional coordinators." Almost 1 million Indian males have been regimented into civil patrol, extending the military's eyes and ears into almost all rural communities.

The most pressing factor in the military's decision to convene elections, however, was that the Guatemalan economy has been verging on total collapse. Over the past year, the *quetzal* has been devalued by 300 percent, inflation is rampant and unemployment soaring. The downward spiral of the economy has sparked generalized popular unrest. In September, the government's decision to increase bus fares from the equivalent of 10 U.S. cents to 15 provoked large spontaneous demonstrations. Ten days of protests left two dead, close to 2,000 were arrested and about 60 "disappeared."

In addition, the bulk of Guatemala's short-term debt, currently estimated at \$700 million, comes due by the middle of next year. At least \$300 million in foreign assistance will be required for Guatemala to meet its financial obligations. Conservative business sectors, acutely affected by the economic crunch and realizing that outside help would not be forthcoming without an improvement in Guatemala's image, joined unions, political parties and religious, neighborhood and professional organizations in urging elections.

All of the presidential candidates, however, refrained from tackling issues directly related to the military. There was virtually no discussion about the need to establish an effective system of justice or to bring to trial those responsible for tens of thousands of civilian murders over the last several years. Nor did the candidates broach the subject of civilian supervision of the military's sophisticated mechanism of surveillance and control of the large Indian population in the highlands. In fact, Guatemala's new constitution institutionalizes the military's control over the rural development programs as well as the ministries of defense and communications.

Whether the results of Sunday's elections can begin to reverse decades of human rights abuses and patch up a hemorrhaging economy has yet to be determined. The Reagan administration, however, is clearly optimistic that Guatemala has reached a watershed, and is hoping that the elections will convince a skeptical Congress that Guatemala will now be a worthy recipient of military aid and more substantial economic assistance. Former U.S. Ambassador to the UN Jean Kirkpatrick observed that "a confident democratic Guatemala can be expected to play a far more important role on the Central American political scene."

Despite repeated pressure from administration officials, the Guatemalan military has remained aloof from the White House's efforts to join in the crusade against the Sandinista government of Nicaragua.

Clearly the Reagan administration feels that military and economic aid programs would give them more leverage with Guatemala's prideful military. Congress, however, has resisted repeated White House pressure to renew military aid, suspended in 1977.

In his new job as president, Cerezo will have to summon up all the skill he has accumulated in 20 years of public life to coax

the military into relinquishing aspects of its monopoly power. Whatever authority he may succeed in grasping, he will have no possibility of addressing the country's urgent need for sweeping economic and social changes. Issues as basic as tax reform and land tenure were prudently, never discussed by candidate Cerezo.

The United States can, however, assist this fragile beginning. Congress must resist the Reagan administration's pressure to give Guatemala immediate and unconditional aid. Guatemala's generals do not merit even consideration of military aid.

All economic assistance, except emergency aid for basic human needs, should be made available only after the newly elected civilian government curbs human rights violations, moves toward establishing an independent judiciary, and otherwise demonstrates effective control over the military. Cerezo wants and needs nothing less.

WOMEN OF THE SANCTUARY MOVEMENT

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. TOWNS. Mr. Speaker, as we move through the holiday season it is important to remember those who have made a personal sacrifice to ensure the safety and freedom of others. Many Americans throughout the Southwest have made a personal decision to protect the rights of refugees from El Salvador by assisting them in a modern-day version of the "Underground Railroad." Most of the people involved in the "sanctuary movement" are women. Just as the Quakers and black American leaders like Harriet Tubman who risked imprisonment and/or a return to slavery, these women risk imprisonment to smuggle refugees to the United States.

Because of the administration's refusal to grant "extended voluntary departure" to Salvadorans or Guatemalans, these American women feel compelled to smuggle and harbor these refugees to prevent them from being deported to an uncertain fate and possible death in violation of the U.N. Protocol on Refugees. *Glamour* magazine recently featured an article by Claudia Dreifus, "Women of the Sanctuary Movement," which described the movement and the women who participate in this extraordinary struggle which has become "one of the largest demonstrations of civil disobedience since the Vietnam war." In this season, where we will share the holidays with family and friends, I commend this article to my colleagues as an example of Americans who have chosen to struggle for the freedom of others at great personal risk to themselves. Their commitment only provides more impetus for the Congress to move forward with the Moakley-DeConcini legislation, H.R. 822, to protect the rights of these refugees.

WOMEN OF THE SANCTUARY MOVEMENT

The twenty-eight-year-old woman we'll call "Annie Wilson" does not want to tell me very much about her life.

"Just tell your readers that I'm not very different from them," she suggests as we motor along the dirt roads of Northern Mexico on a warm spring morning. "I am a fulltime homemaker, a practicing Presbyterian, a college graduate, the mother of three children, the wife of a businessman. It's not that I'm coy about myself—it's just that I have young children and, for their sake, I try to be careful. Oh sure, I know that at some point I'm going to get caught at what I do, but when you have a four-year-old at home, you try to make sure that date comes later rather than sooner. So, yes, I've agreed to let you come along on this trip to show you what we do and what it means—but no, I don't want to be interviewed."¹

What Annie Wilson does is illegal and dangerous: She crosses political refugees from Central America into the United States. A member of the Sanctuary Movement, she is one of a network of religious activists and layworkers who are risking imprisonment by running a modern-day Underground Railroad, smuggling aliens into the country, harboring them in churches and synagogues near the border, and then transporting them north where other Sanctuary workers help them settle into new lives. One of the largest demonstrations of civil disobedience since the Vietnam War, the movement is composed primarily of male clerics and women volunteers.

"The family we're picking up today is from El Salvador," says Annie Wilson as we head toward a "safe house" in a certain Mexican town approximately a hundred miles from Tucson. "The Quaker who's been leading them up through Mexico says they're 'high risk.' The husband was a union organizer in San Salvador, and he's on death lists. The wife's brother was accused of being a guerrilla, and he was picked up by the police and 'disappeared.' They had a difficult trip. The wife contracted typhoid en route, and the baby is sick, too. We have a church in the north lined up to take responsibility for them. But first we have to get them into the United States, and that's always complicated. Over the years, I must have brought seventy people through, and on each run something goes wrong."

We arrive at the safe house where the refugees are waiting. "Ah, you have come for us," a thin dark man says in halting English. He is Carlos Diaz, thirty, a former teacher and father of the family. "We have waited many days for you, and now we must leave at once. Some men have been following us, perhaps since Mexico City."

"I'm not sure I can cross you today," Annie answers. "Maybe tomorrow. Driving down, we saw many Border Patrol cars. I've never seen so many. You know it's best for all if we don't take unnecessary risks."

"No, no . . . we must go soon," demands Carlos Diaz. "To stay is dangerous."

Annie looks outside and spots a spooky-looking stranger, loitering and watching. "Okay, we'll try it," she says to Carlos. "I'll have to check the holes in the fence first to find the best route."

For the next hour, Annie drives her borrowed yellow Datsun station wagon along the U.S.-Mexico frontier, searching for the safest point of entry. Though the ten-foot-high-steel-mesh barrier is loaded with electronic sensors that trigger alarms when jarred, the fence has many gaping holes.

Annie picks an opening concealed from a nearby road, then drives to the official border checkpoint.

"What was the purpose of your visit to Mexico?" a U.S. Customs official inquires.

"Shopping," Annie answers nonchalantly.

Back in the U.S. Annie checks the road on the other side of her crossing spot. Noting that a Border Patrol squad car cruises by every three minutes or so, she concludes that her move will have to be fast. "I'd rather not be doing this here and in this way, but going seems to be safer than staying," she says. She telephones a Sanctuary supporter in Mexico, informs him in code of the location of the crossing point and asks him to guide the group there.

At the appointed moment, Annie is waiting on the American side of the border, her car's motor running. With lightning speed, five refugees dash through the fence and into the small Datsun with the tinted windows. Annie takes off. She is no more than a hundred yards down the road when a Border Patrol paddy wagon speeds toward her.

"*La Migra! La Migra!*" the refugees scream, calling the slang name of the immigration police.

"Down, back there!" Annie shouts in Spanish. "Get to the floor."

The paddy wagon roars past the Datsun, ignoring Annie and her passengers.

"The Lord protects . . ." Annie exclaims. It is as much a wish as a hope.

To smuggle or harbor an illegal alien is a crime punishable by up to five years in prison per count. Nevertheless, Sanctuary has brought more than three thousand Central Americans into the United States. Officially, the congregations of two hundred churches and synagogues from coast to coast—nearly fifty thousand individuals—have committed themselves to this act of conscience.

Who are the Sanctuarians?

"They are individuals who do not agree with United States policy in Central America and who have found an effective and media-attractive way of publicizing their opinions," charges Ambassador H. Eugene Douglas, U.S. coordinator for Refugee Affairs. "While some supporters' motivations may be innocent and nonpolitical, others are not."

"Quite the contrary," countercharges New Mexico Congressman Bill Richardson, chair of the Hispanic Caucus. "The Sanctuary Movement is a religious and moral reaction to a grave injustice—the deportation of Central American refugees back to conditions of civil war."

Sanctuary founder John Fife, forty-five, pastor of Tucson's Southside Presbyterian Church, describes his group more simply: "We are citizens who saw refugees in our midst, who saw that the laws were being administered unfairly against them, and who realized that to save lives we had to become civilly disobedient against the administration of those laws."

The Sanctuary Movement is one response to the civil and military disorders currently shaking Central America. In Guatemala, El Salvador and Nicaragua, where civil wars rage, nearly a million and a half people, by conservative estimate, have left their countries as refugees or been displaced. Many of them exist in refugee camps within their own countries or in Mexico and Honduras; hundreds of thousands have made their way to greater safety within the United States. Though overt acts of war have created part of the refugee problems, severe human

rights violations, particularly in Guatemala and El Salvador, have also contributed; death squads, torture and disappearances of citizens are everyday facts of life in those countries. The Sanctuarians say that international law and human compassion require Americans to provide safe harbor for these refugees. The official voice of the U.S. government contends that most Central Americans come to the U.S. not as political refugees, but as economic ones.

Speaking against a law that would ban deportations to El Salvador, Elliott Abrams, Assistant Secretary of State for Human Rights and Humanitarian Affairs, recently stated: "El Salvador is a country troubled by poverty, violence, overpopulation and a history of oppression. For a number of years, Salvadorans have looked for economic opportunity elsewhere. . . . Some groups argue that illegal aliens who are sent back to El Salvador meet persecution and often death. Obviously, we do not believe these claims or we would not deport these people."

But Annie Wilson, who risks prison on a weekly basis to bring Salvadorans into the United States, believes the claims. "The refugee issue has become politicized," she says. "Our government welcomes the victims of communist regimes, but it turns a blind eye to the Guatemalans and Salvadorans because we are friends with their governments. In Sanctuary, we try only to bring across Central Americans who have been threatened and who stand a good chance of being killed if they remain at home—disenters, peasants who have witnessed massacres, church workers serving the poor. Almost none of these people can get into the United States legally because our government rarely grants political asylum to the victims of terror committed in countries that we're aligned with. About 3 percent of all Salvadorans and fewer than one percent of all Guatemalans who apply are granted political asylum and are able to remain in the U.S., as compared with 12 percent of Nicaraguans and 33 percent of Poles. I'm not a partisan political type. I've helped refugees who came here escaping Southeast Asian communism. I . . . do this as caring human beings, as Christians who put our faith into action. As neighbors."

The Sanctuary Movement developed under the burning Arizona skies in 1980 after thirteen middle-class Salvadorans died in the desert just west of Tucson. After walking from Mexico, they had been abandoned there by a "coyote," a professional smuggler. This incident brought to the surface something that Tucsonans had long been suspecting: Thousands of Central Americans were suddenly flooding into the United States, some of them literally appearing on Tucsonans' own front lawns.

"What can we do to help these sojourners?" Tucson's clerical community asked. Different people came up with different answers. Jim Corbett, a retired rancher and a Quaker, responded by assisting Central Americans across the border; Rev. John Fife visited the prisons and provided funding for legal aid to captured Salvadorans and Guatemalans hoping to remain in the United States as political refugees.

Fife saw countless Central Americans deported back into war zones. It wasn't that the U.S. didn't have legal provision for the admission of these refugees, he decided it was that the laws were being administered without regard to the realities of the lives of Guatemalans and Salvadorans. "In a situation of routinized terror, Central Americans

¹ Some details about Annie Wilson and her run into Mexico have been altered to protect her anonymity.

were being asked to provide detailed documentation of threats against them," Fife recalls. "It wasn't unusual to hear of cases where a Salvadoran would be asked to produce a copy of the 'death list' he was supposed to be on. It struck me that Central Americans stand a better chance of surviving in the United States, and of not being deported, if they don't apply for political asylum."

Thus, Fife joined Corbett's smuggling operation. Together, the two men went out and organized a movement that was nonviolent, ecumenical, and staffed by male clergy and women—dozens of women.

"Women are Sanctuary's unsung heroes," says John Fife. "Oh, the newspapers give a lot of attention to clergymen like myself, but those who've done the riskiest jobs, at the border have been the women." (Of sixteen indicted in January, eleven were women.) "Our women are particularly heroic because they have the most to lose—the young mother with children risking jail."

Annie Wilson herself often ponders the dilemma of putting her liberty on the line for a moral issue. "Sometimes, what I'm doing scares me," she says. "In church the other day, I wondered, 'Am I being selfish? Will my children have to pay for my conscience?' Sometimes my husband says, 'Stop—it's too dangerous.' But then I think about what the refugees are going through, that they could be killed if they are deported to their home countries. Besides, I'm not the only woman in this situation doing this."

Mary K. Doan-Espinoza, thirty-one, mother of four, coordinator of religious education of the Sacred Heart Parish of Nogales, Arizona, daughter of the former mayor of that border town, wife of a diesel parts salesman, joined Sanctuary precisely because she is a woman and a mother. One morning in 1983, Mary K. was sitting in her church office when she was approached by a sad, foreign woman, who appeared out of nowhere.

"May I kindly have a glass of water for myself and my two children?" this woman asked. When Mary K. returned with milk and cookies, the woman burst into tears.

"Do you see these little ones?" she asked. "I used to have five. One day, some people came to my house and told me to come to the school right away. They said something had happened to my children. When I got there, I saw many, many children's bodies stacked up in a row. The soldiers had shot them because someone said the son of a guerrilla was going to that school. They did not know which child they were looking for so they killed many children—including mine."

Full of impassioned anger, Mary K. contacted a Sanctuary member who'd visited her church. "I've lived in Nogales all my life and the border is nothing to me," she said. "Call me whenever you need help."

Mary K. Doan-Espinoza soon became a kind of underground legend. She "helped" in a thousand ways, legal and illegal: bringing food and clothing to Central Americans detained in Mexican jails, making trips into Mexico for refugees, offering shelter to all who appeared at the door of her church.

With time, rumors of Mary K.'s clandestine activities began to circulate. A clerk working at the Sacred Heart quit rather than labor alongside the notorious Mrs. Doan-Espinoza. The Brownie Scouts asked Mary K. to resign as troop leader. Mary K.'s husband complained: "My friends are making fun of me because of you. If we ever

get a divorce, you'll know why. You shouldn't be doing this. You should just do your job and come home."

"If these people were your cousins and your brothers, you'd want me to do this," Mary K. answered. "If there were a war here, we would want strangers to act like Christians and to help us. Try to understand."

And when neighbors refused to understand, she told them this: "If you knew that your wife and your children were going to be killed, you'd look for a safe haven, too. If we all start wondering about what everybody thinks, then we'll never do what's right."

Doing the moral thing was also the roof of Peggy Hutchison's motivation. Hutchison, thirty, a Methodist layworker, graduate student at the University of Arizona and staff member of Tucson Metropolitan Ministries, became involved with Sanctuary in the early 1980's. She went to the local prisons to interpret for attorneys aiding captured Salvadorans and Guatemalans. "Working in the prisons was shattering," Peggy Hutchison recalls. "I'd help these innocent, frightened people with their applications for political asylum and nothing happened. I witnessed a lot of rights abuses—terrified Guatemalans not knowing what they were doing, signing papers agreeing to voluntary departure. I was working with an awful lot of people who told me that they'd be killed if they got deported to Salvador or Guatemala and, of course, they were deported."

After visiting the prisons for several months, Peggy began to have nightmares. Finally: "I felt I had no choice. If I was to be true to my faith and my morals, then I had to go beyond the paralegal ministry." Peggy joined Jim Corbett's underground railroad.

The smuggling was hard for her: Between a full-time job, graduate school and an ongoing relationship with her fiancé, Michael Elsner, no week ever had enough hours in it. Despite the hardship, Peggy felt an obligation to continue to help the refugees: On one of the first trips, we were rescuing young people from El Salvador, people my age, and they began to talk about everyone they knew back home. 'Did you know Manuel?' 'Oh, yes he was found dismembered with his eyes gouged out.' 'And did you know Carmen?' 'Oh, yes, she was the pregnant woman the National Guard picked up and disappeared.' These people moved me so much I came to feel that no exertion was too great for them."

Meanwhile, the government had begun to act against the Sanctuary Movement. "There is no provision in American law for 'sanctuary,' " Ruth Ann Meyers, district director of the Immigration and Naturalization Service in Phoenix says. "The law does not say that it's okay for good people to violate the law for 'good reasons,' but not okay for bad people."

In 1983, Jesus Cruz, a citizen of Mexico and now a lawful permanent resident of the U.S. was hired by the Immigration and Naturalization Service as an informant, and infiltrated the Sanctuary Movement. His body wired with a hidden tape recorder, Cruz began to attend services at Tucson's Southside Presbyterian Church and to drive down to Nogales where he spent time with Mary K. Doan-Espinoza. He expressed his extreme concern for clandestine activities on behalf of Sanctuary. "I thought he was a very kind man," Mary K. says, but there was always something strange about him—he was always pushing things that meant

trouble. He was always asking questions about who was involved—and how."

On January 14, 1985, Donald Reno, Special Assistant U.S. Attorney in Phoenix, announced indictments against sixteen Sanctuarians on seventy-one separate charges of smuggling, harboring and conspiracy; twenty-four other members of the movement were named as unindicted co-conspirators. Of those indicted, most had spoken with Jesus Cruz—Mary K. Doan-Espinoza, Jim Corbett, several other women and the Reverend John Fife were among those named. Peggy Hutchison, who'd never worked with Cruz, was also indicted.

Mary K.'s reaction was fiery: "How dare the government go into churches to spy on people? Churches are for shelter and peace. We did what the Lord wanted us to do. There's protection in that." But just in case the Lord did not protect, Mary K. began to make provision for her children, in the event she had to go to prison.

For Peggy Hutchison, the indictment brought on a period of introspection. What would happen to her if she had to do a long prison term? ("It's hard to think of myself as a criminal.") Would she be able to marry Michael and have children with him? ("I'm thirty years old—what if the sentence is long?") Was there a way to make the best of a prison experience? ("Perhaps I could use the time to finish my master's degree?")

Two weeks after her indictment, Peggy flew out to Los Angeles to give a speech on Sanctuary at L.A. City College. After her talk, she was approached by a young Salvadoran woman, who asked, "Peggy, do you remember me?" Peggy did. Years ago, when she had first begun to make her runs into Mexico, Peggy had brought this woman, her mother, aunts and sisters into the United States. Theirs was a heartbreaking story. They were catechists—religious teachers using the catechism to instruct the poor—persecuted for their religion. The father of the family had been taken away, tortured and killed; soldiers had raped the mother in front of the children. After six months of wandering from convent to convent in El Salvador and Mexico, the family was finally sent to Sanctuary. "I came here today because you must know what has happened to us," said this young Salvadoran as she hugged Peggy Hutchison in the college lecture hall. "We are safe. The babies are well. And we want you to know that we will never forget what you've done for us. We want you to know that we love you and that we are your sisters."

When Peggy returned to Tucson later that week she was cheerful, optimistic. "My friend reminded me of something that the refugees all know," Peggy says. "That it's important to feel pain, but also important to celebrate joy—and most of all, it's urgent to make connections, no matter what is in the way." It was in that spirit that, on May 26, 1985, Peggy married Michael Elsner.

When Peggy Hutchison, John Fife, Mary K. Doan-Espinoza and their colleagues go to trial in Phoenix this month, Peggy will particularly remember something her Salvadoran friend told her that afternoon in Los Angeles: "To have courage. Because in Central America, the last part of a person to die is their hope."

SUPERFUND REAUTHORIZATION

HON. THOMAS N. KINDNESS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. KINDNESS. Mr. Speaker, last week the House considered a compromise Superfund reauthorization bill. I, for one, was pleased that we finally brought this critical legislation to the floor and wish to compliment those members and staff of the committees involved for the excellent work that was done. Within the parameters of what we were able to consider on the Judiciary Committee, I felt we made significant progress in addressing several key issues. However, I would be remiss if I did not mention those areas in which I believe additional work could still be done.

Perhaps one of the most important issues within the entire Superfund Program was the establishment of a citizen suit provision. Although I supported the compromise bill on this and all other points, I feel the House might want to call special attention to certain portions of this provision in its conference negotiations with the other body. Although the Commerce and Public Works Committees, along with Judiciary, all reported citizen suit provisions, they were vastly different in scope and impact. The substitute bill contains portions of each of the three committee versions and attempts to balance the rights of citizens with the need to have prompt cleanup of sites without needless and expensive litigation.

Despite the substantial efforts of those involved in the compromise negotiations to encourage and facilitate greater use of pre-enforcement settlement negotiations as an element of the Government's cleanup program, the substitute approach still could leave some question as to whether citizens can bring their actions during active negotiations by the Federal Government or by a State which has given notice of its intent to bring suit. States and private citizens are not obliged to observe the negotiation procedures applicable to the Federal Government. Time prohibited us from adding appropriate language in the compromise substitute to address this issue, but I would hope language to solve the problem could be worked out in conference with the Senate.

Mr. Speaker, you will recall that there was at least one remaining area of disagreement concerning the critical issue of the claims being created by this new citizen suit language. The Judiciary amendment to the original bill provided grounds for citizens suit against any person is "has contributed or is contributing to the actual or threatened release of any hazardous substance from a facility, if such release may present an imminent and substantial endangerment to health or the environment." The compromise version provides for suit against any person who "has contributed or is contributing to the release or threatened release of any hazardous substance from a hazardous waste disposal site, if

such release or threatened release may present an imminent and substantial endangerment to public health or the environment." Our colleague from Kansas, Mr. GLICKMAN, offered an amendment to return to the original language as reported by the Judiciary Committee. Unfortunately, I had to oppose his amendment as I believe the compromise approach better serves the interests of balancing the rights of citizens with the need to assure prompt cleanup of waste sites.

The substitute bill also included several bars to citizens suits. These bars would wisely prohibit suit in cases where they would impede prompt cleanup. Although the substitute bill makes constructive changes from the citizen suit provision reported by the Judiciary Committee, it still may present the opportunity for abuse based on the "imminent and substantial endangerment" language. I believe the House conferees should attempt to limit any attempts to expand the readings of what may present an "imminent and substantial endangerment." A mere risk of injury to health or the environment, which need not be immediate or irreparable, has been held sufficient to sustain a cause of action for mandatory injunctive relief. Clearly, such readings should be discouraged in light of the potential impact they have on Federal court case load and on the parties involved.

Absent this, such precedents might be used under the substitute citizens suit language to bring claims involving very limited, attenuated or remote environmental dangers posing no significant or even potential danger to human health. Various estimates of the number of unpermitted, uncontrolled waste sites in the United States—many or most of which pose no danger to health—run as high as 25,000 to 30,000. I am concerned that these sites will afford a ready vehicle for frivolous or vague Federal claims to which pendent State personal injury claims, requiring jury trials in Federal courts, might also be added.

My second principal concern is that of liability affecting response action contractors—those people who clean up our Nation's hazardous waste disposal sites.

At present, insurance availability for contractors is diminishing, limits of coverage have been reducing, and premium rates have been increasing—some by as much as 50 to 200 percent. Insurance industry sources estimate that only 10 percent of contractors market needs are currently being met and that by January 1986 no insurance will be available at all. The present lack of insurance is already causing a reduction in the number of qualified contractors willing to participate in Superfund cleanups. As insurance becomes increasingly unavailable over the next year, availability of qualified contractors could diminish to the point of being acute. As a result, the Superfund Cleanup Program could come to an abrupt halt.

Although the substitute bill still requires fine tuning, it goes a long way toward addressing most of the concerns I have and it is still my hope, as well as my understand-

ing, that what is in the bill will be maintained through conference with the Senate. The substitute bill would authorize the EPA Administrator to indemnify contractors—including subcontractors—against any liability arising out of the contractor's performance, provided that reasonable efforts are made to obtain liability insurance. The indemnification covers only liability which was not the result of gross negligence, or intentional misconduct on the part of the contractor. Therefore, the amendment allows EPA to provide contractors with indemnity coverage equivalent to liability insurance. This provision in combination with the existing standard of liability for contractors contained in the substitute should provide adequate incentive for contractors to continue to participate in Superfund cleanups.

Furthermore, numerous safeguards are built in to insure the provision does not become a serious drain to the Treasury, including mandatory deductibles and ceilings on indemnification.

Mr. Speaker, during the recent House consideration of the bill, my good friend from Nebraska, Mr. DAUB, offered an amendment which attempted to put some teeth into the causal nexus requirements in Superfund. Although I was constrained to vote against the amendment, I felt, given the way in which courts around the country have interpreted Superfund's existing causal nexus requirements, this amendment had special importance if Superfund's liability scheme is to be brought into line with traditional notions of American tort law.

Two especially important and widely quoted cases, *U.S. versus Wade* and *U.S. versus South Carolina Recycling & Disposal, Inc.* set forth the notion that traditional causal nexus is not required under section 107 of Superfund. In the introduction to the court's opinion in *South Carolina Recycling*, it was noted that direct causal connection between a generator's substances and the costs was not required. In *Wade*, the court stated that:

The only required nexus between the defendant and the site is that the defendant have (sic) dumped his waste there and that the hazardous substances found in the defendant's waste are also found at the site.

Inasmuch as traditional notions of proximate cause require a far greater connection than this, I have concern that innocent parties—especially small business—could be held unfairly liable under such a scheme given the combination of it with joint and several liability. Such liability schemes can serve to frustrate, rather than encourage, proper waste disposal. Such a burden is particularly harsh when it is imposed on small businesses who do not have the resources to maintain long and costly court battles. This is unfair, Mr. Speaker, and should be addressed in conference.

Finally, Mr. Speaker, I must state my strong opposition to a Federal cause of action for personal injury and property damage. Our colleague from Massachusetts, Mr. FRANK, offered an amendment to pro-

vide such a cause of action and I was pleased to see this House again reject this ill-conceived notion as it did in last year's Superfund legislation.

To begin, my opposition to a Federal cause of action is based on the fact that Superfund is a cleanup law, not a compensation law. The bill being considered by the House today is focused on cleanup activities and all of the committees which worked on the bill specifically excluded a Federal cause of action. Such a proposal should have had an airing in the Committee on the Judiciary.

Additionally, I might just note a couple of other points I consider important for the House to examine:

First, proponents fail to recognize that liability under the Frank proposal would be triggered by such nonevents as the mere deposit or storing of a hazardous substance. Consequently, given the liability standard of near absolute, joint and several liability imposed by the amendment, liability could attach to a party without that party having contributed to the event that actually causes the harm.

Second, one of the so-called defenses provides relief from liability if the defendant established by a preponderance of the evidence that it took precautions against foreseeable acts or omissions of any (such) third party and the consequences that could foreseeably result from such acts or omissions.

This effectively casts each party to a site in the role of insurer of all other site users/participants. This is almost certainly an impossible task to meet and provides absolutely no meaningful relief. In fact, each site user not only becomes liable for the actions of all concurrent users but all past users—over which control is absolutely impossible.

Third, persons held liable under the amendment include:

Any person who owned or operated the facility at which the release occurred at the time any hazardous substance was disposed of at such facility.

This means that past site owners/operators can be held liable for damages for substances that were not even disposed of when they owned or operated the site.

Fourth, pain and suffering are compensable except to the extent that they are a result of an individual's unreasonable fear of physical injury, illness, or death. This departs from long-established tort law which has never granted relief for speculative damages. The Frank amendment language would cast Federal courts into the role of determining what reasonable fear might be in any given circumstance, hence requiring them to speculate as to what any persons damages may or may not be.

Fifth, the Frank amendment would effectively repeal rule 23 of the Federal Rules of Civil Procedure. By requiring that actions under the title arising from the same release be certified as a class, differences between each individual's condition "in the class" are ignored.

Sixth, lastly, proponents of this cause of action have specifically exempted the

United States, States and local governments from liability under this statement. The Congressional Budget Office last year stated that the potential liability of the United States under such a cause of action would be impossible to estimate and could add significantly to the costs of the Federal Government. By specifically removing the United States, States and local governments from this liability, the proponents have admitted that liability under this title is essentially indefensible given its scheme of near absolute, joint, several and noncausal nexus liability. Given this admission, can Congress truly entertain such a proposal?

Thank you, Mr. Speaker.

S. SGT. THOMAS DAVIS' LOSS FELT BY MANY

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. FLORIO. Mr. Speaker, 1 week ago today the airliner carrying members of the Sinai Peacekeeping Force crashed in Newfoundland, Canada. On that plane was S. Sgt. Thomas E. Davis of Woodbury, NJ.

Thomas Davis was a constituent of mine in the First Congressional District of New Jersey. He had joined the Army 12 years ago and was a proud member of the 101st Airborne Division, the "Screaming Eagles" based at Fort Campbell, KY. The loss of 28-year-old S. Sgt. Davis will be felt by many of us in the First District and I, too, want to offer my condolences to the Davis family. All of us, here in this House and in south Jersey share their grief in these difficult times.

Mr. Speaker, I would like to share the following article with my colleagues. It is from the Gloucester County Times. The words offer a small insight into the sacrifices and pain being felt by the many who loved Thomas Davis. He was a soldier on a mission of peace and we all share in his family's feelings.

The article follows:

[From the Gloucester County (NJ) Times,
Dec. 15, 1985]

FOR DAVISES, TIME TO GRIEVE

(By Jim Six)

WOODBURY.—An officer and a sergeant from Fort Dix knocked on the door of Donnell Davis' Ford Avenue home here about 1:30 a.m. Friday bearing the sad news they had been waiting for.

Many hours after a woman at the Army Casualty Desk had told them Thursday afternoon their son, Staff Sgt. Thomas E. Davis, has been on the Arrow Airlines DC-8 that crashed in Newfoundland, the Army representatives had come to confirm the news personally.

Since then, the family has heard no more from the military.

"It's just a matter of waiting," Davis said Saturday. "We have a phone number to call, but they said they'd contact us within 72 hours, so I guess I'll wait until Sunday to call."

The only news he's heard about the arrival of the crash victims at Dover Air Force

Base in Delaware has come from television, Davis said.

"We're playing everything by ear," he admitted. He does not know whether the family will go to Dover when the time comes. The bodies of those killed in the accident are not expected to begin arriving at the military base until at least Monday.

Media attention had subsided by Saturday, he said.

"The television people were very nice. They admitted it was terribly awkward to come here," he said.

Davis, who is vice president of the Woodbury Board of Education, said he and his wife and four other sons had been keeping as busy as possible.

"It has taken our minds off it to talk. We've had people at the house since Thursday. By the time we go to bed, we're very tired. It's better than sitting around alone," Davis said.

Rep. James J. Florio, D-1st Dist., called to offer condolences on Saturday, Davis said.

Davis' 28-year-old son, Thomas, joined the Army almost 12 years ago and served about eight of those years in Germany. Davis said he called his son's fiancée, Marian Lanio, in West Berlin Thursday night to break the news to her.

Thomas had been stationed in a remote outpost in the Sinai Desert for five months as part of a peace-keeping mission. Members of the 3rd Battalion, 502nd Infantry, 101st Airborne Division's "Screaming Eagles" were being returned to Fort Campbell, Ky., in three groups. One flight arrived more than a week ago, and another is scheduled to arrive in Kentucky on Wednesday.

Thomas Davis had called his parents only 35 minutes before the chartered jetliner crash on takeoff at Gander International Airport Thursday morning. In his letters, Thomas wrote that the Sinai duty had been frightening and that servicemen often had to remain armed everywhere they went.

Davis last saw his son on July 4 for a party before he left for Egypt. He had sent his son a plane ticket so he could return from Kentucky on Dec. 21.

TIME FOR THE UNITED STATES TO GET SERIOUS ABOUT NAMIBIA

HON. MARK D. SILJANDER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. SILJANDER. Mr. Speaker, United States policy in Africa in general, and in southern Africa in particular, appears to have blown in the direction of every fresh burst of oratory in the United Nations. U.S. interests, both national and strategic, appear to have been ignored at every turn. Given the fact of increasing chaos and impotence of the United Nations as well as its tilt toward the Communist world, it is increasingly apparent to all that it is high time for a change. It is certainly to be hoped that President Reagan and his administration will take a new look at Namibia and see where United States interests lie and alter our foreign affairs approach accordingly. Among these interests are the rich mineral wealth of the areas as well as the strategic port of Walvis Bay. For that

reason, I include at this point in the RECORD a letter I received from a Cabinet minister of Namibia's Government of National Unity on the subject of Namibia which I think bears repeating to the American people.

MINISTRY OF INFORMATION,
Windhoek, December 18, 1985.

HON. MARK SILJANDER,
Member of Congress, Washington, DC.

DEAR CONGRESSMAN SILJANDER: The people and government of Namibia appeal to you and other members of Congress, who, like yourself, have achieved positions of power and leadership. We know the leadership position you enjoy did not happen by chance—the American political system distributes its rewards and honors only to those who earn them.

South Africa transferred to Namibia's Multi-Party Conference of internal political leaders all its governmental powers over the territory, on June 17, 1985, and Namibia's people exercised their God-given and inalienable right of self-determination, established their own legislative assembly and established a cabinet of ministers to administer Namibia's Transitional Government of National Unity (TGNU).

Namibia needs your help and advice. That is why I make bold to write this letter to you. We believe U.S. national security and, to some extent, American prosperity are linked to the fate of our country. Such matters are too important to be left exclusively in the hands of the United Nations and the diplomatic bureaucracy.

The United Nations General Assembly in recent years has become dominated by the mob rule of a Third World majority in close alliance with the Soviet bloc. U.S. taxpayers contribute 25 percent of the annual U.N. budget (over \$6 billion for this year).

The noted Washington Post editorialist Philip Geyelin, in a column captioned "United Nations: An Outrage" (Wash. Post, Aug. 19, 1980), described the United Nations as:

"... a brawling, sprawling global bureaucracy whose governing bodies routinely violate their own rules—an institution in which a full two-thirds of its 159 General Assembly votes represents less than 10 percent of the world population and for which a small minority of 30 practicing democracies contributes more than two-thirds of its financial support. The United Nations, in short, is an institutional outrage, a moral swamp. It operates much of the time by the mob rule of a Third World majority in close alliance with its Communist bloc."

The U.N. helps finance (using in part U.S. dollars) the South West Africa People's Organization (SWAPO), a Soviet bloc terrorist force based in Marxist Angola across our North border.

SWAPO was once a legitimate internal liberation movement, but has become a senseless anachronism. SWAPO, armed by Russia, is trying to seize Namibia (and its vast uranium, gold, diamond, copper, zinc, gas and other mineral resources) by violence and terrorist attacks. The deep water port on our West coast could be used as a base for Russian nuclear submarines to bisect the oil lifeline from the Persian Gulf to the U.S. and NATO countries in Europe. Namibia is clearly the target of a Soviet takeover campaign. SWAPO terrorists use Russian land mines and automatic rifles to commit violent atrocities against the black civilian population of Namibia. Murder and abduction are standard SWAPO methods of operation. If SWAPO succeeds, Namibia will

be dragged behind the Soviet "iron curtain" which has fallen around Angola and other countries in Africa.

Nothing better illustrates the moral bankruptcy of the U.N. than its current obsessive and racist campaign to force a U.N. supervised election in Namibia rigged so that SWAPO, the Soviet-bloc terrorist cat's paw and surrogate, can win control in Namibia. U.S. taxpayers and the free world will be the losers if Namibia is forced by violence into the Russian orbit. Namibians prefer their existing government to SWAPO and the Russians, pending the time when a truly impartial U.N. can supervise the election of a constituent assembly. Namibia's 11 major population groups (who speak 8 languages, 29 dialects, and of whom the white group is only 11 percent of the total) are all proportionally represented in the present government and will never accede to a U.N. election which favors SWAPO. Ultimately we want full independence and international recognition.

As Churchill once said to Hitler, we say to SWAPO and its Soviet surrogates: "We will have no truce or parley with you or the grisly gang who work your wicked will. You do your worst, we will do our best, until in God's good time the U.S. and the West come, in their own interest, to our aid and support."

Namibia was first colonized by Germany in the 1880's, then taken over by the British in 1915 during World War I, later in 1920 mandated by the League of Nations as a trust territory to South Africa. The U.N. has no lawful jurisdiction over Namibia, any more than it has jurisdiction over U.S. territories, except as we Namibians may agree. Neither the U.N. charter nor the League of Nations Covenant provides any mechanism for involuntary transfer of a League trust territory to the U.N. which nonetheless for years has sought such control. Our interim government has all legislative and executive powers enjoyed by American territories.

Vital national security interests of Namibia as well as the United States are being seriously endangered by the last ditch effort of the United Nations General Assembly to stage a "human rights spectacular" at the U.N. by threatening sanctions unless Namibia agrees to a U.N. supervised election "rigged" for a victory by the South West Africa People's Organization (SWAPO). We refuse to be a pawn in the game of Soviet geopolitics.

We say, wake up, America! Today it is Namibia, yesterday Central America, Cuba, Afghanistan, and Vietnam, tomorrow—where next? U.S. taxpayers in aiding SWAPO are financing their own destruction. The United Nations General Assembly to some extent has become an enemy of the United States, as it is of Namibia. It is time to blow the whistle on the U.N.—and save millions a year for U.S. taxpayers.

Can you discuss with your colleagues in the U.S. Congress our hope that they will stop the flow of U.S. tax dollars through the U.N. to SWAPO? By helping our people and government, you will be serving the national security interest of the U.S. and all Americans. We are your friends. We admire the U.S. as a symbol of hope and freedom in the world. God bless America and its good works.

Sincerely yours,

THE ASBURY PARK PRESS ON
THE SAKHAROV CASE

HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. COURTER. Mr. Speaker, I would like to call my colleagues' attention to the following editorial from the Asbury Park (NJ) Press, which concerns the treatment of the Andrei Sakharov and Yelena Bonner at the hands of the Soviet KGB. The Sakharov case is a shocking demonstration of perhaps the most inhuman aspect of an inhuman regime: the systematic denial of freedom of internal movement and departure from the Soviet Union. The Soviet commentator, Georgi Arbatov, recently admitted, in a rare moment of candor, that this policy is necessary to prevent a large-scale exodus from the Socialist paradise. The Soviet defector comedian, Yakov Smirnov, jokes about this situation when he asks his audience to compare American and Soviet credit cards: the advertisement for the American Express card is "Don't leave home without it," but with the Soviet Express Card, it's simply "Don't leave home." It is black humor, to be sure, but it helps to ensure that we never forget the 300 million unfortunate souls who are prisoners in their own homeland.

[From Asbury (NJ) Park Press]

A CHILLING PICTURE: SOVIET
"HUMANITARIAN" ACT IS A SHAM

The Soviet government, which has always controlled its own domestic media, has discovered the art of manipulating the world press to its own benefit. Among a number of actions instigated by Mikhail Gorbachev prior to his summit meeting with Ronald Reagan, was the announcement that Yelena Bonner Wife of Nobel Prize winner Andrei Sakharov, would be released from exile in Gorky to receive medical treatment in the West.

The world community was supposed to be favorably impressed by this 'humanitarian' gesture, even though the permission to travel had been granted only after frequent hunger strikes by Dr. Sakharov and was long overdue by any standard of civilized decency. The fact that the action was taken in conjunction with the summit meetings only underscores the blatant attempt by the communists to influence world opinion.

While part of the agreement for Mrs. Bonner to travel includes a ban on speaking to the press, the couple's relatives in the West have been able to give a chilling picture of Sakharov's life in Gorky. The KGB monitors every move, and during hunger strikes he is force-fed by holding his nose shut until his mouth opens, an excruciatingly painful procedure. Witnesses say he looks greatly aged and has lost more than 40 pounds.

Despite the recent cosmetic attempts to improve their totalitarian image, the Soviets still preside over one of the most repressive governments in the world, unable to tolerate dissident opinions from even the most distinguished of its citizens. If they really want the trust of the world community, let them release Dr. Sakharov and give more than lip service to the issue of human

rights. Only then will the West begin to take seriously the rectitude of Soviet intentions.

**A TRIBUTE AND FAREWELL TO
TOMMY WINEBRENNER**

HON. JOHN P. HAMMERSCHMIDT

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 1985

Mr. HAMMERSCHMIDT. Mr. Speaker, I am pleased to join with my colleagues in expressing my deep appreciation for the valuable assistance Tommy Winebrenner has given to many of us over the years. Throughout his service of 32 years, Tommy has proven to be loyal, hardworking, and dependable. He could always be counted on to keep us abreast of the latest floor action and to give his insightful predictions as to when other matters would be coming up. Always able to provide an explanation, his comprehensive understanding of floor procedure so often helped us to get done what needed to be done. And when faced with a barrage of questions amid the ongoing, complex and sometimes harried floor activity and a multitude of conversations flowing about the room, Tommy's worthy answers were always offered with much patience and a pleasant demeanor.

During my period of service on the hill—being 13 years shy of Tommy's 32—I have never known a day on Capitol Hill without him. Indeed, I hold a personal respect for Tommy, both as a human being and a co-worker, who so willingly guided me through moments of uncertainty, which, I think, every Member encounters, especially during those early years. Tommy, I will be forever appreciative of your stabilizing, but unimposing, presence over the past 19 years. I wish you much luck in all you endeavor. You will be missed.

**A BILL TO CREDIT YEARS OF
SERVICE TO THE CIVIL SERVICE
RETIREMENT SYSTEM FOR
SERVICE IN AGRICULTURE EX-
PERIMENT STATIONS**

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. WOLF. Mr. Speaker, during my tenure in Congress, I have been a strong supporter of fair and equitable retirement benefits for all Federal employees. It is extremely important that we reward our career Federal employees for their contribution and dedication to the operation of this great Nation's Government.

In this spirit, I am introducing legislation today which would permit Federal employees and retirees to receive Federal retirement credit for years of employment in Department of Agriculture agricultural experiment stations. These Federal employees received little, if any, retirement credit of

any type for their vital service to the Federal Government.

The eligible Federal employees and retirees who would be able to take advantage of this legislation join other groups, such as members of the Peace Corps, Radio Free Europe employees, and County Agricultural Stabilization and Conservation Committee members in receiving this type of credit. This group, like predecessor groups who have received civil service retirement credit, were funded by, supervised by, and given assignments by Federal agencies and employees to such an extent that they were treated as Federal employees. This legislation would help correct the benefit deficiency situation encountered by these Federal workers during noncreditable service periods of employment for the Federal Government.

I urge my colleagues to join me in this important effort.

SECTION-BY-SECTION ANALYSIS

(A bill to credit years of service to the Civil Service Retirement System for Service performed in Agriculture Experiment Stations.)

SECTION 1—SERVICE FOR WHICH CREDIT MAY BE ALLOWED

This bill credits, under coverage of the Civil Service Retirement System, years of service done in Agriculture Experiment Stations.

The Office of Personnel Management will request confirmation of service for persons covered in this act from the employing state agencies. Service performed before January 1, 1984, will be entitled to receive Civil Service Retirement Credit.

SECTION 2—ANNUITY REDUCTION

This section explains annuity reductions and calls for offset of any retirement funds received from other retirement fund sources as a result of years of service credited under this legislation.

SECTION 3—EFFECTIVE DATE

The section designates the effective date of this legislation as the first day of the first month after expiration of the 30-day period beginning on the date of enactment of this legislation. It also explains computation of annuities commencing before, on, or after the effective date.

H.R. 4005

A bill to amend section 8332 of title 5, United States Code, to allow periods of certain service performed as an employee of a State or an instrumentality of a State to be creditable for civil service retirement

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

SECTION 1. SERVICE FOR WHICH CREDIT MAY BE ALLOWED.

(a) SERVICE MADE CREDITABLE.—Section 8332(b) of title 5, United States Code, is amended—

(1) by striking out "and" after the semicolon at the end of paragraph (12);

(2) by striking out the period at the end of the second paragraph (13) and inserting in lieu thereof "; and"; and

(3) by adding after such paragraph (13) the following:

"(15) subject to sections 8334(c) and 8339(1) of this title and subsection (n)(2) of this section, service performed before January 1, 1984, by an individual in the employ

of a State whose principal duties related to the carrying out of a Federal-State cooperative program described in subsection (n) of this section, only if he later becomes subject to this subchapter."

(b) CERTIFICATION.—Section 8332(b) of title 5, United States Code, is further amended by adding at the end thereof the following new sentence: "The Office of Personnel Management shall accept the certification of the head of the appropriate State employing agency, or his designee, concerning the service referred to in paragraph (15) of this subsection."

(c) FEDERAL-STATE COOPERATIVE PROGRAM.—Section 8332 of title 5, United States Code, is amended by adding at the end thereof the following:

"(n)(1) The Federal-State cooperative program described in this subsection for which creditable service is allowable under subsection (b)(15) of this section is the Federal-State cooperative program of agricultural experiment stations authorized by the Act entitled 'An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July second, eighteen hundred and sixty-two, and of the acts supplementary thereto, approved March 2, 1887 (7 U.S.C. 361a-361i).

"(2) Service creditable under subsection (b)(15) of this section with respect to any employee shall not exceed the lesser of—

"(A) the aggregate period of creditable service performed by such employee under this section before the effective date of this subsection; or

"(B) ten years.

"(3) For the purpose of this subsection and subsection (b)(15) of this section, 'State' includes the fifty States and Puerto Rico, Guam, American Samoa, the Virgin Islands, the Trust Territories of the Pacific Islands, the Territories of Hawaii and Alaska prior to statehood, and the District of Columbia."

SEC. 2. ANNUITY REDUCTION.

Section 8339 of title 5, United States Code, is amended by adding at the end thereof the following new subsection:

"(o) An annuity which is computed in part on the basis of service described in section 8332(b)(15) of this title shall be reduced by the portion of any annuity the annuitant or his survivor receives from a State on account of such service or by that portion of any social security benefits the annuitant or his survivor receives on account of such service."

SEC. 3. EFFECTIVE DATE.

(a) EFFECTIVE DATE.—The amendments made by this Act shall take effect the first day of the first month which begins after the expiration of the 30-day period beginning on the date of the enactment of this Act.

(b) COMPUTATION OF ANNUITIES COMMENCING ON OR AFTER EFFECTIVE DATE.—An annuity or survivor annuity—

(1) which is based on the service of an individual who performed service described in section 8332(b)(15) of title 5, United States Code, as amended by this Act, and

(2) which commences on or after the effective date of the amendments made by this Act,

shall be computed in accordance with such amendments.

(c) COMPUTATION OF ANNUITIES COMMENCING BEFORE EFFECTIVE DATE.—

(1) An annuity or survivor annuity—

(A) which is based on the service of an individual who performed service described in

section 8332(b)(15) of title 5, United States Code, as amended by this Act, and

(B) the commencement date of which is before the effective date of the amendments made by this Act.

shall be recomputed in accordance with the amendments made by this Act, if application therefor is made to the Office of Personnel Management within 12 months after the date of the enactment of this Act.

(2) Any change in an annuity or survivor annuity resulting from a recomputation under paragraph (1) shall be effective beginning on the first day of the first month which begins after the expiration of the 30-day period beginning on the date such application is made.

(d) TERMS.—For purposes of this section, a reference to an "annuity" or "survivor annuity" shall be considered to be a reference to an annuity or survivor annuity under subchapter III of chapter 83 of title 5, United States Code.

NATIONAL FETAL ALCOHOL SYNDROME AWARENESS WEEK

HON. DAN COATS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. COATS. Mr. Speaker, the week of January 12 will be commemorated as "National Fetal Alcohol Syndrome Awareness Week." Fetal alcohol syndrome is the name given to the combination of birth defects seen in those newborns suffering from the effects of the high levels of alcohol absorbed into their developing systems directly from their mother's bloodstream. It is the third most common cause of mental retardation. It increases both the risk of a baby being born at low birth weight, and of that baby's failure to catch up during the entire developmental process. It affects thousands of babies born each year, and tens of thousands more are born suffering from less severe fetal alcohol effects. Millions of dollars each year are spent caring for the infants born suffering from this syndrome, and for the children who carry the effects of these birth defects with them throughout their lives. And yet, it is entirely preventable.

Representatives from several national groups that are concerned with women's and children's health have formed a coalition to bring greater attention to this problem. Just as recent efforts that have publicized the dangers of drinking and driving have helped to reduce the number of alcohol related traffic accidents, so too can public awareness help to prevent the high incidence of babies born suffering the tragic effects of fetal alcohol syndrome.

As the House sponsor of this legislation, I would like to commend the representatives of the National Council on Alcoholism, the National Institute on Alcohol Abuse and Alcoholism, the National Clearinghouse on Alcohol Information, the American Academy of Pediatrics, the American Medical Association, the March of Dimes, the Healthy Mothers/Healthy Babies Coalition, the Public Health Service of the Surgeon General's staff, the Center

for Science in the Public Interest and all of the people who have worked in this effort to reduce the incidence of alcohol related birth defects.

Many efforts are underway to highlight the importance of alcohol awareness for pregnant women. Public service announcements will be aired, information pamphlets will be distributed to doctors' offices, and, in some States, warning signs, similar to those seen on cigarette packages, will be posted in bars and liquor stores. This is one instance where, simply by calling attention to the problem, we can do much to solve the problem itself.

A TRIBUTE TO ANTONIO MEUCCI

HON. JOSEPH J. DiGUARDI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. DiGUARDI. Mr. Speaker, it is with immense pride and pleasure that I rise today to pay tribute to a great American, Antonio Meucci, an Italian immigrant scientist.

The telephone is undoubtedly one of the greatest inventions of the 19th century. Picturing the United States and the world today without telephones is unfathomable. And when Americans ponder this invention's development, usually only one name comes to mind: Alexander Graham Bell. However, I believe that the name Antonio Meucci should ring a bell.

According to the Italian Historical Society, on December 28, 1871, Antonio Meucci visited the patent office and filed a temporary patent for his "telefono" invention, 5 years before Alexander Graham Bell. In 1874, Meucci did not have the money for renewal, and his temporary patent expired. Twelve years later, in 1886, it was ruled by the Supreme Court that Meucci had priority to the invention of the telephone. However, the Court's decision was ultimately set-aside.

Mr. Speaker, I believe that Antonio Meucci should be provided the credit and recognition he so richly deserves for his contribution to the development of modern day communications. The next time someone considers the origin of the telephone the name Antonio Meucci should come to mind.

On December 28, 1985, the Italian Historical Society of America will be hosting the 15th Annual Antonio Meucci Testimonial Luncheon. I join those attending this event in saluting this great Italian American.

Thank you, Mr. Speaker.

HUMAN RIGHTS IN IRAN

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. TOWNS. Mr. Speaker, one of the most moving experiences I have had as a

Member of this body was listening to the accounts of three Iranian citizens who escaped from various prisons in Iran. While the human rights reporting in Iran is very sketchy, it is important to give broad exposure to the testimony of actual victims who have managed to escape the country. I am enclosing for my colleagues' review a recent statement made in conjunction with their visit to the Washington, DC area. I commend it to my colleagues' attention.

Tuesday, December 10, marked the anniversary of the adoption and proclamation of the Universal Declaration of Human Rights by the United Nations General Assembly.

Several international human rights organizations have cited the Khomeini regime as having the worst record of gross violations of human rights, the degree of horror and brutality of which are unprecedented in Iranian history. Since June 1981, 50,000 dissidents have been executed, and 140,000 political prisoners are subjected to systematic and repeated torture.

Rarely does a better opportunity present itself to understand the crucial importance of respect for human rights than that of meeting and talking with actual victims of torture and imprisonment by the Khomeini regime, Mr. Hossein Dadkhah, Ms. Narges Shayesteh and Ms. Mojgan Homayounfar, recently testified before the U.N. Commission on Human Rights and the European Parliament. Their testimony was instrumental in the subsequent adoption on December 6 by the U.N. General Assembly, which rarely examines the human rights situation of a particular country, of a resolution condemning human rights abuses in Iran.

These three victims, in their own words, "represent the pain and suffering being inflicted upon 140,000 others." They are here to "tell the stories of those who have gone before the firing squads."

Mr. Hossein Dadkhah, born November 1, 1955, still suffers from the effects of the tortures he endured while in Tehran's Evin Prison. His feet were particularly affected and several toes had to be amputated as a result of irreparable injury. Mr. Dadkhah's wife and brother were both executed by the regime. His parents were arrested and severely beaten, the psychological trauma causing both to suffer nervous breakdowns. His eighteen-month-old child has been taken by the regime, and his whereabouts are unknown.

Ms. Narges Shayesteh, a former teacher, was born on May 15, 1959. She was imprisoned for two and a half years. The effects of torture are still evident on her nose, hands, knees, and chest, where during a five hour session Khomeini's Guards branded her with fifteen cigarettes.

Ms. Mojgan Homayounfar, born on October 24, 1961, is a former student of fine arts and a teacher. During her three year imprisonment one of her legs was amputated and the other crushed. Confined to a wheel chair, Ms. Homayounfar suffers a variety of effects as a result of her ordeal.

These three victims are concerned that international exposure of the Khomeini regime's atrocities plays a crucial role on reducing the number of executions and the extent of torture. In Ms. Shayesteh's words, "If because of a brief speech in a foreign parliament or an interview, one person is going to receive fewer lashes or one less person is executed, it is worth all the effort." She adds, "I have been in those prisons."

Ms. Homayoufar urges, "every humanitarian individual and organization to expose these atrocities, and thus contribute to the cause of humanity."

Mr. Dadkhah emphasizes that, "We are the exceptions; we have gotten out. But 50,000 others have been executed, and 140,000 more may also be executed unless we do something about it."

HONORING CLAUDE J. FARINHA

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. FAZIO. Mr. Speaker, I rise today to pay tribute to a close personal friend and outstanding civil servant, Mr. Claude Farinha. After 35 years of distinguished service in the Federal Government, Claude recently announced his plans to retire on February 28, 1986.

Claude Farinha's record in the Federal work force speaks for itself. Not only have his skills, dedication, and commitment made him one of our Nation's leading civil servants, they have also resulted in his selection for two prestigious awards. In 1977, Claude received the Air Force Association's Citation of Honor as its "Outstanding Civilian of the Year." Furthermore, in September 1980, President Carter recognized Claude's numerous achievements by conferring upon him the highest recognition a Federal employee can receive—the Distinguished Executive Rank.

Serving as Deputy Director of Materiel Management at the Sacramento Air Logistics Center since 1975, Claude has developed McClellan Air Force Base into the most progressive center in the logistics command system. During this 10-year tenure, he has also masterfully directed a work force of 2,300 and managed an immense annual logistics budget. While Claude's leadership skills will be sorely missed, there is no question that his efforts have built a solid framework for continued growth and success at McClellan.

Mr. Speaker, Claude Farinha has been a tremendous asset to the Federal Government, McClellan Air Force Base, and the Sacramento community. I would like to extend my personal thanks and appreciation to Claude, his wife, Shirley, and their three daughters—Jana Lee, Lori Lee, and Sheri Ann. I wish all of them the very best of luck.

BOMBING AND ARSON AT ABORTION CLINICS AND FAMILY PLANNING CENTERS

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. EDWARDS of California. Mr. Speaker, for the past 3 years, abortion clinics and family planning centers across the country have been plagued by numerous bombings and arson incidents. These violent actions

are deplorable, regardless of one's view on abortion and birth control. I recommend for my colleagues' attention two recent articles on this matter, one an editorial in the New York Times and the other a column by Judy Mann in the Washington Post.

[From the New York Times, Dec. 18, 1985]

ABORTION BOMBERS' CHRISTMAS MESSAGE

The Christmas season is many things to many people. To America's domestic terrorists it is, as it was last year, prime time to escalate the battle against a woman's legal right to a safe abortion.

Last week a small bomb went off at the Manhattan Women's Medical Center. Because a caller had warned the police bomb squad, the building was evacuated in time.

No anonymous caller, however, warned a Portland, Ore., women's health center that the large package in its mail a few weeks ago was a bomb big enough to kill. Fortunately a staff worker had been trained to spot suspicious packages and called the police. Portland's postal authorities then found three other mail bombs, addressed to two abortion clinics and a Planned Parenthood clinic that doesn't even perform abortions.

The Portland police believe the bombs are intended to rally opposition to Senator Bob Packwood, a supporter of abortion rights who will be seeking a fourth term next year. The Senator has won sufficient popularity that he can probably survive the attacks, but the staffs and patients at those clinics have no such defense. Except for chance, the anti-abortion bombers might now be claiming their first fatalities.

During the last two years, there have been 50 bombing and arson incidents at abortion and family-planning clinics, nearly twice as many as in the previous six years. Those responsible claim to be championing life. What they're really doing with their explosives, fires and threats is saying to women: "Not your choice, lady Ours."

[From the Washington (DC) Post, Dec. 18, 1985]

AN UPSURGE OF VIOLENCE

(By Judy Mann)

On the Monday after Thanksgiving, a package about the size of a shoebox arrived at the Women's Feminist Health Center in Portland, Ore. It carried a Portland postmark. The center has been the target of threats, vandalism and frequent demonstrations by antiabortionists, and workers have been trained to watch for suspicious packages and envelopes. They called the police, who defused a bomb that a police spokesman said was powerful enough to kill.

Police defused three similar bombs in packages at Portland's main post office. One package was addressed to Dr. Peter Bours of suburban Forest Grove, who was the topic of a major magazine article recently on the harassment he was getting for performing abortions. He is a member of the board of Oregon's chapter of the National Abortion Rights Action League. Another package was addressed to the Lovejoy Surgicenter in Portland, where abortions are performed, and the third to a Planned Parenthood clinic, which does not perform abortions, but which dispenses contraceptives.

"To our knowledge, it's the first time there's been a letter bomb," said a NARAL spokeswoman.

She also said clinic bombings resumed in October, with little or no media coverage. She cited four incidents; On Oct. 30, the

Delta Women's Clinic in Baton Rouge was burned to the ground by arsonists, and another clinic was burned. On Oct. 26, the Hallmark Clinic in Charlotte, N.C., was the target of arsonists, and on Oct. 19, the Coram Women's Center in Suffolk County, N.Y., was bombed.

"We consider it terrorism," said the NARAL spokeswoman. "We consider it legitimate news. This is very, very serious."

Indeed, it is. On Dec. 10, the Manhattan Women's Medical Center was bombed. A NARAL spokeswoman said the incident occurred in midafternoon while procedures were being performed. She said someone called the police emergency number and asked them to evacuate the clinic. Then police got a second call and were told the clinic was not being evacuated fast enough. Shortly thereafter, a bomb went off in a second-floor bathroom. Damage was not extensive, she said, and no one was injured, although a receptionist was still in the building.

"You're torn between hoping this is an isolated nut in Oregon and the memory of what was happening this time of year a year ago," said Nanette Falkenberg, executive director of NARAL. "Is this a re-escalation of what was going on?" There were at least 24 bombing or arson attacks on abortion facilities in 1984, with the attacks increasing in frequency and severity during the Christmas season, prompting President Reagan to order an all-out federal effort in early January to find those responsible. He did not, however, order the FBI to take over the investigations, which have been the responsibility of the Bureau of Alcohol, Tobacco and Firearms. The FBI investigates bombings when terrorist groups are suspected.

"Two things are different about the Oregon and Manhattan [incidents]," Falkenberg said. "Both involved tactics we haven't seen before. They were both clearly targeted to hurt people in the clinics. Before, they [the bombs] went off at night," when the clinics were empty. "In Manhattan they called, but it came very close to having people in the clinics."

She said the Oregon NARAL affiliate had called for a moratorium on picketing at clinics through the New Year to "tone down the level of debate" during the season but that the suggestion had been declined.

"I think as you increase the tone and level of hysteria around the issue, as you push the edge of the mainstream of a movement, the people who are already on the fringe, it gives them permission to move further and further out," said Falkenberg.

Her explanation for the turn to violence against the clinics that has occurred in the past couple of years makes sense. Prochoice organizations have documented numerous incidents of harassment outside clinics and of people who work in clinics. Peaceful dissent has given way to threats and intimidation. In Fairfax County, for example, anti-abortionists are trying to organize a boycott of Fairfax Hospital and have urged sympathizers not to donate to its blood bank in an attempt to stop abortions from being performed at the hospital. This is nothing less than an attack on the community's blood bank.

Extremism has bred fanaticism, and with the incidents in Oregon and Manhattan it has bred terrorism. Before somebody gets killed, we had best be willing to recognize that this is what we're dealing with now, and address the problem as the threat to the social order that it is.

**A BALANCED BUDGET BILL
THAT SAYS YES**

HON. STEVE GUNDERSON

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. GUNDERSON. Mr. Speaker, for the past few months we have been engaged in a fierce struggle with the proponents of negativism, the advocates of "no." They say, "No, we can't balance the budget; no, we can't guarantee our children and grandchildren that they will not be saddled with trillions and trillions of dollars of debt; no, we can't assure our senior citizens that we will be responsible today so that tomorrow there will be funds for pensions and retirement programs; and, no, we can't find a way to responsibly take control of a budget process that has run wild."

Last week, Congress and the President met the pessimists head on by passing and signing a balanced budget bill that says "yes." Yes, we can make Government work. Yes, we can solve our problems. We can ensure an economically secure nation. We can make the hard choices and the difficult sacrifices necessary to ensure that our Nation will move forward to meet the challenges of the future, instead of sliding back into the irresponsible policies of the past.

It takes only a moment to see that those past policies would provide America with an unacceptable future. Those policies have already resulted in:

A Government spending \$24 for every \$19 it raises in taxes and other forms of revenue;

A national debt that would require \$7,000 from every single man, woman and child living in the United States, if it were to be paid off today;

A Federal Government that removes from the private sector, because of borrowing needs, an amount every year equivalent to 5 percent of all produced and all services rendered in the United States; and

The \$130 billion in interest payments on the debt for 1985 alone.

While there are parts of Gramm-Rudman that I am less than pleased with, the fact remains that the bill will contribute in a number of important ways to the battle against the Federal deficit:

Fiscal responsibility will be a part of the budget process from the very outset as the President will be required to submit annual budgets in which the projected deficits do not exceed specified levels. Starting with a budget proposal that is already within reasonable funding limits will make it all that much easier for Congress to come up with a finished product that stays within the deficit guidelines. These specified levels will be gradually decreased, until 1991, when the maximum allowable Federal budget deficit will be zero.

The bill includes provisions establishing a new, accelerated timetable for the budget process. In recent years, Congress has dragged its feet, oftentimes waiting until as late as October to finally pass a budget. Time after time, temporary extensions must

EXTENSIONS OF REMARKS

be passed so that Government agencies won't have to close their doors. At this very moment, Congress is preparing to pass its fourth continuing resolution of the year, required because of its inability to complete the appropriation process in a timely manner. The result has been increased costs, inefficient expenditures, and an inability for agencies and departments to adequately plan for the fiscal year. Under Gramm-Rudman, Congress would complete action on the budget by April 15, with the House completing action on regular appropriations bills by June 30.

Up to now, there has been a lot more talk about deficit reduction than concrete action to bring down the deficit. With the passage of Gramm-Rudman, we will see more than just talk. The first major event under the budget regime will come February 1, when automatic cuts for fiscal year 1986 are announced. These automatic cuts will take effect March 1, unless Congress and the President come to terms and voluntarily enact cuts based on agreed upon spending priorities.

While it is important that the United States maintain a strong and effective military, it is also important that the Pentagon do its fair share for deficit reduction. If nondefense programs alone had to shoulder the burden of budget cuts, hundreds of worthwhile programs would have to be axed. Under Gramm-Rudman, any automatic cuts would be divided equally between defense and nondefense programs.

As long as Congress did nothing to discourage the notion that the Federal Government had a magic money tree with an infinite supply of greenbacks, there was little incentive to cut wasteful and inefficient spending practices. Why cut the fat when all you have to do is get Uncle Sam to dole out more money? The Gramm-Rudman bill makes it clear that Uncle Sam's pockets have been picked clean. Knowing that they will not be rewarded for waste with increased appropriations, agencies receiving Federal funds will hopefully have all the incentive they need to put an end to \$600 toilet seats, inefficient procurement practices, and duplication of services.

In passing Gramm-Rudman, Congress is not forsaking those individuals most in need of Government help. A variety of programs for children, elderly and the Nation's poorest will be protected from automatic cuts. Social Security benefits, child nutrition programs, Medicaid and veterans' compensation are among the programs that are exempted from automatic cuts. Certain critical health programs are protected, through provisions that set maximum permissible reductions at no more than 1 percent in fiscal year 1986 and 2 percent in fiscal year 1987.

It is my hope that automatic cuts will not become necessary. Each year Congress will have at least two opportunities to do its job by making careful and rational choices about the programs that will receive cuts. Only if Congress fails to meet the deficit-reduction objectives, will automatic cuts come into play.

December 19, 1985

America today is at a turning point. For too long we've been stalled in history, repeating mistakes of yesterday because our leaders have been afraid to see a new tomorrow. That tomorrow is upon us. We must not let the pessimists convince us otherwise. The future will be ours if we dare to work for it. The people of this Nation are ready to move forward and effectively address the problem of the deficit. With the signing of Gramm-Rudman, Congress has made it known that it too is ready to do its part in moving our Nation ahead.

**ILL-CONCEIVED AND ARBITRARY
CUTS MUST BE FOUGHT**

HON. THOMAS J. DOWNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. DOWNEY of New York. Mr. Speaker, the Gramm-Rudman budget slashing has begun; arbitrary and ill-conceived cuts in the vital Juvenile Justice and Delinquency Prevention Program have already been announced.

No one could ever accuse this Justice Department of failing to respond to congressional action. When it comes to cutting funds they are so quick off the mark that they've started slashing even before the Congress has mandated any cuts. They are freezing dollars appropriated by the elected representatives of the people of this country. The administration is usually a bit more subtle in promoting its true intentions; it is rare that we can see such a blatant example of their priorities.

Prevention. We all know that it's the best way to avoid the slippery slope of crime, drug abuse, and wasted lives that too many of our young people find themselves on. But those who talk a good anticrime game at the White House and Justice Department have, over the past 5 years, managed to gut a program whose goals they supposedly support.

Those who receive grants from the juvenile justice and delinquency office—the YMCA, Girl Scouts, and Children's Defense Fund, to name just a few—will find themselves without the funds to pursue needed crime prevention programs.

Is this administration writing off America's youth? We have been told again and again that it is morning in America. But let's face the facts. Our youth are our most precious resource. If this philosophy of government continues unabated, it's time for mourning in America.

**PHARMACEUTICAL EXPERT
AMENDMENTS OF 1985**

HON. DEAN A. GALLO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. GALLO. Mr. Speaker, I am pleased to be joining my distinguished colleague,

Congressman MADIGAN, in cosponsoring the Pharmaceutical Export Amendments of 1985, legislation that establishes conditions for the export of drugs.

It is clear that our current policy prohibiting the export of new drugs and other important pharmaceuticals has had an adverse impact on the U.S. economy and more specifically, on the competitive position of American firms in the international market.

This restrictive policy has cost the United States jobs, capital investment, and has forced American pharmaceutical companies to conduct important research and develop new technology outside the United States.

The United States is the only country that is prohibited from exporting drugs that are lawfully marketed in the importing country but which are not yet approved in the United States. There seems to be little sense to this policy when the drugs in question are available to the importing country by other foreign manufacturers. As supporters of this legislation in the House and in the Senate have pointed out, this policy does not prohibit foreign consumers from gaining access to these drugs, it only locks the United States out of the competition for jobs and revenues.

Specifically, my district and the State of New Jersey has many pharmaceutical companies that are eager to serve the world market and to devote adequate resources to develop drugs that address the needs of other countries.

While questions have been raised about the ethical and health implications of exporting new drugs, this legislation has been carefully crafted to provide numerous safeguards to protect foreign consumers.

I commend Congressman MADIGAN for introducing this legislation, and Senator HATCH for moving swiftly on similar legislation in the Senate, and I urge my colleagues to support it.

MAYOR KENNETH A. GIBSON
HONORED BY THE JEWISH NATIONAL FUND

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. RODINO. Mr. Speaker, it is with great pride that I bring to your attention a special event that will take place in West Orange, NJ, early next year. On January 12, 1986, the Jewish National Fund will be honoring a very close friend of mine—Mayor Kenneth A. Gibson of my hometown of Newark. This tribute is in recognition of Mayor Gibson's steadfast opposition to anti-Semitism, his strong commitment to advancing harmony and understanding among the different peoples and ethnic groups of our Nation, and his loyal support of the democratic state of Israel.

As the mayor of Newark since 1970—which gives him the longest tenure as mayor in the city's history—Kenneth

Gibson has emerged as a national spokesman and advocate for urban America. In Newark, he has successfully initiated programs in housing, health, public works and welfare, and he has been singularly responsible for increasing the efficiency and capabilities of the city's departments and agencies. Just as important, Mayor Gibson has set a tone in our city—of fairness, tolerance, progress, and compassion. He is always ready to promote good and ever alert to condemn injustice.

The Jewish National Fund is an agency dedicated to what one might call the greening of Israel. It is responsible for land reclamation, soil improvement, afforestation, and laying the infrastructure for new communities in Israel. The proceeds from Mayor Gibson's tribute will go toward the purchase of trees to be planted in Israel's Independence Park—in honor of Mayor Gibson.

It is only fitting that the Jewish National Fund has chosen Kenneth Gibson as its honoree. For Mayor Gibson is an unyielding proponent of the same principles of democracy, freedom, and human rights which undergird the State of Israel and make it a close ally of the United States. I have known Ken Gibson for a good many years, and I admire the strength of his convictions and his abiding sense of justice. There are few men in public life more worthy of recognition than he, and the Jewish National Fund deserves great praise that I extend my congratulations to my good friend and mayor, Kenneth A. Gibson.

CONFERENCE AGREEMENT ON
1985 FARM BILL

HON. J. ROY ROWLAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. ROWLAND of Georgia. Mr. Speaker, after many months of deliberation, Congress has finally passed the 1985 farm bill.

I commend the House and Senate conferees for their diligence in bringing this agreement before us today. Although the bill leaves a great deal to be desired in addressing the problems which face our farm economy, I do hope it will at least help keep some family farmers going.

Everyone will not be in agreement with all sections of the bill; however, it will give our farmers some idea in making plans for their farming operations. Farmers have been working in an atmosphere of uncertainty for too long, and now we can provide them with some guidance for future actions.

As maintained in the farm bill agreement, I, along with peanut producers in Georgia, am pleased to see this program continued without any major changes. This is one farm program that, is safe to say, has worked well.

Also, in the agreement is the "whole herd buyout" which I supported in the House due to the support of the Georgia dairy farmers. Until the rules and regulations of

this concept are developed by the Secretary of Agriculture, we will not be able to predict its success. However, what I do know, Mr. Speaker, is that my dairy farmers were behind this plan because it seemed to be the best approach offered, and a way to help them through these hard-pressed times.

What I heard from my soybean farmers was disappointment when they learned that the Senate proposal to provide payments based on \$1 a bushel or \$35 an acre for the 1985 crop was not maintained in the conference agreement. Due to the adverse weather conditions caused by Hurricane Kate, our soybean crop, along with cotton and pecans, suffered a great loss, and additional funding would have assisted them in dealing with Mother Nature's wrath which they face this year.

On a positive note, as a supporter of the conservation reserve program, I am pleased we have agreed on this concept which will protect one of our valuable resources, our Nation's soil, by returning the land to less-intensive uses with the planting of grasses and trees.

These past few weeks, Congress has dealt with many crucial issues. Today is no exception. With this action, we will be offering our farmers, if not a solution, at least hope for the future.

SYRIAN SAM MISSILES: A
THREAT TO ISRAEL AND MID-
EAST PEACE

HON. HOWARD WOLPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. WOLPE. Mr. Speaker, reports from Israel confirming the placement by Syria of advanced Soviet-made surface-to-air [SAM] missiles is a dangerous development that threatens peace in the region. I wholeheartedly endorse Israel's expressed concern that the missiles be removed from Lebanon and the Syrian-Israeli border.

Syria's actions are an extreme provocation. By extending a hostile air warfare shield over the Galilee and southern Lebanon, the Syrian SAM's inhibit Israel's ability to patrol its northern frontier in order to deter terrorist attacks.

Israel poses no threat to Lebanon or Syria. Israel has withdrawn unilaterally from Lebanon. Israel has scrupulously observed the 1974 disengagement agreement with Syria on the Golan Heights. Israel has no interest but the protection of its civilian population. Syria and radical forces in Lebanon, however, give every encouragement to terrorist attacks on Israeli civilian and military targets.

Recently, Syrian President Assad has hinted that he may be prepared to enter the peace process, in conjunction with Jordan. But by deploying the most sophisticated missiles on Israel's borders, threatening Israel's security, Assad is engaging in dangerous intimidation that undercuts any con-

tention that Syria is interested in peace with Israel.

The United States should back Israel fully in this latest crisis—these missiles should be removed.

VERN SCHAFFER CELEBRATES 30
YEARS

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. LEWIS of California. Mr. Speaker, Mr. Vern Schaffer, founder and president of Colton Piano and Organ Supermarkets, is celebrating his 30th anniversary.

It all started in 1950, when Vern was helping his uncle deliver pianos. Soon, Vern was buying old pianos and repairing them to sell to dealers.

Eventually, Vern opened his first store in a converted radiator shop in Colton, CA. As the business grew up, he recognized the need for a larger facility, so he purchased an old dance hall and bowling alley to expand his operation. As his business continued to grow, this enterprising young man took over a Ford agency dealership site, and ultimately bought the old city hall and jail in Colton. When the redevelopment started in the downtown area, Vern was forced to relocate his lucrative business. He seized the opportunity to invest in some land close to Interstate 10. At this location, close to the San Bernardino Freeway, Vern built the first piano supermart, a building which presently covers more than 31,000 square feet. This piano supermart concept was so successful in Colton that, with Vern's business talents, there are now 10 supermart in California.

In spite of this extraordinary expansion, Vern has been insistent upon keeping his business a family business. His oldest son, Charles, was his right-hand man for many years before his death a few years ago. Currently, Vern is assisted in his operations by his four children: Vern III, James, Debbie, and Virginia.

Vern started manufacturing the Schaffer & Sons piano and they have been given as prizes on many quiz shows. His pianos have been spotlighted on the Johnny Carson Tonight Show, featuring the NBC Orchestra, on the popular television series Dynasty, and countless other television productions. Eighty-five percent of his sales are Schaffer & Sons products.

Vern has always been a fan of old Western towns and has, therefore, collected Western type memorabilia over the years. When he recalled that Wyatt Earp was the marshal of Colton, Vern built an authentic replica of an old Western town there and named it Movie Frontier Town. Many television films and commercials have been filmed at this location in Colton. The San Bernardino County Sheriff's rodeo and numerous other Western events take place in there as well.

Mr. Speaker, it is indeed an honor for me to represent this truly remarkable man. I

ask you and my colleagues here in the House of Representatives to join with me, family, and friends in wishing a happy 30 years to Mr. Vern Schaffer, a man who has brought music into the lives and homes of millions.

TAX REFORM BILL

HON. WILLIAM F. CLINGER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 1985

Mr. CLINGER. Mr. Speaker, the analysis of the changes made to the intangible drilling cost [IDC] deduction in the Rostenkowski tax reform proposal should be clarified to recognize an important point.

The blanket statement that 85 percent of the IDC deduction is retained by the oil and gas industry is only partially true. In a large percentage of wells drilled in the United States today, a significant portion of the IDC's are spent for activities which occur after the casing point but before production from the well is assured. For example, in the Appalachian Basin, roughly 35 percent of the IDC expenses are attributed to such costs. This means that the actual percentage of IDC's retained for oil and gas wells in the East under the Rostenkowski proposal actually equals only 65 percent of the current deduction.

Specifically, wells throughout the Appalachian Basin must be worked through a process which requires perforation of the casing and stimulation of the potential producing zone to determine whether the well will actually produce commercial volumes of oil and gas.

The failure of the Ways and Means Committee to recognize this important distinction between oil and gas drilling practices in various regions of the country must be raised and should be addressed before this legislation is ultimately approved, and I intend to bring this problem to the attention of the other body when they begin consideration of the tax bill next year.

"ZERO TOLERANCE—THE NAVY'S
MISGUIDED APPROACH"

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday December 19, 1985

Mr. FISH. Mr. Speaker, it is reported that Secretary of the Navy John Lehman has cracked down on drug abuse by Navy personnel, successfully reducing the incidence of drug abuse from 48 to 3 percent. Urinalysis is required of all Navy personnel. Punishment followed positive findings; discharge for repeaters. However, those who admitted drug use before a test have been offered amnesty and rehabilitation. This tough policy, therefore, has allowed an individual a chance for rehabilitation and continued useful service.

It has come to my attention that Secretary of the Navy Lehman has instituted an

additional drug policy known as "Zero Tolerance," resulting in court martial and possible dishonorable discharge for a first offense by senior enlisted and officer personnel.

Mr. Speaker, chemical dependence is a disease, recognized as such by the American Medical Association, the American Psychiatric Association, and all State medical associations and licensing boards. Rehabilitation, not punishment, is the accepted, recognized response. The Navy's policy is contrary to good medical practice, self-defeating and unnecessarily costly.

The zero tolerance policy is particularly disturbing as applied to Navy health care professionals. Talented individuals in whom the taxpayers have a substantial investment can be separated from the service in disgrace. This policy is not only costly, but it is not a deterrent to others. The particular vulnerability of physicians to chemical dependence is unquestioned. Those Navy physicians reluctant to seek help because of the harsh consequences, continue to practice to the jeopardy of patients in their care.

The zero tolerance policy is directly contradictory to the expressed goal of the Assistant Secretary of Defense for Health Affairs, Dr. William Mayer. In a publication "HEALTH MATTERS," Vol. 1, No. 3, July 1985, entitled "Health Care Providers," Dr. Mayer cites Public Law 92-129 as requiring that DOD identify, treat and rehabilitate all military personnel who are considered chemically dependent. He supports the claim that physicians are a high risk to develop the disease and argues the folly of separating additional health care professionals who could be successfully rehabilitated, and in their place recruit from a population at equal risk. Despite the excellent rehabilitation programs provided by the Navy, current policy opts for court martial rather than rehabilitation.

The Army's program for impaired health care professionals is progressive, realistic, compassionate and provides a method of closely monitored re-entry. The Navy would be well-advised to pursue the Army's policy of early intervention, which keeps the chemically dependent within the system.

Mr. Speaker, Dr. Mayer's memorandum entitled "HEALTH MATTERS" follows in full.

HEALTH MATTERS

VOLUME 1, NUMBER 3, JULY 1985

Impaired Health Care Providers

This is another in a series of reports and commentaries on a wide range of issues in military medicine which concern and affect those of us who serve in DOD Health Affairs. Your own suggestions and input are welcomed in future issues.

The American Medical Association has stated "... it is the ethical responsibility of any physician who knows of an apparent problem in a colleague to take affirmative action to seek treatment or rehabilitation for his fellow physician." Fifty State medical associations either have developed or are developing an impaired health care provider program. Public Law 92-129 requires that DOD identify, treat and rehabilitate all

military personnel who are considered chemically dependent.

Physicians, as a result of their training and professional experience, have been shown to be particularly vulnerable to becoming addicted because of the propensity for self-diagnosis and self-medication. The daily accessibility of prescription drugs creates fertile ground for misuse. In addition, medical professionals are often no better educated about the disease of alcoholism and other addictive disorders than other professionals.

We must do more than simply eliminate people from the Services who become impaired emotionally or chemically. To separate physicians, nurses and other health care professionals who have become addicted but could be successfully rehabilitated, and then recruit from a population that will be at equal risk is shortsighted.

Prevention to reduce the incidence and occurrence of new cases, identification of im-

pairment, and intervention and treatment of providers to eliminate the potentially destructive consequences of chemical dependency and emotional impairment are of the highest priority in our efforts to maintain quality of care. Guidance regarding impaired health care providers should be incorporated into service quality assurance programs.

Impairment can become progressive if ignored. Medical and professional societies across the country recognize that only with coercion and confrontation will treatment be effective. When legal action is not required, a nonpunitive approach with emphasis on confidentiality will help promote effective impaired health care provider programs.

It is important to publicize the legitimacy of prevention, identification and treatment. Impaired physicians, nurses and other health care professionals are sometimes reluctant to seek help on their own accord.

Too often, we have failed to accept the ethical responsibility of an affirmative posture. Hesitancy to act fosters denial of the problem and could result in needless tragedy.

A DOD Directive providing further guidance will be developed by a Joint-Service group in the near future regarding incorporation of a health care provider program into MTF quality assurance programs. In the meantime, I am communicating through this medium to alert you to the importance of this issue and to enlist your help.

WILLIAM MAYER, M.D.,
Assistant Secretary of Defense
(Health Affairs), Washington, DC.

Mr. Speaker, I urge Secretary Lehman, at the very minimum, in simple fairness, to put a hold on the continued implementation of the zero tolerance policy as it pertains to health providers, until the study alluded to by Mr. Mayer is finalized.