United States
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Congressional Record

PROCEEDINGS AND DEBATES OF THE 99th CONGRESS, FIRST SESSION

HOUSE OF REPRESENTATIVES—*Thursday, February 21, 1985*

The House met at 11 a.m.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

Almighty God, by whose grace we are worthy and by whose love we live each day, may Your spirit undergird our spirits and Your will our wills, that we will not grow weary in well doing. May not the disappointments, frustrations, or anger that attend our lives cause us to miss the faith and hope and love that are Your gifts to us. So encourage us, O God, to be the people You would have us be and do those good things that are pleasing in Your sight. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. COBEY. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. COBEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 189, nays 144, not voting 99, as follows:

[Roll No. 10]

YEAS—189

Addabbo	AuCoin	Boggs
Akaka	Barnes	Boland
Alexander	Bates	Bonior (MI)
Andrews	Bennett	Bonker
Applegate	Berman	Borski
Aspin	Bevill	Boucher
Atkins	Biaggi	Boxer
Breaux	Hefner	Ray
Brown (CA)	Hertel	Reid
Bruce	Howard	Richardson
Bustamante	Hoyer	Roberts
Byron	Hughes	Rodino
Carper	Hutto	Roe
Carr	Jenkins	Rose
Chappell	Jones (TN)	Rostenkowski
Coelho	Kaptur	Rowland (GA)
Coleman (TX)	Kastenmeier	Russo
Collins	Kildee	Sabo
Cooper	Kleczka	Scheuer
Daniel	Kolter	Schumer
Darden	Kostmayer	Seiberling
Daschle	Leath (TX)	Sharp
Derrick	Lehman (CA)	Shelby
Dingell	Lehman (FL)	Sisisky
Dixon	Leland	Skelton
Dorgan (ND)	Levin (MI)	Slattery
Downey	Levine (CA)	Smith (FL)
Durbin	Lloyd	Smith (IA)
Dwyer	Lowry (WA)	Solarz
Dyson	Lundine	Spratt
Early	MacKay	Stallings
Eckart (OH)	Manton	Stangeland
Edgar	Markey	Stark
Edwards (CA)	Martinez	Stenholm
English	Mavroules	Stokes
Erdreich	Mazzoli	Stratton
Evans (IL)	McCurdy	Studds
Fascell	McHugh	Swift
Fazio	Mikulski	Synar
Feighan	Miller (CA)	Tallon
Flippo	Mineta	Tauzin
Florio	Mitchell	Thomas (GA)
Foley	Mollohan	Torres
Ford (TN)	Montgomery	Torricelli
Frank	Moore	Traxler
Frost	Mrazek	Udall
Garcia	Murphy	Valentine
Gaydos	Murtha	Vento
Gejdenson	Natcher	Visclosky
Gibbons	Neal	Volkmer
Glickman	Nelson	Walgren
Gonzalez	Nowak	Waxman
Gordon	Oakar	Weaver
Gradison	Oberstar	Weiss
Guarini	Obey	Whitten
Hall (OH)	Olin	Wilson
Hall, Sam	Panetta	Wirth
Hamilton	Pease	Wolpe
Hansen	Perkins	Wright
Hartnett	Pickle	Wyden
Hatcher	Price	Yates
Hawkins	Rahall	Yatron
Hayes	Rangel	Young (MO)

NAYS—144

Archer	Brown (CO)	Combest
Armey	Burton (IN)	Conte
Badham	Callahan	Courter
Bartlett	Campbell	Craig
Barton	Carney	Daub
Bateman	Chandler	Davis
Bereuter	Cheney	DeLay
Bilirakis	Clinger	DeWine
Bliley	Coats	Dickinson
Boehlert	Cobey	DioGuardi
Boulter	Coble	Eckert (NY)
Broomfield	Coleman (MO)	Edwards (OK)
Emerson	Lujan	Rowland (CT)
Evans (IA)	Luken	Saxton
Franklin	Lungren	Schneider
Gallo	Mack	Schroeder
Gekas	Madigan	Schuette
Gilman	Martin (IL)	Schulze
Gingrich	McDade	Sensenbrenner
Goodling	McKernan	Shaw
Green	McMillan	Shumway
Grotberg	Meyers	Sikorski
Gunderson	Michel	Skeen
Hammerschmidt	Miller (OH)	Slaughter
Hendon	Miller (WA)	Smith (NE)
Henry	Molinari	Smith (NH)
Hiler	Monson	Smith (NJ)
Holt	Moorhead	Smith, Denny
Hopkins	Morrison (WA)	Smith, Robert
Horton	Myers	Snowe
Huckaby	Nielson	Solomon
Hunter	O'Brien	Spence
Hyde	Oxley	Staggers
Ireland	Packard	Strang
Jeffords	Parris	Stump
Jones (OK)	Pashayan	Swindall
Kasich	Penny	Tauke
Kindness	Porter	Taylor
Lagomarsino	Pursell	Thomas (CA)
Latta	Quillen	Vander Jagt
Leach (IA)	Regula	Walker
Lent	Ridge	Weber
Lewis (FL)	Rinaldo	Whitehurst
Lightfoot	Ritter	Wolf
Livingston	Roemer	Wortley
Loeffler	Rogers	Wylie
Lott	Roth	Young (AK)
Lowery (CA)	Roukema	Zschau

NOT VOTING—99

Ackerman	Fields	McEwen
Anderson	Fish	McGrath
Annunzio	Foglietta	McKinney
Anthony	Ford (MI)	Mica
Barnard	Fowler	Moakley
Bedell	Frenzel	Moody
Beilenson	Fuqua	Morrison (CT)
Bentley	Gephardt	Nichols
Boner (TN)	Gray (IL)	Ortiz
Bosco	Gray (PA)	Owens
Brooks	Gregg	Pepper
Broyhill	Hall, Ralph	Petri
Bryant	Heftel	Robinson
Burton (CA)	Hillis	Roybal
Chappie	Hubbard	Rudd
Clay	Jacobs	Savage
Conyers	Johnson	Schaefer
Coughlin	Jones (NC)	Shuster
Coyne	Kanjorski	Siljander
Crane	Kemp	Snyder
Crockett	Kennelly	St Germain
Dannemeyer	Kolbe	Sundquist
de la Garza	Kramer	Sweeney
Dellums	LaFalce	Towns
Dicks	Lantos	Traficant
Donnelly	Lewis (CA)	Vucanovich
Dornan (CA)	Lipinski	Watkins
Dowdy	Marlenee	Wheat
Dreier	Martin (NY)	Whitley
Duncan	Matsui	Whittaker
Dymally	McCain	Williams
Fawell	McCandless	Wise
Fiedler	McCollum	Young (FL)

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

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

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□ 1120

Messrs. CHENEY, GUNDERSON, MOLINARI, SMITH of New Jersey, IRELAND, LIVINGSTON, HAMMERSCHMIDT, MADIGAN, CALLAHAN, QUILLEN, THOMAS of California, and GEKAS changed their votes from "yea" to "nay."

Mr. MITCHELL changed his vote from "nay" to "yea."

Mr. ROWLAND of Georgia changed his vote from "present" to "yea."

So the Journal was approved.

The result of the vote was announced as above recorded.

PERMISSION FOR THE COMMITTEE ON APPROPRIATIONS TO FILE REPORT ON H.R. 1189, SUPPLEMENTAL APPROPRIATIONS FOR EMERGENCY FARM CREDIT

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a report on the bill (H.R. 1189) to provide additional emergency credit to farm producers, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

Mr. MICHEL. Mr. Speaker, reserving the right to object, I do so in order to inquire of the distinguished chairman of the Committee on Appropriations what his plans are for bringing up the legislation next week, particularly on the day on which we would be considering that emergency credit bill that was reported from his committee.

Mr. WHITTEN. Mr. Speaker, if the gentleman will yield, may I say that by arrangement with the majority leadership, it is my understanding that this legislation has been scheduled for next Thursday, February 28.

Mr. MICHEL. Mr. Speaker, could we have that assurance, that that would not be up before Thursday? Even though I would be the first to recognize the emergency nature of the legislation, what I would like to make certain is that our Members are fully apprised of what we are talking about here, because there have been several propositions advanced, including an acceleration of payments that were otherwise due rather than the guarantee approach that I understand the gentleman takes.

In order that the Members might get better acquainted with the legislation, I would think it would serve the whole legislative process better if we could have the assurance that we would not bring that up until Thursday. If we have that assurance, then I would have no objection.

Mr. WRIGHT. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. I am happy to yield to the majority leader.

Mr. WRIGHT. Mr. Speaker, it is our plan to bring that supplemental appropriation bill and any other supplemental appropriation bill that the committee may report on Thursday, subject to the granting of a rule, and I imagine that a rule will so provide.

Further, at a later point, after agreeing to this unanimous-consent request, I would be happy to discuss next week's schedule in full with the gentleman.

Mr. MICHEL. Mr. Speaker, I thank the gentleman, and I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

Mr. WALKER. Mr. Speaker, reserving the right to object, I just understood the majority leader to say that there may be other items of a supplemental nature that would be included in the bill. Could the gentleman give us some idea of what might be in the bill beyond the matters previously stated by the gentleman?

Mr. WHITTEN. Mr. Speaker, if the gentleman will yield, we have two bills that the full Appropriations Committee will act on in a few moments. One of them concerns famine relief in Africa. The other has to do with extending or directing that loan guarantees be used by the Department of Agriculture to enable farmers to plant their crops this year.

They are separate bills, but they are both strictly emergency and badly needed. It is my undestanding that both bills will be scheduled for floor consideration next Thursday, and I anticipate that there will not be much argument about them.

Mr. WALKER. Mr. Speaker, further reserving the right to object, those are the only two items that are in the supplemental?

Mr. WHITTEN. Those are the two separate bills which the committee will consider today.

Mr. WALKER. Are both of those items going to be done within the budget?

Mr. WHITTEN. Well, we have a budget request for the famine relief bill. I do not know that we have any budget requests on the other, but this is a directive to use authority which is already available in time so that farmers may plant crops this year.

Mr. WALKER. But the gentleman is telling me that both items will be within the limits of the House-passed budget?

Mr. WHITTEN. The bills will be within the budget resolution, within the limits of the budget resolution as adopted by the Congress last fall, may I say.

Mr. WALKER. Mr. Speaker, I thank the gentleman, and I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

□ 1130

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE PRIVILEGED REPORT ON BILL FOR SUPPLEMENTAL APPROPRIATIONS FOR AFRICAN FAMINE RELIEF

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a privileged report on a bill making urgent supplemental appropriations for the fiscal year ending September 30, 1985, for emergency famine relief and recovery in Africa and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

Mr. MICHEL. Mr. Speaker, I reserve points of order on both requests.

The SPEAKER. Points of order are reserved on both requests.

Is there objection to the request of the gentleman from Mississippi?

There was no objection.

LEGISLATIVE PROGRAM

(Mr. MICHEL asked and was given permission to proceed for 1 minute.)

Mr. MICHEL. Mr. Speaker, I have asked permission to proceed for 1 minute for the purpose of inquiring of the distinguished majority leader the program for next week, in view of the fact that we have touched on it, and why not just wrap it up while we have the Members' attention.

Mr. WRIGHT. If the minority leader would yield.

Mr. MICHEL. I am happy to yield.

Mr. WRIGHT. When we adjourn today, we will adjourn to meet at noon on Monday. We have a pro forma session scheduled for Monday. It will be our hope and plan that there will be no votes Monday. There will be no legislative votes, unless perchance someone should insist upon a vote on approving the Journal or something of that kind.

On Tuesday we will meet at noon. There are two bills scheduled under suspension of the rules.

H.R. 1096, the African famine relief bill, and H.R. 607, Cost Savings Disclosure Awards Extension and Dependent Care Study Act.

On Wednesday we would ask unanimous consent following this colloquy to meet at 1 o'clock and we would take up an authorization for the emergency farm credit, a bill which we expect to be reported by the Committee on Agriculture, or it may already have been reported by the Committee on Agriculture. I believe it has been.

On Thursday, as we have just discussed, the House would meet at 11 o'clock. On Thursday, Members should be advised to come well dressed, wear ties and photogenic smiles and shirts and suits because we will have the official portrait of the 99th Congress on Thursday.

Following that auspicious occasion, we will take up the two supplemental appropriation bills, that providing for African famine relief and that providing for emergency farm credit, both subject to the granting of a rule, of course.

On Friday, March 1, the House will not be in session and any further program, of course, will be announced later.

Mr. MICHEL. I thank the gentleman.

Of course, our normal meeting time on Wednesday would be 3 p.m. and in consultation with the other side, since it is the gentleman's understanding that not only will his side have a caucus, but we would expect to have a conference on our side in order to give our Members a little bit more time to assimilate what was discussed in both those meetings, we have requested that rather than meeting at noon, that it be delayed until 1 o'clock, and that is still a 2-hour advance on our normal meeting time.

I think Members then probably on Thursday ought to be prepared to work, well, maybe late on both Wednesday and Thursday nights, depending on the extent of Members' requests for time.

With that, I yield back the balance of my time, Mr. Speaker.

ADJOURNMENT TO MONDAY, FEBRUARY 25, 1985

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. WALKER. I reserve the right to object, Mr. Speaker.

The SPEAKER. The gentleman reserves the right to object.

Mr. WALKER. Mr. Speaker, I reserve the right to object to inquire of the gentleman about a situation that relates to the seating of Mr. McIntyre. It is our understanding that the colloquy that took place on the floor the other day would indicate that we are operating on a 45-day calendar with regard to the committee's action on the McIntyre situation. It was our understanding at that time that we were operating on a 45-calendar day criteria.

There is not some understanding, and I am seeking clarification from the gentleman, as to whether or not that has been changed to a legislative day calendar, and if so, then I will be constrained to object to the gentleman's request, because then we will want to have sufficient numbers of legislative days being on the schedule each week to assure that that calendar runs more quickly.

Can the gentleman tell me what his understanding of that situation is?

Mr. WRIGHT. If the gentleman would yield.

Mr. WALKER. I would be glad to yield to the gentleman.

Mr. WRIGHT. I was not a party to the understanding of a precise 45 days and I do not know whether it applied to calendar days or to legislative days. I presumed at the time that it had reference to calendar days.

Assuming that the Committee on House Administration is able to assemble and properly review all the material pertinent to the election contest, I can assure the gentleman of three things.

No. 1, it will be done as quickly, as expeditiously as it can be done, possibly consistent with the integrity of the proceedings of that committee and getting an honest, fair answer.

The second thing I assure the gentleman is that it will be done fairly and with an even consistent application of the rules.

The third thing I assure the gentleman is that the results of that tabulation, whatever they may be, will be honored by the leadership of the House and that whichever of the two contestants truly turns out to be the winner of that contest, be he Republican or Democrat, he will be seated.

These are the three assurances I can give to the gentleman.

Mr. WALKER. Well, I thank the gentleman for his explanation. It does not exactly answer my question.

The problem many of my constituents have is the fact that we are paying both gentlemen $75,000 a year for doing nothing at this point. They are somewhat concerned that the House has not properly moved to get this matter resolved.

It was the gentleman himself who in the CONGRESSIONAL RECORD first raised the 45-day issue in the CONGRESSIONAL RECORD of February 7.

My concern is that we do need to have some understanding as to whether or not this is 45 calendar days, which the gentleman, I think, just indicated was his understanding, or whether or not it is legislative days.

I wonder if the gentleman would withdraw his request at this point until we can find out the precise answer to that question.

Mr. WRIGHT. Well, I would have to say to the gentleman, if he would yield.

Mr. WALKER. I would be glad to yield.

Mr. WRIGHT. That when we adjourn today, and I presume that is going to be sometime in the foreseeable future, we have got to know whether we adjourn to meet tomorrow or whether we adjourn to meet Monday and I do not think it makes a whole lot of difference.

If the gentleman wants to have a pro forma session tomorrow, if it would satisfy the gentleman, it costs money. It will cost a whole lot of money to have a session tomorrow, if that is what the gentleman wants. We can do that, though there is no business scheduled for tomorrow. If the gentleman wants to take it on his shoulders to run the taxpayers to the expense of holding a session of the House tomorrow just to satisfy his count of a separate day, we can do that; but it will be on the gentleman's back. I am trying to save the taxpayers money by not having a session when we have no business.

Mr. WALKER. Could the gentleman specify how much money it is going to cost the taxpayers to do that?

Mr. WRIGHT. I would be hard pressed, if the gentleman would yield, to answer that, because I have no idea how long winded will be some of our colleagues while those television cameras are focused upon them. Not knowing that, of course, I find it very difficult to give the gentleman a recitation with any precision as to how much money it is going to cost the taxpayers.

Mr. WALKER. The gentleman has raised the issue and the gentleman, of course, knows that we have been meeting a lot of pro forma days here scheduled by the leadership, so I assume that then the gentleman from Texas and the gentleman from Massachusetts will take it upon their shoulders for all the legislative days we have held thus far that have cost the taxpayers the same amount of money, where we have done absolutely nothing.

Mr. WRIGHT. Well, if the gentleman will yield.

Mr. WALKER. I would be glad to yield to the gentleman.

Mr. WRIGHT. My request is that since there is no business scheduled, no legislative business available for our consideration——

Mr. WALKER. Is that not true for today as well?

Mr. WRIGHT [continuing]. That we adjourn to meet tomorrow.

Now, I will answer the gentleman's precise question about how much it costs to operate the House. An estimate made by the Clerk is that it costs approximately $10,000 per hour to the taxpayers of this country for us to be in session. Now, if we are conducting business, that is fine.

Mr. WALKER. Would the gentleman tell me what is included in that figure?

Mr. WRIGHT. But as long as the gentleman just wants to talk, you know, the gentleman can talk for an hour and cost the taxpayers $10,000 an hour.

□ 1140

Mr. WALKER. Would the gentleman—

I would be glad to yield further to the gentleman in just a moment. Would the gentleman tell us what figured into that calculation? I mean, does that include all the salaries of the staff that would be salaried even though we weren't meeting?

Mr. WRIGHT. I think that is approximately correct.

Mr. WALKER. That is right, and so the figure——

Mr. WRIGHT. No, no, I——

Mr. WALKER. The figure changes substantially——

Mr. WRIGHT. I am sorry. I misunderstood the gentleman's question. I think the gentleman is incorrect in that estimate. I think it is said that it costs about $10,000 an hour to be in session, and I am not——

Mr. WALKER. That is how much it costs to light this Chamber? I suggest the gentleman had better hire, we had better hire a new electrician, if that is what it costs, because operating the lights is about the only thing that I can think of that would change with regard to the salaries of people or anything else around here.

Mr. WRIGHT. If the gentleman would yield.

Mr. WALKER. And so if the gentleman is telling us that that is the case, then I would say to the gentleman that he has scheduled a session that is costing the taxpayers $10,000 today. Is the gentleman prepared to take that on his shoulders?

Mr. WRIGHT. If the gentleman would yield.

Mr. WALKER. I will be glad to yield to the gentleman.

Mr. WRIGHT. I would suggest first to the gentleman that it is not this gentleman from Texas who is extenuating this somewhat meaningless discussion, but rather the gentleman from Pennsylvania.

Second, let me respond to the precise inquiry——

Mr. WALKER. If I may regain my time, further reserving the right to object.

Mr. WRIGHT. I would like to answer the gentleman's question.

Mr. WALKER. I will be glad to yield back to the gentleman, but further reserving the right to object, I was simply trying to ask what I think is a reasonable question of the gentleman with regard to a matter that this side of the aisle regards as very important.

I realize that the gentleman from Texas is perfectly willing to make a joke out of the McIntyre situation. This gentleman feels as though we are on very shaky constitutional grounds with what we are doing on the McIntyre situation; that it ought to be resolved immediately.

But that we have a certified winner of a race in Indiana that we are refusing to seat in this body. We thought we had an assurance that we were going to resolve that situation within 45 days. Now it is my understanding that the gentleman is telling us, through a rather long-winded answer on his part, that we may not have a 45-day assurance; that instead what we have is an assurance that when the Democrats decide to act, we are going to act. And that is not a sufficient assurance for this gentleman.

I think, rather than trying to make a joke out of the situation, or assure us that somehow we are acting responsibly around here when we meet in pro forma session scheduled by the leadership but not in pro forma sessions that would deal with the McIntyre issue, then I have reason to believe that the gentleman has gotten his priorities a little off base as well.

I will be glad to yield to the gentleman.

Mr. WRIGHT. Since the gentleman has imputed to me and to others certain motives, I think it is necessary that I respond. Under no circumstances did I consider it a joke, when there is a contest in an election. It is not a joke, and citizens of the United States are arbitrarily denied the right to the most sacred thing we guarantee them in our Constitution, and that is the ballot; 5,000 citizens were denied that privilege in that recent election. I do not think that is a joke; I think that is very serious.

The second thing I want to say is this: The gentleman raised the point about how much it costs to operate the House.

Mr. WALKER. No, the gentleman from Texas raised that point. I did not raise it; the gentleman from Texas raised the point.

Mr. WRIGHT. The gentleman asked the question as to what that included. It includes, among other things, the necessity for security of the Chamber; it includes the number of pages that must be transcribed and printed by the Government Printing Office, in the CONGRESSIONAL RECORD, it includes the operation of the House and of the television equipment by which the public is permitted to see these proceedings.

All those things, of course, are included in the cost of operating the House. Now, I do not know the precise answer. I am merely reciting for the gentleman's information in response to his question an analysis made by the Clerk of the House.

Now the other thing I have to say is this:

Mr. WALKER. I want to say, if I may take back my time for a moment, I would say to the gentleman, we continue to pay the pages, whether they are here or not; the pages in the CONGRESSIONAL RECORD would in fact be an additional expense even though they are inaccurate pages, even though we have the right to revise and extend, and even though many Members add pages to the RECORD on those pro forma days that are not spoken on the House floor; you know, I realize that that does increase the expense of the House marginally.

Operating the television cameras, we pay those people by salary and so it does not mean whether they are here operating the cameras or not, they are still being paid; the fact is that those kinds of figures are phonies on the whole thing, and it seems to me that it cheapens the argument that we are dealing—doing something serious about the McIntyre issue to raise that point.

I will be glad to yield to the gentleman from Georgia.

Mr. GINGRICH. I just want to make the point, first of all, that when the senior leadership on the other side wants to go on major trips, which are of course educational and not "junkets," vastly more money is spent visiting significant places such as Ireland on appropriate ceremonial days, and no one says much about it.

Now, our side simply wants to register—and this was the purpose of the vote on the Journal today—that there is in fact no election contest in Indiana. That in fact the gentleman's earlier statements were not correct; that if every district in which we questioned the voting was refused seating, there will be 20 or 30 seats that might well not be filled in this body; that this House is now engaged in an unconstitutional action in terms of breaking precedent, and that we clearly have a man who has won both the election and has won the recount, and has been certified by the secretary of state.

Mr. PENNY. Regular order is demanded, Mr. Speaker.

Mr. WALKER. Reserving the right to object, which is the regular order, I have yielded. That is the regular order.

The SPEAKER pro tempore (Mr. KILDEE). Is there objection to the unanimous-consent request of the gentleman from Texas?

Mr. WALKER. I reserve the right to object, Mr. Speaker, until I can get an answer about what the situation is with regard to the 45 days that this House has committed itself to for the purpose of resolving the McIntyre situation.

The SPEAKER pro tempore. When regular order is demanded, the reservation is no longer in order.

Is there objection to the request of the gentleman from Texas?

Mr. WALKER. I object, Mr. Speaker.

The SPEAKER pro tempore. Objection is heard.

Mr. WRIGHT. Mr. Speaker, in that case, we will have a pro forma session tomorrow. For those Members who wish to be here at 11 a.m., we will have a pro forma session.

Mr. WALKER. Regular order, Mr. Speaker.

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that I may proceed out of order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that when the House adjourns tomorrow, it adjourn to meet at noon on Monday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

Mr. WRIGHT. Reserving the right to object.

If in fact we do not have a session after the pro forma session tomorrow, if that unanimous consent is not proceeded, would that allow us to meet on legislative day on Saturday? That then would be counted toward the legislative days to resolve the McIntyre matter.

Mr. WRIGHT. If the gentleman would yield.

Mr. WALKER. I will be glad to yield to the gentleman.

Mr. WRIGHT. One might have a legislative day on Saturday and on Sunday. I would like to suggest to the gentleman that one of our colleagues has a son that is getting married on Saturday, and I have a daughter who is getting married on Sunday, and I shall not be here, whether you have a session or not.

If the gentleman wants to put his colleagues to the extremes of canceling their engagements and coming back and not being in their home districts where they had promised their constituencies that they would be, then the gentleman may do that.

Mr. WALKER. If the gentleman would yield, we have one certified Member of Congress that is not even granted that privilege, I would say to the gentleman.

I yield to the gentleman from Georgia.

Mr. GINGRICH. If the gentleman will yield to me, I just want to make the point to the distinguished gentleman from Texas that when I talked to Mr. McIntyre about 10:30 last night, it was his 2-year-old son who was also sitting in his lap talking, and that that gentleman who is being stripped of his rightful seat at this time, although he has been certified by the Secretary of State and won both the election and the recount, that gentleman probably has as many feelings as other gentlemen who have been allowed to be seated.

There is something I think a little wrong about a double standard that says that Mr. McIntyre's 2-year-old son somehow can be denied seeing his dad seated after he is certified, but gentlemen who have been allowed to be seated should not have a session on Saturday because it would inconvenience them.

MOTION OFFERED BY MR. WRIGHT

Mr. WRIGHT. Mr. Speaker, I move that when the House adjourns today, it adjourn to meet at noon on Monday next.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas [Mr. WRIGHT].

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WALKER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 194, nays 137, not voting 101, as follows:

[Roll No. 11]

YEAS—194

Addabbo	Early	Leath (TX)
Akaka	Eckart (OH)	Lehman (CA)
Alexander	Edgar	Lehman (FL)
Andrews	Edwards (CA)	Leland
Applegate	English	Levin (MI)
AuCoin	Erdreich	Levine (CA)
Barnes	Evans (IL)	Lloyd
Bates	Fazio	Lowry (WA)
Bedell	Feighan	Luken
Bennett	Flippo	Lundine
Berman	Foley	Manton
Bevill	Ford (TN)	Markey
Biaggi	Frank	Martinez
Boggs	Frost	Mavroules
Boland	Garcia	Mazzoli
Bonior (MI)	Gaydos	McCurdy
Bonker	Gejdenson	McHugh
Borski	Gibbons	Mikulski
Boucher	Glickman	Miller (CA)
Boxer	Gonzalez	Mineta
Breaux	Gordon	Mitchell
Brown (CA)	Guarini	Mollohan
Bruce	Hall (OH)	Montgomery
Bustamante	Hall, Sam	Mrazek
Byron	Hamilton	Murphy
Carper	Hansen	Murtha
Carr	Hatcher	Natcher
Chappell	Hayes	Neal
Coelho	Hertel	Nelson
Coleman (TX)	Howard	Nichols
Collins	Hoyer	Nowak
Cooper	Huckaby	O'Brien
Coyne	Hughes	Oakar
Daniel	Hutto	Oberstar
Darden	Jenkins	Obey
Daschle	Jones (OK)	Olin
Dickinson	Jones (TN)	Ortiz
Dingell	Kanjorski	Panetta
Dixon	Kaptur	Pease
Dorgan (ND)	Kastenmeier	Penny
Downey	Kildee	Pepper
Durbin	Kleczka	Perkins
Dwyer	Kolter	Pickle
Dyson	Kostmayer	Price
Rahall	Sisisky	Traxler
Rangel	Skelton	Udall
Ray	Slattery	Valentine
Reid	Smith (FL)	Vento
Richardson	Smith (IA)	Visclosky
Robinson	Solarz	Volkmer
Rodino	Spratt	Walgren
Roe	Staggers	Watkins
Roemer	Stallings	Waxman
Rose	Stark	Weaver
Rostenkowski	Stenholm	Weiss
Rowland (GA)	Stokes	Whitten
Russo	Stratton	Wilson
Sabo	Studds	Wirth
Scheuer	Swift	Wolpe
Schroeder	Synar	Wright
Schumer	Tallon	Wyden
Seiberling	Tauzin	Yates
Sharp	Thomas (GA)	Yatron
Shelby	Torres	Young (MO)
Sikorski	Torricelli	

NAYS—137

Archer	Gradison	Packard
Armey	Green	Parris
Badham	Gunderson	Pashayan
Bartlett	Hammerschmidt	Porter
Barton	Hendon	Pursell
Bateman	Henry	Quillen
Bereuter	Hiler	Ridge
Bilirakis	Holt	Rinaldo
Bliley	Hopkins	Ritter
Boehlert	Horton	Roberts
Boulter	Hunter	Rogers
Broomfield	Hyde	Roukema
Brown (CO)	Ireland	Rowland (CT)
Burton (IN)	Jeffords	Saxton
Callahan	Kasich	Schuette
Campbell	Kindness	Schulze
Carney	Lagomarsino	Sensenbrenner
Chandler	Latta	Shaw
Cheney	Leach (IA)	Shumway
Clinger	Lent	Siljander
Coats	Lewis (FL)	Skeen
Cobey	Lightfoot	Slaughter
Coble	Livingston	Smith (NE)
Coleman (MO)	Loeffler	Smith (NH)
Combest	Lott	Smith (NJ)
Conte	Lowery (CA)	Smith, Denny
Courter	Lujan	Smith, Robert
Craig	Lungren	Snowe
Daub	Mack	Solomon
DeLay	Madigan	Spence
DeWine	Marlenee	Stangeland
DioGuardi	Martin (IL)	Strang
Duncan	McDade	Stump
Eckert (NY)	McKernan	Swindall
Edwards (OK)	McMillan	Tauke
Emerson	Michel	Taylor
Evans (IA)	Miller (OH)	Thomas (CA)
Fawell	Miller (WA)	Vucanovich
Fish	Molinari	Walker
Franklin	Monson	Whitehurst
Frenzel	Moore	Wolf
Gallo	Moorhead	Wortley
Gekas	Morrison (WA)	Wylie
Gilman	Myers	Young (FL)
Gingrich	Nielson	Zschau
Goodling	Oxley	

NOT VOTING—101

Ackerman	Dellums	Hefner
Anderson	Derrick	Heftel
Annunzio	Dicks	Hillis
Anthony	Donnelly	Hubbard
Aspin	Dornan (CA)	Jacobs
Atkins	Dowdy	Johnson
Barnard	Dreier	Jones (NC)
Beilenson	Dymally	Kemp
Bentley	Fascell	Kennelly
Boner (TN)	Fiedler	Kolbe
Bosco	Fields	Kramer
Brooks	Florio	LaFalce
Broyhill	Foglietta	Lantos
Bryant	Ford (MI)	Lewis (CA)
Burton (CA)	Fowler	Lipinski
Chappie	Fuqua	MacKay
Clay	Gephardt	Martin (NY)
Conyers	Gray (IL)	Matsui
Coughlin	Gray (PA)	McCain
Crane	Gregg	McCandless
Crockett	Grotberg	McCollum
Dannemeyer	Hall, Ralph	McEwen
Davis	Hartnett	McGrath
de la Garza	Hawkins	McKinney

Meyers	Rudd	Traficant
Mica	Savage	Vander Jagt
Moakley	Schaefer	Weber
Moody	Schneider	Wheat
Morrison (CT)	Shuster	Whitley
Owens	Snyder	Whittaker
Petri	St Germain	Williams
Regula	Sundquist	Wise
Roth	Sweeney	Young (AK)
Roybal	Towns	

□ 1200

Mr. DOWNEY of New York and Mr. MILLER of California changed their votes from "nay" to "yea."

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HOUR OF MEETING ON WEDNESDAY NEXT

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that when the House convenes on Wednesday, February 27, 1985, it convene at 1 o'clock p.m.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

REQUEST TO DISPENSE WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that business under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

Mr. WALKER. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

BILL FROM COMMITTEE ON AGRICULTURE WILL BE CALLED UP UNDER CALENDAR WEDNESDAY RULE

(Mr. WRIGHT asked and was given permission to address the House for 1 minute.)

Mr. WRIGHT. Mr. Speaker, inasmuch as the Calendar Wednesday rule brings up legislation reported by committees in an alphabetical order, and inasmuch as the bill we have scheduled is from the Committee on Agriculture, that is fine. We may do it under the Calendar Wednesday rule.

AUTHORIZING THE SPEAKER TO DECLARE RECESSES ON WEDNESDAY, MARCH 6, 1985

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that, according to the agreement entered into between the Speaker and the distinguished minority leader, the gentleman from Illinois [Mr. MICHEL], and the President of the United States, it may be in order, the objection of any Member to the contrary notwithstanding, at any time on Wednesday, March 6, 1985, for the Speaker to declare recesses, subject to the call of the Chair, for the purpose of receiving in joint meeting the Prime Minister of the Republic of Italy.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

□ 1210

RESIGNATION AS MEMBER OF COMMITTEE ON THE DISTRICT OF COLUMBIA

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on the District of Columbia:

HOUSE OF REPRESENTATIVES,
Washington, DC, February 19, 1985.

THOMAS P. O'NEILL, JR.,
Speaker of the House, Room H-204, The Capitol, Washington, DC.

DEAR MR. SPEAKER: Effective immediately, I hereby resign from the House Committee on the District of Columbia. My involvement in other committee assignments and caucuses has grown considerably and no longer affords me the time needed to deal with the complex issues which face the Committee.

Sincerely,

MICKEY LELAND,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

APPOINTMENT AS MINORITY MEMBERS OF SELECT COMMITTEE ON AGING

The SPEAKER pro tempore. Pursuant to clauses 6 (f) and (i) of rule X, the Chair, without objection, on behalf of the Speaker, appoints as minority members of the Select Committee on Aging the following Members of the House:

Mr. RINALDO of New Jersey;
Mr. HAMMERSCHMIDT of Arkansas;
Mr. REGULA of Ohio;
Mr. SHUMWAY of California;
Ms. SNOWE of Maine;
Mr. JEFFORDS of Vermont;
Mr. TAUKE of Iowa;
Mr. WORTLEY of New York;
Mr. COURTER of New Jersey;
Mrs. SCHNEIDER of Rhode Island;
Mr. RIDGE of Pennsylvania;
Mr. MCCAIN of Arizona;
Mr. GEKAS of Pennsylvania;
Mr. SILJANDER of Michigan;
Mr. SMITH of New Jersey;
Mr. BOEHLERT of New York;
Mr. SAXTON of New Jersey;
Mrs. BENTLEY of Maryland;
Mr. LIGHTFOOT of Iowa;
Mr. FAWELL of Illinois;
Mrs. MEYERS of Kansas;
Mr. BLAZ of Guam;
Mr. SWINDALL of Georgia;
Mr. HENRY of Michigan;
Mr. KOLBE of Arizona; and
Mr. SCHUETTE of Michigan.

There was no objection.

WE SHOULD EXTEND AND EXPAND THE STUDENT LOAN PROGRAM TO INSURE OUR CHILDREN'S FUTURE

(Mr. PERKINS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PERKINS. Mr. Speaker, the Guaranteed Student Loan Program is the largest of the student aid programs, providing assistance to 3.3 million students. It has become a necessity to many middle- and low-income students, without which they would be unable to attend college.

The administration wants to cut 1 million students from this program by limiting eligibility to family income of $32,500 or less. Can a family with two children in college feed a brother and sister at home on $32,600 a year? What if there are three to attend college at the same time? Don't these questions need to be answered before we arbitrarily set an income limit?

Obviously, every family has its own situation. The present program allows us to look at each situation and base a decision on the family's true needs. It does not force us to deny an education based on an arbitrary figure set in concrete. The GSL Program is a cornerstone for higher education. Instead of chopping it in two, we should extend and expand the student loan program to ensure our children's future.

CAREFUL STUDY ON WATER MATTERS IS NEEDED

(Mr. STRANG asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. STRANG. Mr. Speaker, my predecessor in office, Congressman Wayne N. Aspinall, from Palisade, CO, served as chairman of the House Interior Committee for 13 years. During that time he authored landmark water resource and environmental legislation. Chief among them were the Colorado River Storage Project Act and the Wilderness Act.

Today, the issues of water reclamation project development, Federal reserved water rights, and wilderness, are matters which Members from every Western State considering wilderness legislation should study carefully.

During the recent district work period, I spoke to the Annual Convention of the Colorado Water Congress

about the concerns I have for Colorado. I hope other Members will consider the potential impacts in their States as well. The following is the text of my speech from February 14 in Denver, CO:

PREPARED REMARKS OF CONGRESSMAN MICHAEL L. STRANG, THIRD DISTRICT COLORADO

Members of the Water Congress and guests, I couldn't be more honored and pleased than to be with you today, especially upon this particular occasion. Thank you for the opportunity.

Wayne Aspinall was many things to many people. Above all, he prided himself as an educator. In addition to his friendship and the memories that will remain with many of us forever, we all learned from him, and were instructed by him. As I sit in the Committee Room, as a Member of the House Interior Committee, the Chairman's portrait is there to watch over all of us; always a reminder of his far reaching legacy. Our individual characters are stronger, and our spectacular and beloved State of Colorado more beautiful and productive because of him.

I would like to concentrate on two basic issues today. They are issues to which Wayne Aspinall devoted his life—water and public land management.

WATER CONSERVATION PROJECTS

First of all, water. Twenty years ago, Chairman Aspinall spoke to a Grange meeting in Cortez and said: "Water continues to be Colorado's most important natural resource. The future growth of Colorado agriculture and industry will be measured by the sum total of her available water supplies . . . The future economic development of our state depends upon protecting and holding our water from encroachment of use by others during the years before it is put to final use. I am fearful that if it is temporarily put to use elsewhere, it will be permanently lost."

These prophetic words carry a poignant relevance today. "I am fearful that if it is temporarily put to use elsewhere, it will be permanently lost."

To protect and to hold. Mr. Aspinall was more than a teacher; he was a visionary.

The compromises Wayne Aspinall crafted and the promises others made to Colorado for construction of the participating projects authorized in the Colorado River Storage Project Act (CRSPA) have not been met, thirty years later. It is clear to most of us, they will never be met as originally proposed and planned. But Colorado's allotment of water must be captured.

One year ago at this luncheon, Senator Bill Armstrong spoke with you about the federal deficit; the lack of appropriations to start new federal water reclamation projects; and the fact that Western water projects are still at the center of a natural resources war, pitting the West against the rest of the Union, with continuing rhetorical charges of "pork barrel", and debate over project cost-sharing.

A year later, that remains pretty much the status quo as I see it. In fact, with regard to the deficit, matters are clearly worse. This does not bode well for new water reclamation projects, which are continually under attack. There are no new starts contained in the Administration's Fiscal 1986 budget proposal. Nonetheless, it is my responsibility and firm commitment to pursue vigorously our entitled share of funding. Critics must be educated to the fact that these reclamation projects are investments in economic productivity; that they can bring resolution to some long standing American Indian water right claims; that they will play a critical role in mitigating the effects of prolonged drought. We are fortunate in Colorado to have two quality projects—Animas-LaPlata and Narrows—authorized decades ago, ready for construction funding now. We will fight for funding of those projects this year.

The Energy and Water Appropriations Subcommittee of the Interior Appropriations Committee has tentatively scheduled public hearings and testimony on water projects for March 28th and April 1st through the 3rd. We are told markup of water project appropriations will come around Memorial Day, with House Floor action expected sometime in mid-June. I encourage you, individually or collectively, to contact the Subcommittee to indicate your desire to testify. Our message must be loud and clear and you help is essential.

TO PROTECT AND HOLD

I believe the vision and warnings voiced by Wayne Aspinall, in terms of threats to Colorado water rights and water allotments, are coming true. Therefore, in the area of water and public land management the time has come to make very serious efforts to accept the challenge of changing times. We must all recognize that our responsibilities to proper stewardship of these precious resources are many-fold. Indeed, we must be most careful that our responses to various proposals and advocacies recognize this broader duty.

You may recall the virtual war Chairman Aspinall presided over in the early fifties, while crafting the Colorado River Storage Project Act and selecting the participating projects. The major battle of that war was whether to include Echo Park Reservoir, within Dinosaur National Monument, on the project list. Wayne lost that particular battle, but he won the war that saw passage of that historic Act. But, if you recall, those who objected based a large part of their opposition to Echo Park on their contention that the Dam could be placed elsewhere, outside the Monument, at a better location in what is now the general area of the long proposed Cross Mountain Project in Moffat County. You will next · recall that these same folk subsequently opposed the Juniper-Cross Project, having forgotten, if not their promise, at least their earlier arguments in favor of alternate sites during the battle over Echo Park. It is crucial that all parties in these discussions be candid with each other.

In addition to the conventional funding, which has been used to complete the Central Arizona Project, and which should be used for construction of Animas-LaPlata and Narrows, I believe we must look at new or revised methods of funding future projects. If the authorized projects are not going to be built with Congressional appropriations, we have to face that reality. Alternate methods seem rather limited. Among the options is increased state participation. Colorado, to its credit, is setting a good example. Another option involves a renewed appreciation of water problems on both sides of the Continental Divide, recognizing much progress has been made, and an increased willingness to work together for our collective water needs. Perhaps that could involve some funding from the private sector. We must also make a strong push to obtain Colorado River Storage Project funds for construction of Upper Basin Projects. Whatever the methods, we must develop an alternative construction funding pool to provide the equivalent level of development agreed to and authorized back in 1956, by the Congress and the seven Basin states.

FEDERAL RESERVED WATER RIGHTS

I cannot turn from water projects to a discussion of public land management without first building a prominent bridge using the issue of federal reserved water rights. The issue is at hand. It must be resolved, as failure to do so has potentially catastrophic implications for the future of Colorado resource management.

The matter of federal reserved water rights in Colorado is an issue of crucial importance to me. Let no one within this room or beyond, doubt my sincerity nor the vigor with which I will pursue a just resolution. A good part of my living has been made from the land and water, and so it is with many of you. It is part of my life. It is vital to our future. If we—you and I, the people of Colorado—lose this battle, the ramification of the threat to individual, municipal, and other water rights, may be overwhelming. We must not be deterred; we must be united in our resolve and determination.

I will not recount the history of this issue over the past year. We were all involved to one degree or another. Many of you were kind enough to step up and speak out in support of my efforts to bring this issue to public attention and debate. Of course, all of us supported the leadership and diligence of Bill Armstrong in standing up for Colorado water rights last year.

On the specific issue of whether the overlay of a Congressionally designated wilderness area on a National Forest carries with it additional federal reserved water rights, and whether the federal government should be forced into Colorado water courts to claim such rights, I believe we are of one mind—the answer is no.

Colorado already has a minimum stream flow law. I helped write it and was the House sponsor of Senate Bill 97 while I was in the State Legislature in 1973. We do not need or want the federal government intrusion into this matter.

I still do not agree with the contention that the creation of a wilderness within an existing National Forest carries with it an automatic requirement that the federal government must claim additional reserved water rights. The principle is dangerous; the potential retroactive nature of it in Colorado, frightening. Colorado is unique in all the fifty states in its water circumstances, rising as it does at the headwater of four great river basins. We have managed through great care and diligence to protect the rights to these precious resources, resisting the efforts of individuals, other states, and the federal government to alter or weaken those cherished rights. Any proposition to recognize an "automatic right", federal or otherwise, is potentially a threat to the entire fabric of 109 years of hard won water doctrine and rights. It is vital that Colorado retain its sovereignty over its own water resources.

It must be remembered that there are another 802-thousand acres under various degrees of wilderness study by the Bureau of Land Management in Colorado. These proposals will be coming forth from the Administration in the near future. The practical, negative effects of federal reserved water right claims are extraordinarily awesome in any BLM wilderness designations. Such designations will result in the FIRST with-

drawal of previously unreserved public lands. The situation is even more severe than with the wilderness overlay on high altitude forest lands. On BLM lands, there are undeniable individual and other water rights above, in, and below areas of potential wilderness designation. They have the potential of being wiped out or placed in serious jeopardy if federal reserved water rights are claimed in BLM wilderness areas. There is no reason to expect these lands to escape the same pressure to force the federal government to claim those rights and quantify them in Colorado water courts. This must be understood by all parties.

WILDERNESS

In 1980, the Colorado Wilderness Act added 1.4-million acres to the national wilderness system in this state. The legislation doubled Colorado's total federal wilderness areas with one swift stroke of the President's pen. During the Washington, D.C. and Colorado hearings on the legislation, the question was often asked, "How much wilderness is enough?" Similar questions were asked during the debate last year.

Back in the early 60's, Chairman Aspinall, who considered himself a conservationist, was the primary author of, and crafted the compromises embodied in the Wilderness Act of 1964. He adumbrated his view of public land management as follows: "I am a firm believer in the multiple-use theory for our natural resources. This includes a place for those who desire to enjoy the values of a wilderness experience. Such people are, of course, a very small minority of the overall population of the United States, and the amount of land set aside for such use should be in somewhat of a fair ratio to the amount of users, as well as taking into consideration protecting such values for future generations," and he said such areas should be confined to a "limited area."

I fully endorse Wayne's concept of federal land management. We must not, however, allow wilderness to be designated simply for the sake of convenience. Colorado now has a 2.6-million acres of designated wilderness. All lands under federal management total about 36% of the acres within the confines of our borders.

How much wilderness is enough? Who knows? The key question is: are we discharging our responsibilities to future generations for resource management, for protection of water resources, indeed, for protection from uncontrolled or thoughtless mismanagement?

Until the crucial issue of federal reserved water rights is resolved in favor of the people of the sovereign State of Colorado, either by the courts or by the Congress, and until we can answer the hard questions of public and private responsibilities to all our resources, I as a Member of Congress must respectfully urge that we defer consideration of addition wilderness designations.

After twenty years of excellent compromise, the advocates of wilderness have done a magnificent job. I ask them to join us in a mutual discussion of these issues, in a candid and diligent examination of the imperatives of the future.

I hope the issue is equally important to all of you, because I need your help. My sense is, based on initial contacts I've had with some of my Colleagues from neighboring states, that they are not aware of the vast potential dangers involved. I ask all of you to discuss the matter with your friends and counterparts in other states. Discuss with them the explosive and far reaching issue with which we are dealing. Ask them to contact their Representatives and Senators, and educate them as to the problem. Without greater support from my Colleagues, we will not be able to generate much of a discussion, and we are talking about the future for generations to come. I need your active participation.

PUBLIC RECREATION CONCEPTS

Paramount in redefining our goals and redirecting our energies is what I believe is a necessary rethinking of the basic concepts of public land management. Former Congressman Jim Johnson, one of the primary architects of the 1980 Colorado Wilderness Act, once spoke of the notion of a "rotating wilderness." A system based on the natural life cycle of forest ecosystems. I believe we must look at that and other inventive initiatives to meet our national recreation needs. Is wilderness the only answer to providing solitude and communion with nature? Is there really no alternative? Why not look at managed roadless areas which would provide a similar experience, perhaps for a greater number of people, but would be less restrictively managed. Perhaps an expansion of the concept of national recreation areas. I welcome your thoughts and those of others, as we attempt to address the whole traditional views of these values and demands on our land resources.

CONCLUSION

There are issues I just do not have time to get into, but which are obviously important. Matters such as the Corps of Engineers intrusion into non-navigable waters in Colorado; water and property rights associated with irrigation ditches crossing federal lands; endangered species; salinity, and many more. These are issues about which I will be seeking your valuable guidance over the next two years.

I ask again that you give serious thought to these two major issues—water resource development and how to finance the projects; and public land management issues and alternatives. I am sure they will be among the topics many of you will discuss in greater detail during the Upper Basin States seminar on Saturday. I am pleased that, with the leadership of the Water Congress and Senator Armstrong, such a gathering of water interests and experts has been brought together to discuss our mutual concerns.

Let me know your views on these matters and how you may be able to help accomplish our vital mission—to protect and hold our natural resources for the use and enjoyment of all our people, and to produce a positive base and climate for economic growth which is vital to the future of Colorado.

Again, thank you for letting me share this moment with you.

DO NOT ALTER THE 10 REGIONAL UNIT PLAN

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SCHROEDER. Mr. Speaker, President Nixon put a plan in for operating the Federal Government that I think brought an awful lot of efficiency and certainly helped bring services to the local level. That was his 10 regional unit plan, where he tried to decentralize Government and get it off the banks of the Potomac and out near the people it was serving.

That whole plan is now under great jeopardy. All of you have in your office the new "Management of the United States Government" pamphlet that just came out from the Office of Management and Budget. It is an attempt to try and consolidate very many of these offices and bring all of them back to the Potomac or back to very large cities. I think it is absolutely the reverse way of how we should be going.

Over and over we find that productivity increases when it is out in the region and also sensitivity and all sorts of things in that order. So I think that that is the way we should be going; not the other way. I hope all of the Members read this document because I think it could make a great difference in the areas that you represent if it were to be enacted.

PRODUCTS LIABILITY

(Mr. GEKAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GEKAS. Mr. Speaker, the issue of products liability is not one that is likely to fan the fires of passion or imagination or even movement in the U.S. Congress, but nevertheless it is upon us, and it is one that calls for our immediate action. Products liability has a direct connection with the economic recovery and the ability of business and the working man to hold onto their enterprises.

The cost of products liability insurance and now even the availability of products liability insurance both are of grave concern to the economic recovery. The individual States have failed, for the most part, to come up with some kind of saving features for this vital issue, so now it falls back on the Congress to come up with a uniform plan that will protect the working man, protect the businessman, and keep our economic recovery on the upswing.

THE ADMINISTRATION IS ANTI-SMALL BUSINESS BUT FOR BIG CORPORATIONS

(Mr. MITCHELL asked and was given permission to address the House for 1 minute.)

Mr. MITCHELL. Mr. Speaker, just before I get into my 1 minute, I am going to save the CONGRESSIONAL RECORD for today; I think some future students would be interested in learning how the obstructionist process can be utilized in this House. That is not what I plan to talk about this morning.

Mr. Speaker, the plans to eliminate the U.S. Small Business Administra-

tion [SBA] are ill-conceived and a product of an optimistic economic forecast that has no basis in fact.

The administration's overly optimistic economic assumptions, tout an unrealistic 4-percent economic growth rate that is not only historically out of line, but skirts such nagging economic problems as the unprecedented trade deficits and persistently high interest rates.

The administration proposes a structure of Federal aid to small business that amounts to compromise and noncommitment, while offering no measures to improve the success and effectiveness of existing programs. Nor has the administration offered any proposals, including any new tax measures, that would facilitate investments and capital gains.

To the dismay of nonpartisan observers, including many in the President's own political camp, this administration persists in pursing the most unsound fiscal policies this Nation has experienced since predepression days.

Consider the dire consequences to small businesses—against obvious negligible benefits—of the administration's proposal to: transfer salaries and administrative expenses totaling $300.1 million into a $73.96 million line item at the Treasury Department and $52.91 million at the U.S. Department of Commerce and to spend $97.1 million in the first quarter of 1986 in phasing out SBA.

Even the most sympathetic analysis of the proposed lop-sided distribution of Federal spending under Reagan's $973.7 billion budget shows these proposals to be uneconomical and fiscally unsound.

Many small and minority businesses find it virtually impossible to get bank and other kinds of commercial loans, no matter how meritious their proposal or credit circumstances might be. The SBA direct loan program fills an important gap in helping these businesses compete in the mainstream of the economy.

Now, exercising no restraint in its military build-up, the administration is proposing a policy of strangulation of aid to the cities, to education, agriculture, veterans benefits, health services, transportation, energy and the environment. President Reagan—as if absolved by the empty rhetoric of this State of the Union Address—is asking Congress to become a willing accomplice, as he slams the door of opportunity in the face of small business. This Congress must not be a party to this nefarious act.

MAJORITY PARTY STANDS IN THE WAY OF SEATING CERTIFIED WINNER OF A CONGRESSIONAL ELECTION

(Mr. COBEY asked and was given permission to address the House for 1 minute.)

Mr. COBEY. Mr. Speaker, it is alarming to note that as every day passes in this new Congress we are stained with the reality that the political party holding the majority of the votes in this body is standing in the way of seating a certified winner of a congressional election. This is history.

Never before in our country have the people, in this case the people of the Eighth District of Indiana, been denied proper constitutional representation. This is a flagrant misuse of the people's trust and an affront to democracy.

When this Member arrived here in Washington, I, along with many other freshman Members, met with leaders of the majority party who assured us of their desire to work together in a bipartisan manner. If this is what they mean by bipartisan, then this Member wants none of it. When the people of this great Nation really understand what is going on here, and the unwillingness of one party to duly seat Mr. McIntyre, I believe that they will realize the threat that is imposed upon them.

□ 1220

CONSUMER CREDIT DESERVE LOWER CARD FINANCE CHARGES

(Mr. BIAGGI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BIAGGI. Mr. Speaker, American consumers are paying through the teeth every time they use their credit cards. That is why I am introducing a bill today that would lower the finance charges on credit card accounts by at least 5 percentage points.

Talk about greedy, Mr. Speaker, while banks are obtaining money to loan to their customers at a discount rate of about 8 percent from the Federal Reserve, those same banks are turning around and charging their credit card customers as much as 19 percent interest. Obviously, that is wrong.

My bill is both simple and fair. It states that the rate of interest charged on any credit card account shall not be more than 5 percentage points higher than the discount rate on 90-day commercial paper. This means that under current conditions, credit card issuers would be able to charge their customers no more than 13.55 percent in finance costs, not the 18 to 24 percent interest now being charged.

Mr. Speaker, last year American consumers charged some $293 billion worth of goods on their cards. Our economy benefits from such spending habits and we should encourage those habits to continue. My bill would do just that, and I urge its prompt and favorable consideration.

THE 49TH DAY OF NO REPRESENTATION FOR INDIANA'S EIGHTH CONGRESSIONAL DISTRICT

(Mr. BARTON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks).

Mr. BARTON of Texas. Mr. Speaker, today is the 49th day that there is not a Member in this Congress representing the Eighth Congressional District of Indiana. Mr. Speaker, there is a declared winner in that race. The winner is Mr. Rick McIntyre. He has a certificate of election that he has won by 418 votes.

Mr. Speaker, I realize that there is a resolution before this House requesting that that election be reviewed in the House Administration Committee. In spite of that resolution, I find it is without precedent in the rules of this House that the certified winner has not been seated while such an investigation is going on.

Mr. Speaker, I think that justice demands that we seat Mr. Rick McIntyre until the House Administration Committee can determine who the winner is, and I think the winner is Mr. Rick McIntyre.

REMOVAL OF BLACK SOUTH AFRICANS TO "HOMELANDS"

(Mr. MRAZEK asked and was given permission to address the House for 1 minute.)

Mr. MRAZEK. Mr. Speaker, today I am reintroducing a resolution calling upon the Government of South Africa to cease its policy of forcibly removing black South Africans from their ancestral lands and relocating them in so-called black homelands.

Thousands of black South Africans live and work on lands that they have farmed, or that have been farmed by their families for generations. This love for the land is something that American family farmers can well identify with.

In protecting its apartheid system, the Government of South Africa has attempted to eliminate these so-called black spots by forcibly removing these Africans to distant and desolate homelands. The tragedy and injustice of the homelands policy is epitomized by the death of a black South African farmer named Saul Mkhize. Mr. Mkhize led his people in peaceful protest against

this brutal homelands policy. He was shot and murdered for his beliefs.

During the 98th Congress, this body passed a similar resolution that I introduced condemning this appalling practice. It is particularly fitting that we again send a signal to the Government of South Africa of our continued abhorrence of the homelands policy in light of Monday's tragic news that 16 people were slain in police action at the Crossroads squatter camp outside Capetown after refusing Government attempts to resettle them in a black slum outside the city.

The Government of South Africa must know that we will not sit idly by as it continues this inhumane practice. I invite my colleagues to join me in cosponsoring this homelands resolution.

GIVE VOTERS OF INDIANA REPRESENTATION THEY DESERVE

(Mr. MILLER of Washington asked and was given permission to address the House for 1 minute.)

Mr. MILLER of Washington. Mr. Speaker, unanswered questions haunt the Halls of these Chambers, unanswered about Rick McIntyre and the voters of the Eighth District of Indiana.

How is it that a man can win an election once for Congress and not be seated?

How is it that a man can win an election not only once, but a second time on a recount, and still not be seated?

How is it that a man can be certified the winner of a congressional election by the secretary of state of his State and not be seated?

And how is it that this can all happen when there has not been one allegation of fraud?

Beyond that, there is an even bigger question. How is it that a half million voters, residents of the Eighth District of Indiana, can go unrepresented in this body? They pay taxes, they are American citizens, they vote, but they are not represented.

With each day that these questions go unanswered, suspicion grows, Mr. Speaker, that the majority are trying to steal a seat. It is time for the House to give one-half million voters of Indiana the representation that they deserve.

THE DOMESTIC SPENDING MYTH

(Mr. MINETA asked and was given permission to address the House of 1 minute and to revise and extend his remarks.)

Mr. MINETA. Mr. Speaker, there is an expensive myth in this country.

It is the myth that this deficit is caused by bloated welfare spending, and that the national debt had doubled because of the extravagance of the Government in domestic spending.

The truth is that this deficit exists because taxes were cut and defense spending has skyrocketed. That is not partisan hyperbole. That is the fact of the balance sheet.

President Reagan has proposed that $2.5 billion be cut from Federal funding for mass transit. Results: fares will rise; old buses won't be replaced; existing transit systems won't be extended; and new transit systems won't be built. $2.5 billion will buy two new amphibious assault ships for the Pentagon.

Mr. Speaker, why should the needs of our citizens be shortchanged to finance Pentagon extravagance?

Certainly many domestic programs will have to be reduced or frozen. But no progress can be made unless, and until, we acknowledge the true causes and the fair solutions.

ELECTION PROCESS SUBJECTED TO ABUSE OF POWER

(Mr. MONSON asked and was given permission to address the House for 1 minute.)

Mr. MONSON. Mr. Speaker, as a former chief election officer from the State of Utah, I would like to read to you what the chief election officer and secretary of state of the State of Kansas has written to one of my Democratic colleagues, without mentioning the name of that colleague.

DEAR REPRESENTATIVE: I urge you to reconsider your vote to refuse to seat Indiana Republican Rick McIntyre as a member of the House of Representatives.

Petty, partisan politics must give way to greater concerns when the stakes are representation in the U.S. House for a half million people.

And there is no doubt that partisan politics are behind your vote, for the facts clearly show that Mr. McIntrye should be seated. Mr. McIntyre won the election in Indiana's 8th Congressional District by 34 votes and was certified the winner. Later, a recount not only confirmed his victory, but widened his lead to 418 votes.

Never before in history has the House refused to recognize a valid election certificate issued by a sovereign state. Never before have I seen the election process subjected to such brazen and arrogant abuse of power.

I ask that you recognize the will of the people of Indiana, respect the electoral process and reverse your decision.

With every good wish.

Cordially,

JACK H. BRIER,
Secretary of State of Kansas.

□ 1230

MRS. THATCHER'S APPROACH TO PROBLEMS IN NORTHERN IRELAND FOUND WANTING

(Mr. MANTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MANTON. Mr. Speaker, I rise to make a short response to the address made yesterday by Prime Minister Margaret Thatcher of Great Britain.

While I generally agree with much of what Mrs. Thatcher had to say regarding the relationship between the United States and Great Britain in today's world, I take exception with those portions of her remarks which dealt with the situation in Northern Ireland.

Her assertions demonstrated little that is new in dealing with the oppression of the Catholic minority in that troubled land or in alleviating the killing that is coming from both factions and I emphasize both factions.

All reasonable people deplore terrorism but to simply level that charge at one side is no answer to the pleas for political and economic justice for the ever-growing Catholic minority, now estimated to be 40 percent of the population in Northern Ireland.

Furthermore, to accuse, without proof, the American friends of the wives and children of dead or imprisoned people who struggled for liberty and justice, of supporting the purchase of weapons, is irresponsible. It also represents nothing new in the Prime Minister's approach toward resolving this intolerable situation.

The violence of the Royal Ulster Constabulary on peaceful civil demonstrators and their visiting American friends on August 12, 1984, is a classic example of how not to resolve this situation and how not to move toward justice and freedom.

Again, Mr. Speaker, I share Mrs. Thatcher's belief in the hallowed institutions of trial by jury, protection from unreasonable search and seizure, and unlawful imprisonment and detention. However, her support for these principles rings hollow so long as the Special Powers Act deny these basic human rights to people living in Northern Ireland.

I am hopeful that the Prime Minister will take the steps necessary to end this tragic situation. As with all of my colleagues, I condemn the use of violence by either side in this conflict. However, I believe the only solution to this problem is the creation of an Ireland which is free, united and able to enjoy the same human rights our country so deeply cherishes.

IRS RULE ON VEHICLE MILEAGE DOCUMENTATION SEEN AS OPPRESSIVE

(Mr. ROTH asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. ROTH. Mr. Speaker, would you like to do your constituents a good turn, one that will not cost a penny? Well, if the answer is yes, I have a positive suggestion.

Yesterday the Federal Register brought us news of an oppressive and bureaucratic IRS regulation which is

going to hurt our farmers and our small business people. These revised regulations stem from the 1984 Deficit Reduction Act.

Under these rules, farmers and business people will have to document every mile their vehicle or vehicles are driven. This will be exceedingly onerous on the working people of our Nation.

At the very beginning of this session I introduced legislation to avert this burdensome paperwork. Hundreds and hundreds of letters have been received here on Capitol Hill in support of that legislation, and I invite everyone to cosponsor this legislation.

We do not want the IRS regulators to make pencil pushers or paper generators out of the American farmers or out of the American business people. Therefore, the repeal of 179B would be in the best interest of our constitutents. Actually it is the only appropriate action for this House to take.

CHANGES NEEDED IN POLICY AT UNITED STATES-MEXICO BORDER

(Mr. COLEMAN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COLEMAN of Texas. Mr. Speaker, in the wake of persistent delays along the United States-Mexico border as a result of the administration's new inspection policy, the congressional border caucus held an emergency meeting this morning.

As a result, we are calling on the President to halt the new inspection policy and seek direct negotiations with the Government of Mexico to find other means by which to locate the kidnaped DEA official. I fear that unless such action is taken immediately, the present situation could have lasting and adverse affects on our international communities along the border and United States-Mexico relations as a whole.

Let me state from the outset that as chairman of the caucus, I do not intend to criticize the administration for its efforts to gain the release of the Drug Enforcement Administration official who was kidnaped last week in Guadalajara, Mexico, but rather to call attention to the adverse affects of the present policy and request that the administration seek other means by which to find clues about the kidnaping. The interdiction of drugs smuggled into this country is a paramount concern of this caucus, as is the life of U.S. officials acting in the line of duty. The scope of this meeting is, however, to explain the present situation and seek other solutions.

To compound these delays, tensions along the border have flared. In Ciudad Juarez, the fourth largest city in Mexico, the local government, unions, and the chamber of commerce have organized a boycott against El Paso merchants. I have also been informed that veterinary health inspectors of cattle are refusing to enter Mexico to inspect cattle to be shipped to the United States for fear of retaliation as a result of the delays. To me, the situation demonstrates an insensitivity by our Government to the needs of the United States-Mexico border. I am concerned the situation could deteriorate to the point where U.S. citizens' well-being could be endangered in Mexico.

Further, I am again asking the President to immediately enter into ongoing bilateral negotiations with Mexico, our third largest trading partner. These obviously vitally necessary talks, I am convinced, would have prevented this intolerable crisis.

PRESIDENT'S BUDGET LONG ON SHIFTS, NOT CUTS

(Mr. KOLTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KOLTER. Mr. Speaker, the President's budget has been in our hands for several weeks. Much has already been said about nearly every aspect of the document. I would like to call attention to a very significant budget fact that has caught my eye.

One of the companion documents contains a chart entitled, "Composition of 1986 Aggregate Program Spending Freeze." The chart compares fiscal year 1985 spending with fiscal year 1986 requests in 10 domestic and 5 defense and national interest accounts. A mere glance at these accounts makes me wonder whether or not the President is serious about reducing the deficit.

There is no real change in spending. The only changes occur in the areas where money will be spent. Spending in domestic accounts will be reduced by about $30.4 billion in fiscal year 1986 while defense and national interest spending will increase by about $30.2 billion in fiscal year 1986. That is assuming the President has his way.

I completely agree that the budget is ripe for more cuts, but everything must be open to budget cuts. We cannot simply shift economic resources from one area to another and proclaim to be taking bold steps toward reducing the deficit. Mr. Speaker, let's take the bold step of approaching the deficit problem by reducing spending in every facet of the budget.

TRAINING INITIATIVE

(Mr. MONTGOMERY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MONTGOMERY. Mr. Speaker, the third initiative which I have developed to improve the readiness of our National Guard and Reserve Forces pertains to training. Members of our Reserve Forces often have inadequate time to perform their required training. While increased training time may be appropriate in some cases, I believe the 15-day annual training period should remain as the foundation for unit training.

We must, therefore, concentrate on finding ways to better utilize the time currently available. The best way to do this is through use of state-of-the-art training devices and simulators which can offset the adverse effects of limited time, space and equipment.

In order to secure this type equipment, I plan to urge our Research and Development Subcommittee of House Armed Services to establish a specific R&D line item for simulators and training devices designed to meet the specific needs of the Reserve Forces. I will also urge the Procurement Subcommittee to add funds to procure additional simulators and training devices which are currently available.

PARTISANSHIP BETWEEN MAJORITY AND MINORITY MEMBERS

(Mr. WALKER asked and was given permission to address the House for 1 minute.)

Mr. WALKER. Mr. Speaker, I realize that there are a number of Members who will feel that what took place today was extremely partisan, and that by turning a pro forma session into a confrontation, somehow the House was abused in a partisan way. I would suggest to those Members that they just consider one thing, and that is that it gives the majority side a little bit of a feeling of how we feel on our side when we are treated in an extremely partisan way, when we are treated with a procedure that says with rules that we are going to be treated unfairly and then we are literally stripped of a rightfully gained seat by the majority.

That is what the exercise was all about today—to say fundamentally that we are disturbed at the way by which the minority in this House is treated, and that we are particularly disturbed by a situation which strips us of a seat which was rightfully won in the State of Indiana, and we ask if we are going to continue to have those kinds of situations arise in this House until that Member who has legitimately won his seat in the House has been given his seat in the House.

Mr. KANJORSKI. Mr. Speaker, will the gentleman yield?

Mr. WALKER. I am glad to yield to the gentleman from Pennsylvania.

The SPEAKER pro tempore (Mr. KILDEE). The time of the gentleman from Pennsylvania [Mr. WALKER] has expired.

A REPLY TO CHARGES OF PARTISANSHIP

(Mr. KANJORSKI asked and was given permission to address the House for 1 minute.)

Mr. KANJORSKI. Mr. Speaker, I have listened to the gentleman from Pennsylvania [Mr. WALKER], and I also represent the Commonwealth of Pennsylvania. I suggest that perhaps there are strong emotional issues on the other side of this aisle in regard to the seating of the gentleman from Indiana, and I share that emotion that this House has an obligation to perform its function constitutionally and with honor.

But I have to assume that the traditions of this House will prevail and we will do that, unless the gentleman from Pennsylvania [Mr. WALKER] and his colleagues are suggesting that all other Members of the House other than themselves are lacking in honor.

I think that the occurrences of today reflect some of the weaknesses that are starting to cause the breakdown of the basic legislative system of this constitutional government when the leadership of the minority party entered into an agreement of the nature and function of how the business will be carried on, on one particular day, pro forma as it was today, and those of us who are tending to committee hearings and subcommittee hearings to find out why, when we expend——

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania [Mr. KANJORSKI] has expired.

Mr. KANJORSKI. Mr. Speaker, will the Chair yield 1 additional minute to me?

The SPEAKER pro tempore. The Chair cannot extend time during this 1-minute period.

Mr. KANJORSKI. Mr. Speaker, I would just, by unanimous consent, ask the Chair that I be given the right to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

HOUSE PRECEDENTS BROKEN BY ACTION ON INDIANA ELECTION CONTEST CASE

(Mr. GINGRICH asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. GINGRICH. Mr. Speaker, let me just say to the distinguished gentleman from Pennsylvania who just spoke that we do not question the honor of Members who may have voted the wrong way recently, but in fact if the gentleman will check, he will find that this House is already currently breaking the precedents. The tradition of this House is that when a certificate is filed by the secretary of state that the State believes that a Member has won an election, at that point the word of the secretary of state is taken as honorable, the Member is seated, and then the House Administration Committee begins an election task force.

□ 1240

This House is today currently violating the precedents of this House in an extraordinarily dangerous manner.

I have a 60-minute special order later and I would be delighted at that time to yield to the gentleman from Pennsylvania as much time as he would like to take to really discuss this issue.

We are not playing a game, and I do not think the gentleman from Pennsylvania is, either; but I think the gentleman ought to ask his leadership what possible gain there is by failing to seat the gentleman from Indiana, Mr. McIntyre, who has now won twice, both the original election and the recount, who has been certified by the State, what possible gain is that in not going ahead and seating him?

I think if the gentleman would like to join us later, I believe the distinguished gentleman from Maryland has a special order first and then we would be following and we would be delighted to yield to the gentleman.

THE INDIANA ELECTION

(Mr. TAUZIN asked and was given permission to address the House for 1 minute.)

Mr. TAUZIN. Mr. Speaker, I yield to my colleague, the gentleman from Pennsylvania.

Mr. KANJORSKI. Mr. Speaker, I thank the gentleman for yielding.

I say to the gentleman from Georgia, I did not have an opportunity to end my remarks. I just want to tell the gentleman what my remarks are.

I am a freshman and I was elected by my electorate in Pennsylvania to come down here and help cut the deficit, to help provide for the defense of this country, and I have got to spend all the time I can in studying those heavy issues so that I can understand eventually what I am going to be voting on on this House floor, and when we get the antics that are being carried on by some of the less responsible Members of the minority party that call us away from these committee hearings, that cause us to lose our train of thought and to lose the valuable testimony of these people that we are calling before these committees, I want to suggest to these individuals on the other side of the aisle that they worry about the cost of Government. Every Representative in this House, every hour, is expending over $500 of the taxpayers' money and when we are walking back and forth on nonsense votes to be here and to listen to nonsense material when there is a proper procedure, the House Administration Committee. I do not know the merits or demerits of the issue. I will listen to the committee report.

THE INDIANA ELECTION

(Mr. COBLE asked and was given permission to address the House for 1 minute.)

Mr. COBLE. Mr. Spearker, I yield my time to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding, because I think it is extremely important for the gentleman from Pennsylvania, my colleague from Pennsylvania, to understand that he did receive a certificate of election to come here to do something about the deficit and national defense.

Mr. McIntyre in Indiana got the same certificate. His certificate by a party line vote was denied to him in this body. It was his certificate that was thrown out. Despite the fact that this side of the aisle voted for Mr. STALLINGS, who had exactly the same problem, Mr. STALLINGS is sitting in this body able to participate in those committee deliberations, able to do all the things that a Member of Congress importantly should be doing who was elected by his constituents. Only Mr. McIntyre has been denied that particular situation.

These are not antics on the floor. This is an extremely serious question. This is an extremely serious matter and for the gentleman to suggest that the House does not have an obligation to deal with that matter, it seems to me is exactly what the gentleman's leadership would have him say at this point. That is exactly what the leadership wants to do. They want to bury it in the House Administration Committee in a task force that is not fairly distributed, in a task force that is 2 to 1 for his party, a task force that is considering this matter that has a ratio of membership larger than the House as a whole.

INTRODUCTION OF THE CONSUMER RAIL EQUITY ACT OF 1985

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana [Mr. TAUZIN] is recognized for 5 minutes.

Mr. TAUZIN. Mr. Speaker, I am pleased today to be introducing, with my colleagues, the gentleman from West Virginia [Mr. RAHALL] and the

gentleman from Kentucky [Mr. ROGERS], the Consumer Rail Equity Act of 1985. Joining us as original cosponsors are Mr. STENHOLM, Mr. MURTHA, Mr. BEVILL, Mr. BOSCO, Mr. BOUCHER, Mr. PICKLE, Mr. JACOBS, Mr. KINDNESS, and Mr. ECKART.

The Consumer Rail Equity Act of 1985 will assure that shippers and consumers who have no alternative to transportation on a single railroad are protected from abusive railroad pricing practices and assures further that competition between railroads is maximized. In 1980, when the Congress enacted the Staggers Rail Act, railroad rates for captive shippers—those shippers without transportation alternatives—were not deregulated. The Congress recognized that captive shippers were without market alternatives, and, thus, could not rely on market forces to discipline rates. Therefore, Congress directed the ICC to provide regulatory protection for such shippers after their rates reached a certain jurisdictional level which assured that captive shippers would make a substantially greater contribution to railroad revenue needs than would shippers with competitive alternatives.

Captive shippers do not complain about the basic decisions made by Congress in 1980. Nonetheless, captive shippers complain bitterly that the ICC is not providing the protections required by the Staggers Act—either because our instructions were not clear in 1980 or because the Commission refuses to accept the need for the balanced implementation that was envisioned in Staggers. The result has often been unreasonably high rates being paid to railroads which the ICC considers to be revenue inadequate although these same railroads appear to be financially sound to most observers.

The result has been particularly difficult for States like my own which are in the process of shifting from natural gas and petroleum as their basic electric utility fuel to the use of coal as a primary fuel. During the mid-1970's, following the Nation's disastrous crude oil supply interruption, Federal policy called for utilities to shift to coal as a primary fuel and, where possible, to low sulfur coal to avoid environmental problems. As many of our utilities entered the coal market for the first time in the late 1970's, they encountered great difficulty. The experience of Cajun Electric Power Cooperative, Inc. is typical of a number of experiences in my region.

Cajun Electric is a nonprofit rural electric generation and transmission company that provides power to 1 million Louisianans through 13 member cooperative distribution companies. In the late 1970's, Cajun, which needed additional power generation, turned to Wyoming's Powder River basin, the principal source of low sulfur coal in our country. Cajun had relatively little difficulty obtaining a competitive long-term coal contract from the numerous coal producers in the basin. Unfortunately, however, only one railroad, the Burlington Northern [BN], was available to move the coal to Louisiana.

The Cajun officials recognized their vulnerability and attempted to negotiate a long-term agreement with the BN, even though the legal authority of the BN to enter into long-term contracts was questionable. After receiving assurances from the BN and reaching an agreement pursuant to which the BN agreed to move the coal from Wyoming to Louisiana for $10.53 a ton, beginning March 1, 1979, with only escalation of the rate for inflation, Cajun executed a long-term coal contract in the Powder River basin.

Unfortunately, within a year after March 1, 1979, BN had raised the rate three times to $12.54 a ton, a 20-percent increase. From the middle of 1980 to January 1, 1983, the BN increased its rates six more times to $18.13 a ton. The nine increases between March 1, 1979 and January 1, 1983 amounted to a total increase of approximately 73 percent. During this same period, inflation adjustments would have yielded an increase of only about 36 percent or a rate of approximately $15 in January 1983.

Until mid-1984, Cajun had no competitive alternative to the BN. Last year, after years of struggle, the Chicago & Northwestern Railroad [C&NW] was able to overcome the BN's opposition and obtain an ICC order enabling the C&NW to provide competition to BN in part of the Powder River basin. Although Cajun's coal was not in that portion of the basin, Cajun was finally able, in the last few months, after threatening to break its contract, to obtain a contract for rail haulage at more reasonable rates.

Others have not been so fortunate and nothing assures that Louisiana's consumers will be as fortunate with our future coal needs. Most notably, the system of law we established in 1980 did not protect Cajun and would not be protecting Cajun today if they were still subject to tariff rates. One additional factor that makes these rates hard to take is that the justification of ever higher rates for captive shippers is the need to obtain revenue adequacy for our Nation's railroads. Yet, to most observers, based on the performance of their stock, their bond ratings and their recent acquisition history, the BN appears to be revenue adequate. The ICC has consistently determined that the BN is revenue inadequate, however, ever since the enactment of the Staggers Act.

The Consumer Rail Equity Act will provide protection for the Cajun's of the world by assuring that the ICC uses a more accurate revenue adequacy test; by providing that the railroad, rather than the captive shipper, must prove that a captive shipper's challenged rate is reasonable, and by providing a more equitable "rate reasonableness" test than the test being applied by the ICC.

Many of my constituents are encountering a second problem under the present implementation of the Staggers Rail Act. Shippers that have access to two or more rail systems are protected by marketplace competition and want nothing more than to retain their railroad shipping options. Unfortunately, shipper access to more than one rail system often depends upon the railroads willingness and ability to enter into arrangements that facilitate competition. Among these arrangements are the quoting of joint and proportional rates, reciprocal switching agreements and arrangements concerning the use of terminal facilities. These arrangements have been customary in the railroad industry for decades.

In the Staggers Act, Congress provided the ICC with discretionary authority to order these arrangements at reasonable prices when the shippers could show that these arrangements were necessary to preserve and enhance competition. Unfortunately, the ICC has not been exercising these authorities, even when shippers made the requisite showings. The Consumer Rail Equity Act assures maximum competition between the railroads by making the ICC authority in these areas mandatory after the shippers make appropriate showings. For those of us like myself who believe in regulation by the marketplace, the railroads cannot have it both ways: They cannot have both deregulation and reduced competition.

Finally, the Consumer Rail Equity Act addresses four other areas in which problems have been encountered under the Staggers Act. The bill restricts the ability of the ICC to exempt rail traffic from regulation in those instances in which the ICC finds a lack of railroad "market dominance" and makes the ICC exemption authority discretionary rather than mandatory. At least two of the recent ICC exemption actions have been overturned by the court of appeals.

Second, the bill expands the goals of the Staggers Act implementation to include the attainment of competitive transportation rates for both domestic energy sources and domestically produced agricultural commodities. The ICC is required, under both present and proposed law, to make affirmative findings that captive shipper rates that it finds to be reasonable are consistent with the achievement of the 15 stated national objectives.

Third, the bill assures that the proper balance is struck between the

Federal interest and the traditional State interest in governing intrastate rates. In the Staggers Act, the State's authority to regulate intrastate rail rates was recognized, but the Staggers Act required that the State regulatory authority apply the Staggers Act to intrastate rates. The State agency implementation was to be overseen by the ICC. Unfortunately, the ICC implemented this provision by adopting a burdensome certification process and has substituted its judgment for that of the State agencies when the State agency has found against the railroads. This legislation will protect the dignity of the States authority while protecting the Federal interest in this area by providing an appellate review function for the ICC. The State agencies must continue to apply the Staggers Act to intrastate rates. The ICC may reverse the State agency only when the State agency fails to apply the law properly or when the State agency has acted arbitrarily or capriciously.

Fourth, many of us have heard complaints about the ICC's abandonment process. This legislation will preserve the present substantive law on abandonments, but will provide three procedural modifications that should provide balance to the process. First, the ICC is directed to allow an opportunity for deposition type hearings in one or more communities affected by the abandonment, when requested by protestants. The cost is to be borne by the railroad. Second, the ICC is directed to assure that specific data on the facility to be abandoned is used to determine if the facility is economic. Today, industry wide or railroad wide data is sometimes used when more specific data might change the economic analysis of the facility. Finally, if the ICC rejects the abandonment request, the railroad is required to wait 1 year before filing to abandon the same facility, unless the railroad can earlier show a substantial change in circumstances that would materially affect the abandonment decision.

Mr. Speaker, the Staggers Act has been a good act overall. However, our constituents are encountering some problems with its implementation that should be addressed immediately. Failure to make these midcourse corrections to the act will cause our Nation's electric ratepayers, our hard-pressed farmers, many of our manufacturers and our consumers to continue to pay unreasonably high rail rates. The impacts on our Nation's unemployment, our balance-of-trade deficit, our ability to compete effectively in the world markets, which increasingly include our own domestic marketplace, all will continue to be significant.

Mr. Speaker, we invite all our colleagues to join in supporting this important and balanced legislation and call on the leadership of the House and the relevant committees to assure that this legislation receives early and positive consideration. I ask that a copy of the bill, a section-by-section analysis of the bill, and a list of those firms and associations that have already stated their support for this legislation be printed in the RECORD.

CONSUMER RAIL EQUITY ACT—SECTION-BY-SECTION ANALYSIS, FEBRUARY 18, 1985

INTRODUCTION AND OVERVIEW

The Consumer Rail Equity Act is a midcourse adjustment in the operation and implementation of the Staggers Rail Act of 1980. The purpose of this legislation is to reaffirm the balance that was carefully struck in the Staggers Rail Act of 1980 between the needs of large and small railroads, shippers, receivers and consumers, while preserving the fundamental structure and premises of the current law. The legislation's goal is to continue and enhance the Stagger's Act's emphasis on permitting competitive market forces to govern the terms and conditions of rail freight service wherever possible, while providing a measure of practical protection for those shippers who remain subject to railroad monopoly power—as Congress also intended in enacting the Staggers Act.

The bill does not change the present statutory threshold for Interstate Commerce Commission jurisdiction over maximum rail rates, and thus does not seek to extend regulatory authority to any rates that are not subject to Commission review under present law. This legislation does not extend regulation to rates that are below the Commission's present jurisdictional threshold and continues the deregulation of contract rates that was established by the Staggers Act.

The most significant changes from present Commission practice and law that are proposed in the bill include a more realistic and market-based test of railroad revenue adequacy than the test being employed by the Commission, a simplification of the Commission's interpretation of the market dominance test to eliminate consideration of product and geographic competition, a shifting of the burden of proof with respect to rate reasonableness from the captive shipper to the railroad, and a standard for maximum rate reasonableness to assure that those shippers, receivers and consumers who must bear most of the burden of helping the railroads achieve revenue adequacy are treated equitably.

The bill also enhances the availability of competitive rail opportunities for shippers and receivers and assists in the current transition to more accurate and cost-based railroad accounting. Several procedural improvements are proposed, including improvements in abandonment proceedings and the standard for ICC review of State commission rulings on intrastate rail rates. Finally, the bill assures that the national rail transportation policy which is embodied in the Staggers Act is consistent with other national goals of assuring competitive transportation rates for domestic energy supplies and domestically produced agricultural commodities.

SECTION 1—SHORT TITLE

This section provides that the bill may be cited as "The Consumer Rail Equity Act."

SECTION 2—PURPOSE

This section reaffirms the goals of the Railroad Revitalization and Regulatory Reform Act of 1976 (the 4R Act) and the Staggers Rail Act of 1980, and declares the intent of Congress that this bill shall assure that the previous two Acts are administered in a balanced manner that both provides adequate protection for those subject to railroad monopoly power and maximizes the opportunities for intramodal competition.

SECTION 3—MARKET DOMINANCE

This section is intended to simplify and streamline the procedure by which the Commission determines whether a rail carrier has market dominance over the transportation to which a rate applies. Under both present and proposed law, the Commission has jurisdiction over only those rates where the shipper is paying above a specified amount *and* the ICC finds the shipper to be subject to railroad market dominance. There is no change proposed to the provision of present law (49 USC 10701a(b)(1)) that a rate may not be challenged as exceeding a reasonable maximum unless the Commission first finds market dominance. There is also no change proposed to the conclusive presumption in 49 USC 10709(d) that market dominance is presumed not to exist if the rate yields a revenue-variable cost ratio below an annually calculated figure known as the cost recovery percentage, which is currently 180 percent, the maximum allowed under the Staggers Rail Act.

This section would eliminate, however, the current Commission practice of allowing a railroad to challenge the presence of market dominance by alleging that the shipper can use a different product (such as fuel oil instead of coal) or purchase the same product from a different geographic region (such as grain from the midwest rather than grain from the northern tier states). Under the present ICC practice, the shipper must prove the absence of product and geographic competition when the railroad has made the allegation. In effect, the shipper must prove all the elements of an antitrust case, which is costly, time consuming and intimidating, particularly to smaller shippers. Perhaps for that reason, the Commission that implemented the 4R Act, which first introduced the concept of "market dominance", determined to consider only competition in transportation.

The bill directs the Commission to confine its market dominance inquiry to the assessment of whether the rail transportation is subject to competition from other rail carriers or other modes of transportation such as trucks or barges. Under the "market dominance" test provided in the legislation, there will be a rebuttable presumption of market dominance when the shipper or receiver challenging the rate demonstrates that its shipment is captive to a single rail facility for at least part of the movement. The rail carrier or carriers can then rebut the presumption by demonstrating that economically viable alternatives exist for rail transportation from other rail carriers or other modes of transportation.

This section also requires that the Commission make its market dominance determination within ninety days of the initiation of all proceedings challenging the reasonableness of a rate that is charged to a captive shipper. Under current law and practice, the Commission must complete its determination within ninety days only if it institutes an investigation of the rate after a complaint is received.

SECTION 4—RATE REASONABLENESS

A persistent complaint about the present administration and interpretation of the law has been the Interstate Commerce Commission's standard for determining the reason-

ableness of a rate that is being charged a captive shipper. The Commission has embraced a philosophy of maximum rate reasonableness based almost entirely on demand for rail freight service, rendering the cost to the railroad of providing the transportation nearly irrelevant as a ratemaking consideration. No other regulated industry enjoys such freedom from cost scrutiny. In almost all other instances in which a company possesses monopoly power—and Congress recognized in Staggers that railroads continue to possess monopoly power with regard to captive shippers—cost-based regulation has been employed to discipline abuses of that monopoly power.

The intent of this bill is *not* to impose utility-type rate of return-based regulation upon market dominant carriers. The conclusive presumption that no market dominance can be found for a rate yielding revenues between 170 and 180 percent of variable cost, which precludes the Commission from even entertaining a complaint about a rate below that level, represents a fundamental policy judgment of the Staggers Rail Act that some shippers and receivers will be required to pay a greater share of the revenues needed to develop and sustain a sound national rail transportation system.

This bill does not revisit that policy decision of the Congress. This legislation does not quarrel with the jurisdictional threshold of the Staggers Act or with the judgment that some shippers and receivers, and by extension some consumers, should pay more than others for rail transportation. Section 4 of the bill does, however, alter the method by which the Commission has been reviewing the reasonableness of rates of carriers possessing monopoly power. The Consumer Rail Equity Act requires the Commission to give careful attention to the railroads' costs and revenue needs and to the manner in which the burden of producing needed revenues is allocated among captive shippers.

To assure that captive shippers are provided the protections intended by Congress in the Staggers Rail Act, the Consumer Rail Equity Act proposes several changes to present Commission practice. First, section 4 shifts the burden of proving the reasonableness of a challenged rate in all instances to the rail carrier, which is in a better position to supply the necessary information, including the cost of providing the service and the amount of traffic that is captive. This section also directs the Commission to make affirmative findings in support of its rate reasonableness decision, on the consistency of the rate with any of the fifteen elements of the national rail transportation policy (49 USC 10101a) that have been put in issue, and on the consistency of the rate with the "Long-Cannon factors." (The Long-Cannon factors were the result of a careful compromise during the Senate debate on the Staggers Rail Act. These provisions direct the Commission, in determining maximum rate reasonableness, to consider the amount of a railroad's traffic that is inefficiently priced and whether one commodity is bearing a disproportionate share of the carrier's revenue burden.)

If the challenged rate is above the railroad's fully allocated cost of providing the service (as well as above the jurisdictional threshold provided in the Staggers Act) the Commission must make certain findings in order to approve the rate as reasonable. It must find that the carrier needs to charge rates above its fully allocated cost to achieve or maintain revenue adequacy, and if so, it must also find that the rate being charged is no greater than it would be if the railroad's revenue adequacy burden were equitably distributed, to the maximum extent practicable, across all of its captive traffic, including the traffic in question. This standard, together with conforming changes to the national rail transportation policy, is designed to end the current regulatory focus on demand-based rate reasonableness to the exclusion of cost considerations, and, in particular, to end the use of any "stand-alone cost" standard of maximum rate reasonableness.

To assure accurate and expeditious proceedings, the Commission is directed (1) to continue to use its existing Rail Form A costing methodology until it has implemented the standards that shall be promulgated by the Railroad Accounting Principles Board which is authorized under 49 USC 11163, and (2) to complete any rate reasonableness proceeding within twelve months. The current time limits for completing an investigation would continue to apply to those proceedings. The Railroad Accounting Principles Board was constituted in November, 1984 and should complete its work in approximately two years.

Finally, this legislation expands one of the fifteen national goals to be achieved in the implementation of the Staggers Rail Act of 1980. This legislation provides that the fifteenth stated goal is expanded to include "competitive transportation rates for both domestic energy supplies and domestically produced agricultural products." When making a rate reasonableness determination, the ICC must make an affirmative finding that the rate is consistent with the achievement of these goals.

SECTION 5—STANDARDS AND PROCEDURES FOR DETERMINING REVENUE ADEQUACY

A critical goal of both the Railroad Revitalization and Regulatory Reform Act of 1976 and the Staggers Rail Act of 1980 was the attainment, by our nation's railroads, of "revenue adequacy." Section 10704 thus directs the Interstate Commerce Commission to determine regularly which carriers are receiving adequate revenues, that is, revenues that are sufficient "under honest, economical, and efficient management," to recover operating expenses, including depreciation and the replacement of obsolete assets, together with a "reasonable and economic profit or return (or both) on capital employed in the business."

The administrative standard now used to determine whether a railroad is revenue adequate—the current cost of capital measured against the railroad's investment base—does not realistically measure the true financial condition of a railroad, and tends to materially understate the "adequacy" of the railroad's revenues. The perhaps inevitable result is that the Commission currently finds all major railroads to be revenue inadequate, including some railroads which by other, more realistic measures and by the recent acquisition history of their holding companies appear to be financially secure. This is a matter of substantial concern to captive shippers since a judgment of the Congress in the Staggers Act was that a railroad's captive traffic must make the total contribution to the attainment of revenue adequacy that a railroad's competitive traffic cannot make.

Accordingly, section 5 of the bill seeks to assure that revenue adequacy determinations are based upon realistic measurements of a railroad's financial health. This very well may be the most important element in the Consumer Rail Equity Act because this analysis will determine the extra burden that must be carried by captive shippers. The revenue adequacy determination is to be made annually and shall allow for adequate public comment on the non-proprietary information submitted by the railroads. In making revenue adequacy determinations and applying them in administering the law, the Commission shall identify revenues, expenses and the investment base reasonably related to providing rail service, and place railroads on the same footing as any other industry by valuing assets at original cost reduced by straight line depreciation. In determining the cost of capital, the Commission shall use actual or embedded cost of debt (rather than the present practice of using current cost of debt, which gives a railroad a windfall for all of its debt for which it is paying less than the current rate) and reasonable estimates of the cost of equity.

This section would also expand the present scope of the Commission's examination of a railroad by requiring it to inquire into and consider several indicators of financial health routinely used in financial analysis, such as operating ratios, fixed charge coverage, debt/equity ratios, bond ratings and merger and acquisition activity. The Long-Cannon factors are to be applied in making revenue adequacy determinations. If a railroad is pricing an excess of its traffic inefficiently, the revenue shortfall attributable to that practice should not be considered in deciding whether the carrier is otherwise revenue adequate.

These broader inquiries do not dictate any particular outcome, but they should assist in producing more complete assessments of revenue adequacy.

Finally, to assist the Commission in its rate reasonableness proceedings, which under section 4 of the bill will now include a specific assessment of whether a challenged rate that is above fully allocated cost is bearing more than an equitable share of the railroad's revenue burden, the revenue adequacy determination is to include a specific Commission finding on the extent of revenues required to achieve or maintain revenue adequacy.

SECTION 6—EXEMPTIVE AUTHORITY

The Commission is directed in 49 USC 10505 to pursue exemptions from regulation where the regulation is not necessary to carry out the transportation policy set out in section 10101a, and is either (a) of limited scope or (b) no longer needed to protect shippers from abuse of railroad market power. This section would provide that an exemption "may" be issued if the Commission finds there is no market dominance (within the meaning of section 10709, as amended by section 3 of the bill) over the transportation involved in the exemption. This section also provides that the Commission should consider whether persons other than shippers (including receivers and consumers) require protection from abuse of railroad market power sufficiently to deny issuance of an exemption.

These changes are intended to prevent the use of the exemption power in circumstances where competitive forces do not exist to discipline railroad monopoly power effectively.

SECTION 7—ENHANCEMENT OF COMPETITION

A sound national rail transportation system involves a great amount of interdependence among carriers. The majority of rail freight shipments travel over the lines

of at least two carriers, and thus require some interchange or switching arrangement between the participating carriers. The carriers also have a variety of methods of quoting one single rate—called a joint rate, with individual rates for each carrier's share of the movement.

In many major metropolitan areas or terminal areas, two (or more) carriers with long haul lines into the area can serve shippers on each other's lines if they agree to allow one another access to each other's lines in the area or if one carrier otherwise agrees to act as a switching agent for the other carrier. Thus, the carriers can enter into a reciprocal switching agreement, allowing mutual access to each other's shippers, or a terminal facilities agreement, where one carrier is paid a reasonable price for switching the other carrier's traffic to reach shippers located a short distance away on its lines.

The widest possible use of these various inter-railroad practices is essential to providing shippers and receivers with competitive alternatives and is essential to the maintenance of efficiency. Current law contains several provisions to assure that rail carriers do not cancel or refuse to enter into these arrangements for anticompetitive reasons. This section of the Consumer Rail Equity Act would strengthen these provisions.

This section would amend 49 USC 10705 to provide that, on request of a connecting railroad or a shipper or receiver, a railroad shall quote a competitive joint rate or proportional rate if interchange of the traffic is practicable. The quoted rate will be deemed conclusively to meet the "competitive" standard if the carrier's revenue-variable cost ratio for the quoted rate is no greater than the ratio for the carrier's existing joint rate or single line rate. Neither the intention nor the effect will be to force any carrier to carry traffic at non-compensatory rates, because section 10705a permits a carrier to unilaterally cancel or surcharge any non-compensatory joint rate. Rather, the intent and effect will be to assure that carriers do not use pricing techniques such as cancelling a joint rate or refusing to quote a joint rate to close off a competitive alternative to the shipper or receiver.

This section would also modify existing law regarding reciprocal switching and use of terminal facilities. The Commission's current discretion to order such arrangements is changed to a mandatory direction that the Commission shall order such arrangements when it finds they would be either practicable and in the public interest, or necessary to provide competitive rail service. The effect on competition should be salutary, giving a shipper or receiver in a major metropolitan or terminal area the option of choosing between two or more carriers providing line haul service.

SECTION 8—ABANDONMENT PROCEDURE

A railroad line (or other facility) that is proposed to be abandoned is typically a line that is of little interest to the abandoning carrier, perhaps because the line is not profitable. However, the facility to be abandoned is often of great importance to the shippers and communities served by the line. Because the impact on a community and its economy can be devastating, an abandonment decision deserves the most careful consideration.

The changes in this section make no change in substantive law. The railroad must continue to carry the burden of proving that the line to be abandoned is (1) uneconomic and (2) that the abandonment is in the public interest. This section is intended to give the Interstate Commerce Commission the most accurate record on which to base its abandonment decision, consistent with the obvious need to permit railroads to discontinue service expeditiously on truly money-losing facilities that lack commitment from the affected communities.

Three procedural changes are made. First, in order to clarify that abandonment proceedings are not to be instruments in a war of attrition, a railroad must wait one year after denial of an abandonment application before refiling to abandon the same facility, unless it can show that circumstances have materially changed since the unsuccessful application was denied. Second, if the abandonment is contested, the Commission must allow a hearing on the impact of the proposed abandonment on community or rural development (the standard set by current law) in one or more of the communities affected. The Commission may contract with outside parties to preside at the hearing, and the railroad proposing the abandonment must pay the expenses of the hearing. Third, the financial data used in deciding whether to permit the abandonment must be based on the revenues from and cost of operating the facility at issue, rather than system-wide or industry-wide averages.

SECTION 9—STATE AUTHORITY

This section will streamline procedures respecting State jurisdiction over intrastate rail transportation. The fundamental goal of present law is unchanged: a state commission exercising regulatory jurisdiction over intrastate rail transportation pursuant to state law must do so consistently with the provisions of federal law governing interstate rail transportation. This section would simplify the achievement of this goal by eliminating the time-consuming process of Interstate Commerce Commission certification that a state's law, rules and practice are consistent with the federal law. Instead, this section eliminates bureaucratic delays and protects the dignity of the state process by relying upon ICC review of state decisions to assure uniformity of implementation. The ICC's review is limited to an appellate function analogous to that of a court reviewing an administrative agency decision under the Administrative Procedure Act, including a provision for remand of any inconsistent decision to the state agency. The ICC is given 120 days to dispose of any appeal from a state agency decision, thus assuring prompt and effective review.

SECTION 10—TRANSITIONAL PROVISIONS

This section provides for a straightforward transition from current law to the changes made by the bill. The new law is to be applied to any rate in effect on or after February 20, 1985, the date of the bill's introduction, including a rate at issue in a case pending at the Commission (and by extension, pending before a state agency) or on appeal to the courts.

This section addresses one other transitional issue. Section 229 of the Staggers Rail Act provides that any rate not challenged within 180 days after enactment of the Act, or any rate so challenged and found by the Commission to be either reasonable or not subject to market dominance, would be deemed forever lawful and not subject to challenge. Over 800 so-called "Section 229" challenges were filed, very few if any of them successfully, and some rates were not challenged because they were covered by a contract entered into or in effect during the 180 day period.

This section will not affect any railroad contract covering the tariff in question. However, many of these contracts are expiring and, under present law, many of these tariffs would become operative again. This section would correct the inequity of shielding from review those rates that were unsuccessfully challenged under the current standards or not challenged because of the presence of a contract, while allowing any other rate to be judged by the revised standards of this bill. Any rate which was included in a section 229 complaint can be reviewed under the changes made by this bill. Any rate not challenged under section 229 because of a contract can also be reviewed under this bill's standards. The contract itself and the rates under the contract are to remain in full force and effect; only the underlying rate which will apply on expiration of the contract is subject to challenge.

● Mr. RAHALL. Mr. Speaker, it gives me great pleasure to join with my colleague from the State of Louisiana [BILLY TAUZIN] in introducing the Consumer Rail Equity Act.

This legislation is similar in its goal to a bill I introduced on January 22, 1985, H.R. 540. In my view, the Consumer Rail Equity Act represents a logical extension of the effort I and many of our colleagues began during the last Congress to address the serious deficiencies contained in the Interstate Commerce Commission's implementation of the Staggers Rail Act of 1980. We are presenting today a bill supported by a broad coalition of shippers and consumers who are concerned with the adverse affect the Commission's actions will have on society, especially with respect to the movement of coal from the Nation's mines to electric utility markets.

This legislation is focused on the problems faced by captive shippers of bulk commodities; those with no viable transportation alternatives other than a single railroad. For these shippers, there is no transportation competition and they are subject to monopolistic railroad pricing practices which often results in unreasonable rates on the movement of their commodities. With respect to coal, unreasonable railroad rates are directly subsidized by consumers of coal-fired electricity.

Let us make no mistake about it. While it was the intent of Congress in enacting the Staggers Rail Act of 1980 to provide the Nation's railroads with greater freedoms so that they may regain their financial health, this regulatory freedom was not extended to traffic which is market dominant to the railroads. The Congress charged the ICC with the responsibility of insuring that rates on this traffic are maintained at reasonable levels and that such traffic is not made to bear an undue burden in the revitalization of the railroad industry.

Today, these railroads are revitalized and are financially healthy. There is perhaps no better example of this fact than Conrail. The ICC, however, has

abdicated its responsibility and is seeking, in a blind, robotic fashion, to administratively deregulate traffic which is captive to the railroads.

The Consumer Rail Equity Act is being introduced in response. For those Members who cosponsored my bill of the last Congress, H.R. 2584, and who are cosponsors of it again as reintroduced last January in the form of H.R. 540, let me say that this new bill does not differ from those other measures with respect to proposed revisions to determinations of railroad market dominance, revenue adequacy determinations, and maximum rate reasonableness guidelines. The new bill being introduced by Mr. TAUZIN and myself seeks to fine tune the Staggers Act's provisions—as does H.R. 540—relating to captive shippers so as to remove some of the ICC's discretion in these areas.

There are, however, certain additional provisions in this legislation which are not part of H.R. 540. These provisions deal with maximizing the opportunity for competition between railroads. This would be accomplished by making mandatory the ICC's authority to address railroad agreements regarding joint rates and through routes, reciprocal switching and use of terminal facilities. Another area in which this new bill goes beyond H.R. 540 is with respect to intrastate rates. In the Consumer Rail Equity Act we are seeking to insure that the State, rather than the Federal Government, maintains primary jurisdiction over railroad rates within a State's borders and which are not related to intrastate commerce. Finally, this legislation also contains a provision on abandonments. In this matter, the bill only seeks to insure that a proposed abandonment is given full and public consideration and would not be granted in an arbitrary manner.

Mr. Speaker, I can state without reserve that the Consumer Rail Equity Act does not, as some will allege, reregulate the railroad industry. This bill, as does H.R. 540, merely seeks to fine tune the Staggers Rail Act of 1980 so the intent of Congress will be carried out by the ICC. It is, without a doubt, proconsumer and represents a course of action with which we can all be comfortable.●

● Mr. ROGERS. Mr. Speaker, I join today with my distinguished colleagues from Louisiana and West Virginia in introducing the Consumer Rail Equity Act of 1985.

The bill we are launching today is good legislation. It is good for consumers. It is good for coal. It is good for agriculture. It is good for workers. In short, it is good for America.

The Staggers Act, passed by the Congress in 1980, is basically a good piece of legislation. It has been a necessary law to put America's railroads back onto sound financial footing.

Unfortunately, there have been serious problems with the Interstate Commerce Commission's implementation of the act. This poor implementation has hurt us in many ways. It has hurt our consumers. It has hurt our coal export market. It has hurt us in domestic coal sales. It has hurt America's smaller coal operators. And it has hurt our workers, costing us many jobs, both in the coal business and on our railroads.

The bill we are introducing today will tighten the loopholes in the Staggers Act and help correct these problems. And it will do this without reregulating the railroads.

Let me touch briefly on how our bill will help.

First and foremost, our bill is a proconsumer bill; 74 percent of all utility coal-fired powerplants rely on railroads to transport all or part of their coal—and 92 percent of these plants are captive to a single delivering railroad. But as a result of loopholes in the act, the rail rates for coal being carried to these utilities have escaped nearly all Federal controls. The end result? In Kentucky alone, the cost of shipping coal by rail has increased 68 percent since 1979. And it is estimated that by 1990, that rate could be triple what it was in 1979. Frankly, our consumers cannot afford to keep the loopholes open in the Staggers Act. They need this bill to help close these loopholes and to keep them closed.

Second, the bill is important for our Nation's coal exports. Over the past several years, we have seen a continuing loss in America's market share for coal exports. As chairman of the House Task Force on Coal Exports, I continue to be deeply concerned about this decline. Since 1981, the United States has lost 10 percent of the world market share. This is a loss of $3.9 billion in business, and has meant a loss of 18,000 jobs in transportation and mining.

Over the years, our higher transportation costs have made our coal less competitive on the world market and have forced America increasingly into the role of supplier of last resort. We are competitive at the mine mouth. But our inland transportation costs, which are two to three times that of our competitors, have substantially worsened our competitive position. If we can recapture this market, by 1990 we could sell another estimated 20 million tons of coal, in the range of $1 billion in sales, and help create another 10,000 jobs directly as a result.

In the domestic coal market, we've also seen a disturbing trend. America, the Saudi Arabia of coal, has actually begun to import coal from countries like Colombia, South Africa, and Canada. The American coal industry is being seriously impaired by high rail rates, which threaten important U.S. coal markets for our own coal industry.

The impact of the ICC's interpretation of the Staggers Act on smaller coal operators is especially severe. Since these operators are too small to negotiate contracts, they have generally paid single-car rates which have at times been up to 50 percent higher than contract rates paid by larger coal companies. This has been one important factor in the 50-percent decline in the number of coal companies still in business. High rail rates have encouraged this trend and have helped create a vicious cycle, where small companies are too small to afford lower rail rates, and where the higher rates in turn keep these companies from growing.

But the biggest problem of all is how these rail rates hurt American jobs. The Interstate Commerce Commission's own estimates show that high rail rates would lead to the loss of 20,000 jobs by 1990 and 50,000 jobs by 1995. And these are railroad jobs we would be losing, along with coal jobs and related support jobs. In fact, we've already seen a 30-percent decline in rail employment since railroad deregulation began.

The Staggers Act was a carefully balanced law. It balanced the needs of the railroads for adequate revenues with the needs of captive shippers for adequate protection.

But the ICC's actions in interpreting the Staggers Act have substituted a Rubik's cube for this careful protection. With their outlandish regulations and impossible tests, not a single shipper has ever found the magical solution needed to gain protection from excessive rates. This is not what Congress had in mind when it passed the Staggers Act, and it can no longer be allowed to continue.

The Consumer Rail Equity Act of 1985 will untangle the convoluted mysteries of ICC procedures and give our captive shippers the protection Congress intended for them.

I urge my colleagues to join with me in supporting, cosponsoring and working for the prompt passage of this important legislation.●

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ADL CONGRESSIONAL STUDY TRIP TO THE STATE OF ISRAEL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland [Mr. HOYER] is recognized for 60 minutes.

Mr. HOYER. Mr. Speaker, I appreciate this time to come before the House with a number of Members to relate a recent trip that I had the opportunity of taking under the leadership of TONY COELHO from the State of California. That a trip was sponsored by

the Anti-Defamation League in this country, and was coordinated by the office of the Anti-Defamation League in Jerusalem, led by Harry Wall and Roberta Reisman.

That trip was, as all trips are to the State of Israel, eye opening, impressive, and strengthening in the conviction of the necessity for a strong relationship between the United States and the State of Israel. The critical importance of that relationship and the welfare of the State of Israel, its continued survival and expansion in terms of its economy and in terms of its culture will help determine stability in the Middle East.

I am very pleased to take out this special order and to be joined by a number of friends to discuss not only the State of Israel but more specifically the necessity for the United States, Members of Congress, and citizens of this Nation to continue to bring before the American public and the world forum the plight of Soviet Jews.

At this time, Mr. Speaker, I yield to my distinguished friend from the State of New York [Mr. GILMAN].

Mr. GILMAN. Mr. Speaker, today Members of the House of Representatives have joined tegether to express our concern for Soviet Jews in this special order for an International Day of Concern for Soviet Jewry. I extend my appreciation and gratitude to the gentleman from Maryland, [Mr. HOYER] and the gentleman from New York [Mr. FISH], and all of our colleagues who have united today to address this critical issue.

I recently returned from a mission to Moscow, chaired by our colleague the gentleman from California [Congressman LANTOS], where we had the opportunity to meet with 35 refuseniks. These, and many Soviet Jews and many other religious activists live a life characterized by struggle and oppression because they only seek emigration from Soviet Union and justice at home. These Jews and activists have unwavering spirit to someday practice their religion free of persecution.

But their hopes are clouded by the alarming decrease of Soviet Jews granted visas allowing them to leave the Soviet Union. In 1979, 51,320 Soviet Jews were allowed to emigrate from the Soviet Union, diminishing sharply to 896 in 1984; and only 61 visas were granted in January of this year.

Today, more than 400,000 Soviet Jews continue to struggle to leave the Soviet Union and as a result of their desire are denied political, economic, and human rights. The plight of Soviet Jewry is characterized by the imprisonment and inhumane treatment of Anatoly Shcharansky. Arrested on the false charges of treason, when his only crime was to speak out for human rights and to be allowed to join his dear wife, Avital, in Isreal, Anatoly has been denied all basic human rights. Although Anatoly Shcharansky is now allowed to receive mail after his hunger strike received international attention and outcry, and recently had a brief visit with his brother and mother last month, he is still denied the freedom that he deserves.

Mark Napshitz is yet another long-term refusenik held captive in the Soviet Union, after serving his term as a prisoner of conscience for refusing to be a Soviet informer and his renewed public protests. Even after serving his sentence of 5 years, Mark Napshitz is still refused permission to go to Israel. He has been told by the Soviet authorities that he will never be allowed to leave the Soviet Union because his father, who defected in 1956 when Napshitz was 8 year old, was a traitor. Although his mother was allowed to emigrate in 1974, Mark and his family still remain in the Soviet Union. For many years, Mark has not been allowed to practice his profession of dentistry and is now forced to work as an assistant in a morgue or risk arrest as a parasite. He has said with irony: "They allow me to work with the dead, but not the living."

Most recent concerns in the West have focused on the trials and imprisonment of six leading Hebrew teachers. In early February, the 3-day trail of Aleksandr Kholmiansky ended with an 18-month labor sentence for an alleged illegal possession of ammunition; the more serious charge of possession of a weapon was dropped because of insufficient evidence. And, Mark Nepomniashachy was sentenced by an Odessa court to the maximum of 3 years in labor camp for allegedly circulating materials which defame the Soviet state and social system. The materials cited as evidence were merely his appeals for his family to repatriate to Israel.

It is critically important that we in the U.S. Congress continue to support the valiant efforts of the Soviet Jewish community. With the intensification of forced cultural assimilation, expansion of anti-Zionist propaganda and the serving of contact from abroad, Soviet Jews need our compassion, concern, and outcry more than ever before.

I assure my colleagues that I and my colleagues on the House Post Office Committee will continue our investigation into the Soviet's interruption of the mails, as well as other personal efforts through organizations such as the Human Rights Caucus, the Greater New York Conference on Soviet Jews, the Union of Councils for Soviet Jews, and the National Conference on Soviet Jews. Together, we have made a difference, but our efforts must be redoubled in light of last year's oppressive actions by the Soviet Union against these brethren.

I thank the gentlemen for yielding and I commend Mr. HOYER and MR. FISH for their strong, persistent efforts on behalf of Soviet Jewry.

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Mr. HOYER. I thank the gentleman from New York [Mr. GILMAN] for his comments and congratulate him for his continuing and effective efforts on behalf of Soviet Jewry. Congressman GILMAN has made sure that the American public knows the plight of Soviet Jews. The continued pressure that he is, with others, placing on the Soviet Union to be more responsive to the human rights requests of our brethren in the Soviet Union is well known.

Mr. Speaker, I yield to the gentleman from New York [Mr. MANTON].

Mr. MANTON. Mr. Speaker, I am pleased to add my voice to those of my colleagues in expressing our admiration, our support, and our concern for Soviet Jewry. Our actions in the Congress today are vital if we are to send a clear signal to the Kremlin.

I am gravely concerned about the situation the Jewish people in the Soviet Union face today. There are over 400,000 Soviet Jews who have begun the complicated process necessary in order to leave the Soviet Union. Of that number, 20,000 Soviet Jews have been formally refused. The remainder hang in limbo, although their prospects do not appear encouraging. In 1984, the number of Jews allowed to emigrate and rejoin their families in Israel was the lowest figure in 15 years. In 1979, the peak year, 51,320 Jews were allowed to emigrate. Since that time, the numbers have decreased sharply. In 1982, 2,688 were allowed to leave and in 1983, 1,314. In 1984, only 896 Jews were allowed to leave the Soviet Union. That in itself is cause for grave concern by every American.

Mr. Speaker, I am further alarmed by the fact that these brave people have recently been subjected to a wave of antisemitism and violence reminiscent of the dark days of Joseph Stalin. Jewish cultural activists and Hebrew teachers are being beaten and their homes are searched. Often, weapons or drugs have been planted during these searches, and these leaders of the Jewish community have been arrested and given harsh sentences.

Jews have never been allowed to live as Jews within the Soviet Union. The use and instruction of Hebrew, the religious language of the Jewish people, is severely restricted. When Soviet Jews attempt to study their rich culture and history or practice their religion, they are harassed and meetings are often violently disrupted. In recent months, these incidences have escalated. In sum, Mr. Speaker, the leaders of the Soviet Union have embarked on a

new campaign of intimidation and violence.

The Soviet Union is a signatory to both the International Covenant on Civil and Political Rights and the Helsinki Final Act. Their policies toward the practice and study of Judaism and their emigration policy are in direct violation of these agreements. As we enter a new phase of talks with the Soviet Union we cannot forget the plight of Soviet Jewry. And we must use every resource at our disposal to make certain the Soviet Union lives up to its commitments.

While a New York City councilman, I adopted a Soviet refusenik. As a new Member of Congress, I am pleased to see that an issue that has long been of concern to me and many of my constituents is a matter of high priority for the U.S. Congress. I am honored to join with my colleagues today in paying tribute to the Soviet Jews who have shown, time and again, their remarkable strength and perseverance. They need our support and our strength as never before. It is vital that we, in the Congress, continue to show our commitment to Soviet Jewry. We must never forget that the Jews in the Soviet Union are allowed no voice. Therefore, we must be their voice and never waiver in our efforts.

Mr. HOYER. I thank the gentleman from New York [Mr. MANTON] for not only his outstanding statement, but also his continuing commitment to this cause.

Mr. Speaker, I yield to the gentleman from North Carolina [Mr. COBEY].

Mr. COBEY. I thank the gentleman from Maryland.

Mr. Speaker, in America, we cherish the great joys of freedom. In this country, men and women have the opportunity to achieve their greatest goals. We live together despite our differences in religion, ethnic origin, or political philosophy.

It is sad that this is not the case in all countries, particularly in the Soviet Union.

Behind the Iron Curtain, thousands of Jewish people are being kept prisoners.

The Kremlin refuses to let thousands of Soviet Jews emigrate to freedom.

In 1984, only 896 Jews were allowed to leave the Soviet Union. This is the lowest level of emigration from that country in the past two decades.

In 1979, the Soviet Government allowed over 51,000 Jews to emigrate. Since that time, they have almost choked off any escape to freedom.

The right to freedom of emigration is guaranteed under the Helsinki accords and other international agreements which the Soviets have signed. Yet the Soviet Union holds Jews hostage to the status of East-West relations.

The Soviet Government also has harassed and imprisoned many Hebrew teachers and Jewish cultural activists.

Many Americans are concerned about the plight of Soviet Jews.

For example, one congregation in North Carolina has written me to express their interest in this issue. The Judea Reform Congregation in the Durham-Chapel Hill area recently adopted a Jewish family that wants to emigrate from the Soviet Union. Members of the congregation correspond with members of the Lev Bronshtein family in Leiningrad. They write to assure them that there are people in the free world who understand their desire to be free. The congregation also has written to Soviet officials on behalf of the Bronshtein family.

In the next few days, I will join in this effort by writing to the Soviet Ambassador to the United States and ask that his Government allow the family to emigrate.

The Bronshtein family applied for an exit visa in 1976. Their Government has refused to let them leave, despite the international agreements guaranteeing freedom of emigration.

There are thousands of families like the Bronshteins who want to leave the misery of life in the Soviet Union. I'm hopeful that our Government will remind the Kremlin of our concern for Soviet Jews and will push for increased Jewish emigration.

The people of the free world should not sit idly by while the Soviets violate international agreements and continue to abuse basic human rights.

As a member of the Congressional Coalition for Soviet Jews, I am honored to join in this cause. Public protests by Members of Congress and other Americans will remind the Soviets and our own Government of the thousands of Jewish families who are kept as prisoners behind the Iron Curtain. By keeping this issue alive, we keep alive the hopes of thousands of Soviet Jews who want to be free.

Mr. HOYER. I thank the gentleman from North Carolina for his statement, for his membership in the Congressional Coalition for Soviet Jews, and for his leadership in this area.

Mr. Speaker, I am delighted to yield to the gentlewoman from California [Mrs. BOXER].

Mrs. BOXER. I thank the gentleman from Maryland.

I thank him for working really very hard to put together this special order. I think it is important to ask ourselves why it is important for those of us who are moved by this issue to take the time and put into the RECORD some of our feelings on the general issue of Soviet Jewry and what is happening there and specifically people that we have learned about.

I think it is important and it was brought home to many of us on a recent trip to Israel, which the Anti-Defamation League led. During that trip, we made a visit to the Holocaust Museum and there, in a very moving experience, we witnessed what happens or what could happen if civil rights and human rights are violated. It starts slowly. It starts maybe with an ID card and can end up the way it ended up in Nazi Germany if people of good will do not take the time to cry out against it.

I think we, in the Congress, realize that we have that responsibility and that is why we are really here.

Next month marks the eight anniversary of the arrest of Anatoly Shcharansky, a true hero of courage and human spirit. Last month marked the fifth anniversary of the arrest of another beacon of justice and freedom, Nobel Peace Laureate Andrei Sakharov. We remember the plight of these two brave men, one languishing in a cell in the Gulag Archipelago, the other under house arrest in forced internal exile. Let us also remember their vision and their legacy: A world of peace, freedom, and universal respect for basic human rights.

□ 1310

Let us remember, as we finally resume arms control negotiations in Geneva and how important that is, that, as Sakharov has said, peace and human rights are one issue. Sakharov, Shcharansky, and all the others imprisoned and persecuted are struggling to build a better and safer world for all of us and for our children. And while these Prisoners of Conscience stand as symbols for human rights activists everywhere, Shcharansky's continued brutal imprisonment embodies another special problem: The increasing persecution of Jews in the Soviet Union.

During the last 6 months, six Soviet Jews were arrested by Soviet authorities simply for acting and identifying as Jews. Activities that Jews in our country take for granted, such as instruction of the Hebrew language, are cruelly suppressed by Soviet authorities.

We all know that the teaching of Hebrew is a crime in the Soviet Union. Now just think about that. The teaching of Hebrew is a crime in the Soviet Union. Young men, such as Dan Schapira, are paying a heavy price in prison for Hebrew language instruction.

We know that anti-semitism in the Soviet media has increased in the past few months. Two films have been aired on Soviet television depicting Soviet Jews as agents of Zionism and working against the Soviet state.

There is a new phenomenon—and this is very frightening—a dramatic increase in physical violence and brutality against Jews in the Soviet Union.

The most gruesome example is that of Joseph Berenshtein of Kiev. This Jewish prisoner was beaten so badly that his wife was unable to recognize him during her visit to prison. An eye was gouged out, and he may lose sight in another eye as a result of the beating.

We know of other young Jews physically abused by Soviet authorities.

Mr. Speaker, it is a cruel irony that these repressions have continued and even worsened while relations between our two countries seem to be improving. The Soviets must understand that these violations of international agreements, such as the Universal Declaration of Human Rights and the Helsinki Final Act, only poison the atmosphere for peace and continue to sow more seeds of distrust here of Soviet intentions and good will.

I call on the Soviet Government and I urge every Member of Congress to join me in this call to take a step to build trust between our nations by ending their gross daily violations of the Helsinki accords. Release the Jews who wish to repatriate to Israel, release the deparated families who wish to reunite with their loved ones, release the Jewish prisoners of conscience, release the human rights activists, including the Helsinki monitors, whose only crime was to attempt to safeguard Soviet compliance with the document its Government had signed.

Such steps would indicate Soviet good faith toward international agreements, a signal we all anticipate in advance of future agreements.

Finally, I say to the gentleman from Maryland, who has worked so hard on this, I wish to note one case, that of 78-year-old Liya Orzhekhovsky. This ailing, elderly woman has waited 5 long years to reunite with her daughter and grandchildren in a city that I represent, San Francisco. What possible gain could it be to the Soviet Government to keep this brokenhearted woman from seeing her family before she dies? What kind of heartlessness defines that Government's policies that vindictively keep her, against her will, in Kiev? How are we to believe in the good will of the Soviet authorities when even this one poor, frail woman is prevented from the most basic wish, to be with her loved ones?

We have learned in recent years just how fragile our planet is. If we are all to survive, it will be because the superpowers believe in human dignity and the right of each individual to survive and to be free.

The Soviet Union has a real opportunity now to show that their desire to save the planet extends to individuals within their own country who want nothing more than personal freedom.

Again Mr. HOYER, I thank you for this opportunity. I know we are going to work together, with many Members of Congress on both sides of the aisle, until these prisoners are let go.

Mr. HOYER. I thank Congresswoman BOXER from the State of California for her remarks. I point out that she was a member of the ADL delegation which had the opportunity of visiting Israel the first part of January 1985. The Congresswoman wrote a letter to all of those with whom we came in contact in the State of Israel in which she displayed as pointed a commitment to the continued struggle of Soviet Jews as I have ever read. I congratulate the gentlewoman for her commitment and leadership.

I yield to the gentleman from New Jersey [Mr. GALLO].

Mr. GALLO. I thank the gentleman from Maryland for yielding.

I, too, as the gentlewoman from California indicated, and, I believe, as the gentleman in the well has indicated, have visited Israel, and I know of the complaints and the sensitivity of the matter dealing with emigrants not being able to leave the Soviet Union. A number of families conveyed that to me, with a deep concern.

For Jews trying to leave the Soviet Union, 1984 was a most disappointing year, with less than 900 Soviet Jews permitted to leave in 1984, compared with 51,000 who emigrated in 1979. We are aware of at least 50,000 refuseniks—Jews who have applied for visas and were denied—still residing in the Soviet Union. Coupled with their frustrated attempts to leave the Soviet Union, the entire Jewish community has increasingly been subjected to harassment, loss of their jobs, arrests, and imprisonment. In addition, an expanded anti-Semitic campaign is being carried out in the state-controlled press in which Jews are urged to deny their Jewish heritage and assimilate with the cultural mainstream of the Soviet Union.

The Soviet Jews have responded to this persecution with unwavering defiance and dignity. Even though they are sure to lose their jobs, over 300,000 Jews have initiated emigration procedures. And, although at great risk, many Jews have joined privately with their brethren to study Jewish religion, culture, and history. We know of at least four Hebrew teachers who have been arrested as a result.

Stories of the great trials and tribulations among Soviet Jews fill this room today. Recently, a woman who has been corresponding with a refusenik family for 5½ years, shared with me her most recent letter from the family of Alexander Mariasin. The Mariasins' struggle to emigrate has been a prolonged one and is even more urgent due to his wife's life-threatening illness. In his own words,

> We pray to God that everything comes out well. The years of constant stress do not pass without consequences. The only thing I ask is to tide her over this ordeal until meeting her children. Alas . . . the other day, we received a new refusal to my application, the 20th, if I am not mistaken.

Today, I would like to bring to the attention of my colleagues the case of the Kagan family, a "refusenik" family whom I have recently adopted in an effort to advocate on their behalf for the right to emigrate from the Soviet Union., Abram Kagan, his wife Svetlana, and their two children, Vadin and Kalara, first applied for permission to emigrate in January 1976. Their applications have been consistently denied on ground that Abram has had contact with state secrets. Abram Kagan has been employed as a senior researcher at the Soviet Academy of Sciences and has worked only in theoretical mathematics. Abram has published 60 scientific papers, all appearing in "open" scientific press. As a well-known statistician, Abram has received several invitations to scientific meetings outside the Soviet Union. He has never been permitted to attend any of these seminars nor to emigrate to Israel.

Unfortunately, the plight of the Kagan family is not unique. Theirs is a plight common to all Soviet Jews who have become victims of the virtual standstilll in emigration from the Soviet Union.

On behalf of the Kagans and all the 2.5 million Jews that remain in the Soviet Union, I join with my colleagues in expressing our admiration for their endurance and to reaffirm our commitment to their struggle as well.

As cochairman of the congressional caucus charged with monitoring the plight of Soviet Jewry, I urge my freshmen colleagues to join with me in the struggle to change these regrettable practices within the Soviet Union by adopting families and becoming their links to the world community.

As arms negotiations between the United States and Soviet Union begin, attention is once again focused on the plight of Soviet Jews and their struggle for basic human rights. It is at this time that we should send a clear message to the Soviets that these human rights violations are unacceptable, and as Secretary of State George Shultz warns—

> We can never let ourselves become so wedded to improving our relations with the Soviet Union that we turn a blind eye to actions that undermine the very foundation of stable relations.

By committing ourselves to this principle, we may restore some of their hope that has been lost to the Soviet Jews in their tireless struggle for it to be successful. We must act with full knowledge of the current situation and with hope that we can make a difference in the course of these unfortunate events.

Mr. HOYER. I thank the distinguished gentleman from New Jersey [Mr. GALLO] for his statement today. I know the Kagan family is deeply moved by his support and his personal attention to their particular case. The Kagan case dramatizes the trauma faced by literally thousands of families in the Soviet Union who wish to immigrate freely to a land of their choice. I thank the gentleman for his leadership, from the freshman caucus, with CHET ATKINS in the coalition.

I yield to the gentleman from South Dakota [Mr. DASCHLE].

Mr. DASCHLE. I thank the gentleman for yielding and I commend him with so many others, for his leadership on this issue and for his determined effort to bring this issue to the consciousness of not only the Congress but the country by taking out this special order this afternoon.

□ 1320

My wife and I were very fortunate to have joined the gentleman from Maryland and many others on the trip mentioned by the gentlewoman from California sponsored by ADL, and during that time we talked to an Israeli teacher one night. On this evening we talked late into the night, and it was really one of my most illuminating experiences on the entire 8-day trip that we had just a few weeks ago. His experiences brought the statistics we cite today to life. His poignant stories about Soviet Jews underscored the extraordinary importance of this issue.

But after he shared his most incredible experiences in assisting these persecuted people, he had one simple plea. That simple plea was for this country to send the message loud and clear to both the Soviet Jews and to their government that this country will not accept, will not even tolerate the devastating violation of human rights occurring right now as we speak in this Chamber.

That is why I am here. I am here to join in the chorus of voices rising to oppose this terrible injustice. I am here to add to those who say we will not stop until this persecution stops and until Soviet Jews are free to leave.

1984 marks the lowest point in Jewish emigration from the Soviet Union in the past two decades. Only 896 Soviet Jews were permitted to leave the country last year, as compared with more than 51,000 in 1979.

1984 also produced an accelerated campaign to isolate Jewish refusenik activists from their supporters in the West, and we are witnessing an increasing number of incidences of the interruption of mail and telephone communication with our Soviet friends, according to the teachers we visited with recently. We are learning of the growing harassment of Western travelers in the Soviet Union by authorities there as well.

Another tragic occurrence this year in the Soviet Union is the series of seven Jewish teachers of Hebrew and Jewish culture. They have been harassed, they have been brutally beaten, they have been arrested and imprisoned on spurious charges. These trumped up charges include possession of firearms and drugs, allegations of teaching ancient drug rituals, and anti-Soviet propaganda.

All of these actions against Jews and their supporters by the Soviet Government come at an extremely critical time as the United States and the Soviet Union strive to establish a mutually beneficial relationship, and these abuses contradict the understanding of the Helsinki accords and create an air of mistrust which hinders the resumption of a relationship of confidence and good faith between our neighbors and our nations.

We must, for everyone's sake, work together to provide all peoples of the world with an atmosphere free from religious persecution and full of opportunity and liberty.

So to our tireless friends in Israel, to our courageous brothers and sisters in the Soviet Union, the purpose of this special order in our message ought to be clear. We, the Members of Congress, hear you. We, the Members of Congress, join you. We, the Members of Congress, will not stop until we have won.

Mr. Speaker, I thank the gentleman for yielding.

Mr. HOYER. Mr. Speaker, I thank the gentleman from South Dakota [Mr. DASCHLE]. I do not believe that any of us could state better the purpose of this special order than he has just done, and I thank him for that.

Mr. Speaker, I yield to the gentleman from Florida [Mr. BILIRAKIS].

Mr. BILIRAKIS. Mr. Speaker, I thank the gentleman from Maryland [Mr. HOYER] for yielding to me, and I am very proud to be a part of his special order.

Mr. Speaker, many of us have had the opportunity in recent weeks to view a film which aired on Soviet television, the translated title of which is "The Mercenaries and Their Accomplices." This film is a propaganda piece which seeks to portray Soviet Jewish activists as troublemakers corrupted by Western capitalism who threaten the security of the Soviet state. The film incites distrust of Jews by other Soviet citizens by casting doubt on their character and loyalty.

What the film portrays to us, however, is the frightening depth of official Soviet anti-Semitism. The so-called documentary is stridently anti-Zionist. Tragically, the Soviet Union has escalated its paranoid religious persecution while maintaining its equally paranoid emigration restrictions against those who wish to escape this persecution.

While the film could have ominous consequences for Soviet Jewry in general, the individual Jews named and pictured will surely suffer increased harassment and alienation from Soviet authorities as well as fellow citizens. Not only must these men and women practice their religion in secrecy and suffer the pains of separation from family members, they must also live with the fear of recrimination and abuse for being traitors and mercenaries.

Despite the burdens and dangers that characterize the lives of Soviet Jews, the Jewish community in the Soviet Union has remained committed to their religion and their heritage. They will not be cowed into silence about or submission to the religious and cultural discrimination which is so obviously wrong.

Most of us will never face the kind of daily challenges that these men and women face. The risks of their activism are so very great, and yet, they do what they know is right and just. While some of these individuals have become heros to us, there are many other unsung heros whose names may not be as familiar but whose simple, daily actions keep the spirit of Soviet Jewry alive. David Goldfarb is one such individual. Since 1979, Mr. Goldfarb has sought to emigrate to Israel from the Soviet Union to join his son. He has been denied an exit visa on the familiar grounds that his departure would pose a threat to state security. Common though these grounds are, they are alarming in Mr. Goldfarb's case because he was involved in gene cloning research, but had no security clearance and no involvement with the military. What does this say about Soviet activity in the field of molecular genetics and the importance Soviet authorities place on that field as a matter of state security?

My letters to Mr. Goldfarb have gone unanswered. Yet I must believe that his spirit has not been silenced. We do well to pay tribute here today to all the David Goldfarbs of the Soviet Union who continue to seek justice in the face of persecution. Their courage is, indeed, inspiring to all of us, but perhaps more importantly, it is inspiring to the thousands of other Soviet citizens who are also oppressed by a regime which fears freedom.

I join my colleagues in urging the administration to make use of all appropriate opportunities to raise the issues of Jewish emigration and persecution with Soviet authorities. As we work to free the world of the threat of nuclear war, let us also work to free the world of the threat posed by intolerance and hatred. The message of the Jews in the Soviet Union is that inaction is, indeed, complicity. We must not be content to remain silent when

they have given us the courage to speak out.

Mr. Speaker, again I thank and commend the gentleman from Maryland [Mr. HOYER] for this special order.

Mr. HOYER. Mr. Speaker, I thank the gentleman from Florida [Mr. BILIRAKIS] for his comments and for his compelling statement.

At this time, Mr. Speaker, I yield to the gentleman from Texas [Mr. PICKLE], who, I understand, has a brief statement.

Mr. PICKLE. Mr. Chairman, the plight of Soviet Jews is at a critical stage with Jewish emigration from the Soviet Union at the lowest level in over 10 years. In addition, we are now witnessing violent attacks against Refuseniks and increased harassment of those seeking to establish and maintain contact with the Soviet Jewish population.

I am proud to stand with my colleagues today in support of the cause of Soviet Jewry. As a member of the Congressional Coalition on Soviet Jewry, I feel a broad effort is needed to enhance the awareness of the American people—and the world—of the systematic persecution of the small Jewish population of the Soviet Union. We must convey our concern at every opportunity we get, including United States-Soviet negotiations on issues of mutual concern. America cannot ignore the mistreatment of thousands of Soviet Jews, as well as others, who are persecuted for their beliefs and are virtually held hostage in their own country.

I commend the administration's emphasis on human rights matters in meetings with Soviet leaders and urge continued efforts to enlist support from other governments in raising the broad issues of emigration and the violations of rights of Soviet Jews at every opportunity.

Our Government should expand the use of the complaint procedures of international agencies as a means of focusing attention on persecuted individuals. The Soviet policy of enforced assimilation, cultural genocide, artificial restrictions on emigration, and threatening job security to intimidate Jews are among the violations of international agreements, and I hope that increased international debate will help bring about an end to such practices.

I have had the opportunity to visit the Soviet Union, and to meet with both Soviet officials and representatives of those seeking to emigrate. The Soviet Government appears as firm in its resolve as do those seeking to lift the oppressive yoke of Soviet religious persecution. Soviet treatment of its Jewish minority must be effectively woven into the fabric of a continuing United States-Soviet relationship. I call on the U.S.S.R. to cooperate and the recognition of these basic human rights. This is not, however, purely a Jewish issue, but an issue of fundamental human rights recognized in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the Helsinki Final Act.

We are resolved to continue pushing this issue to the forefront of discussion and encourage our colleagues to do likewise.

Mr. HOYER. Mr. Speaker, I thank the gentleman from Texas [Mr. PICKLE] for his leadership. I know of his trip to Russia, and I know of the strong statement he made while in Russia on this matter.

□ 1330

Mr. Speaker, at this time I yield to the gentleman from California [Mr. FAZIO].

Mr. FAZIO. Mr. Speaker, I appreciate the gentleman yielding. I want to thank him and my colleague, the gentlewoman from California [Mrs. BOXER] for taking the time and giving us the opportunity to discuss a very crucial world issue.

I am particularly pleased to see our Government acting with real resolution as regards to human rights violations in the Soviet Union, particularly in reference to Refuseniks in the context of trade and in the context of our general discussions about lessening world tensions in Geneva.

I think it is a particularly important element of our foreign policy, one that is born out of hard reality and the background of experience that tells us that it does bear fruit; so particularly basing that upon our experience in Israel where we heard firsthand of the changes that can come about in Soviet behavior through trade as a linkage, I am particularly pleased to laud this administration at this time for that one initiative.

Mr. Speaker, I rise today with my colleagues to bring the plight of thousands of politically oppressed Soviet citizens to the attention of this House and the American people.

Mr. Speaker, on a recent trip to Israel, sponsored by the Anti-Defamation League, my colleagues here today and I heard first hand of the latest wave of harassment, arrests, and persecution of Soviet Jews.

We were told of repeated acts of anti-Semitism, attacks on Hebrew teachers and the like, all of which suggests that the Soviet Government has adopted a policy which is designed, at a minimum, to stamp out any voice of dissent by the younger generation of Jewish activists.

One of those who has suffered under this new policy, which includes convictions on trumped up charges, is Yakov Levin of Odessa. Mr. Levin, a Hebrew teacher, was sentenced last November to 3 years in a labor camp for allegedly "circulating fabrications known to be false which defame the Soviet state and social system." Included in evidentiary materials presented against him him were Leon Uris' "Exodus," and writings by Vladimir Jabotinsky, which predate the 1917 revolution and the creation of the Soviet state.

Clearly, Mr. Speaker, the arrest of Yakov Levin was the product of a contrived set of circumstances to justify removing an outspoken dissident from the domestic scene. But, along with the arrests and harassment of other Jewish activists, particularly Hebrew teachers, this can be viewed as part of an organized and concentrated attempt by the Government to destroy the very remnants, the very foundation of what remains of the Jewish educational system and culture in the Soviet Union.

This is a deplorable thought, Mr. Speaker. But one which we must not fail to consider and speak out against, regardless of how unthinkable it may be to each of us here today.

Mr. Speaker, I would just like to conclude by thanking my good friend and colleague, the gentleman from Maryland [Mr. HOYER] for organizing this effort. And I would like to once again recognize and thank the Anti-Defamation League for sponsoring our trip to Israel. It was an enjoyable and enlightening trip for us all and one that I hope many of our colleagues will take advantage of in the future.

Mr. HOYER. Mr. Speaker, I thank the gentleman for his remarks. I think his remarks demonstrate the effectiveness of these ongoing continuing efforts, the linkage that can and may be present with respect to these issues and also the bipartisan and wide geographical support throughout the Nation for the concerns regarding the policies of the Soviet Union toward its Soviet citizens.

Mr. Speaker, at this time I yield to the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman from Maryland. I first of all would like to commend him for holding this time to take out this special order on this crucial human rights issue.

I would also like to commend the National Conference on Soviet Jewry for their leadership in the country and in the world in bringing this issue to legislators throughout the world, particularly to Members here in the Congress of the United States and sensitizing us to the plight of Soviet Jews, showing us what can be done if we work in a bipartisan and a unified fashion to alleviate at least some of the suffering that they are undergoing.

Mr. Speaker, the father of the modern Soviet state, Nicolai Lenin, once observed that anyone who wants

to learn a language should have a teacher to teach him that language.

Yet in the Soviet Union today, an increasing number of Jews who seek to teach the Hebrew language and pass on the rich and resplendent culture of Judaism are the targets of a brutal crackdown.

Since July of this past year, four well-known Hebrew teachers—Aleksandr Kholmiansky, Yuli Edelshtein, Yakov Lenin, and Mark Nepomniaschy—have been arrested and convicted on trumped up charges. Similarly, six prominent Jewish cultural activists have been convicted on equally specious charges. Their names are Yakov Mesh, Yosif Berenstein, Leonard Shrayer, Yakov Rozenberg, Iosif Ziselis, and Dan Shapira. Just a few minutes ago, Mr. Speaker, I introduced a sense of the Congress resolution calling upon the Soviet Union to cease its concentrated and systematic persecution of Hebrew teachers and cultural activists.

Mr. Speaker, it seems clear to me that this unseemly trend could have ominous implications for improved relations between the United States and U.S.S.R.—pervasive human rights violations are stumbling blocks to closer relations between our two nations—and is especially disturbing when coupled with the downturn in Jewish emigration since 1979.

On that score, 1984 was the worst year since Jewish emigration began. Only 896 Jews were permitted to emigrate last year, down from over 51,000 in 1979.

Mr. Speaker, reports filtering back to the United States indicate that in addition to the wave of arrests and convictions, scores of Hebrew teachers have been warned to stop teaching Hebrew or face severe punishment. There are reports of beatings, raids, job loss, interrogations, confiscation of religious articles and literature and other forms of harassment.

A State Department report dated January 29, 1985, entitled "The Soviet Crackdown on Jewish Cultural Activists," states that—

In late July 1984, Soviet authorities began a major, sustained crackdown on Hebrew teachers and other Jewish cultural activists * * *. The Department of State has been monitoring these disturbing developments with concern since the crackdown began in July. There can be no doubt that the campaign has been consciously directed by Soviet authorities to discredit and destroy the revival of Jewish culture in the Soviet Union. The methods used—arrests, beatings, the planting of evidence and the use of the media to slander refusenik activists—have created a renewed atmosphere of crisis in the Soviet Jewish community and heightened international concern about what may next lie in store for Soviet Jewry.

The report also states that—

The crackdown on Hebrew teachers and Jewish cultural activists has been accompanied by a stepped-up anti-Semitic campaign in the Soviet media * * *. A program aired in Moscow in November equated Zionism with Nazism and accused World War II Jewish leaders of helping the Nazis round up Jews for the death camps.

Mr. Speaker, that's obscene.

The diversionary activities of the officially-sponsored "Anti-Zionist Committee of Soviet Society" have also been given extensive coverage recently in the Soviet press.

The State Department goes on to say that—

The U.S. government deplores this accelerating campaign in the strongest possible terms, calls on the Soviet authorities to end it immediately, and urges them to live up to the commitments to respect individual human rights that they have solemnly undertaken in a whole series of accords, from the Universal Declaration on Human Rights through the Helsinki Final Act and the Concluding Document agreed to in 1983 in Madrid. We will be watching with particular interest the results of the upcoming trials of Aleksandr Kholmiansky and Mark Nepomniashiy.

Mr. Speaker, the sacred obligation of governments to assure and protect human rights within their borders was freely entered into by the Soviets and is therefore, by reason of these accords and similar undertakings, a matter of international law. Principle VII of the Helsinki Final Act clearly states in part that:

The participating States will respect human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief, for all without distinction as to race, sex, language or religion.

They will promote and encourage the effective exercise of civil, political, economic, social, cultural and other rights and freedoms all of which derive from the inherent dignity of the human person and are essential for his free and full development.

Within this framework the participating States will recognize and respect the freedom of the individual to profess and practise, alone or in community with others, religion or belief acting in accordance with the dictates of his own conscience.

The participating States on whose territory national minorities exist will respect the right of persons belonging to such minorities to equality before the law, will afford them the full opportunity for the actual enjoyment of human rights and fundamental freedoms and will, in this manner, protect their legitimate interests in this sphere.

This language of the Helsinki Final Act unambiguously commits the signers, including the Soviet Union, to "promote and encourage the effective exercise * * * (and) afford them the full opportunity for actual enjoyment of human rights." Clearly, Mr. Speaker, if the word and commitment of the Soviet Union is to have any meaning at all, it cannot continue to deprive Soviet Jews of their basic human rights.

I think, Mr. Speaker, that it should also be noted here that the current mistreatment of Soviet Jews is violative of their own internal standards of proper conduct. Article 52 of the Soviet Constitution, "Basic Rights, Freedoms and Duties of Citizens of the U.S.S.R., states:

Citizens of the U.S.S.R. are guaranteed freedom of conscience, that is, the right to profess or not to profess any religion and to conduct religious worship or atheistic propaganda. Incitement of hostility or hatred on religious grounds is prohibited.

Additionally, Mr. Speaker, article 46 states:

Citizens of the U.S.S.R. have the right to enjoy cultural benefits. This right is ensured by broad access to the cultural treasures of their own land.

Mr. Speaker, by its systematic repression of Jews, the Soviet authorities are revealing a remarkable sense of weakness and ideological frailty. Given the tremendous military prowess of the Soviet Union, its enormous economic capability, and the resilience of its sturdy peoples, it begs incredulity that a superpower could be so preoccupied with trouncing an ethnic minority's cultural heritage and language study.

One is prompted to inquire of the Soviet officials: Of what are you so afraid? Why does a small number of peaceful, law-abiding Jews intimidate you so?

Believe me, Mr. Speaker, the world looks on and wonders.

The people of the United States expect more from the Soviet Union—including a higher standard of conduct and an adherence to their solemn vows. And you would think, you would hope, indeed you would expect that they, the Government of the Soviet Union, would accept no less in themselves.

THE SOVIET CRACKDOWN ON JEWISH CULTURAL ACTIVISTS—DEPARTMENT OF STATE REPORT, JANUARY 29, 1985

In late July 1984, Soviet authorities began a major, sustained crackdown on Hebrew teachers and other Jewish cultural activists. By the end of January 1985, eleven activists, including four Hebrew teachers, had been arrested and four sentenced to terms in Soviet labor camps. The arrests were accompanied by a series of searches, beatings and threats which have sent shock waves through the Soviet Jewish community.

The crackdown began with the July 26 arrest of Moscow Hebrew teacher Aleksandr Kholmianskiy in Estonia on hooliganism charges. Police reportedly located a pistol and ammunition in a subsequent search of his parents' Moscow apartment. In early September, his fellow Moscow Hebrew teacher, Yuliy Edelshtein, was arrested after a police search of his apartment turned up narcotics. There is no reason to doubt the assertions of close relatives that in both cases the items were planted by the police. On December 19, Edelshtein was convicted and sentenced to 3 years in labor camp. Kholmianskiy, who is reportedly very weak after a prolonged hunger strike, is scheduled to come to trial on January 31 on the hooliganism and weapons possession charges.

In addition to Moscow, the crackdown has focused on Jewish communities in the Ukraine. Yakov Levin, a Jewish cultural activist from Odessa arrested in early August,

was sentenced on November 19 to three years in prison on charges of anti-Soviet slander. His alleged crime was circulating religious materials. His father-in-law to be, Mark Nepomnyashchiy, was arrested in October on anti-Soviet slander charges and is scheduled for trial on January 29. Their friend, Refusenik Yakov Mesh, was also arrested in October on trumped-up charges of resisting arrest. The authorities released him and dropped charges against him in December after he sustained life-threatening injuries from a beating administered at the time of his arrest. Iosif Berenshtein, a Kiev Hebrew teacher, was arrested in November and sentenced to three years in a labor camp on December 10, also for allegedly resisting the police. Soon after his conviction he was savagely beaten and stabbed. He suffered deep facial wounds, lost the sight of one eye and is in danger of losing sight in his second eye. Two other Ukrainian Jewish activists, Leonid Schreier and Yakov Rosenberg, both from Chernovtsiy, were charged in late October with anti-Soviet slander. Schreier was sentenced to 3 years in labor camp on January 3, while Rosenberg remains imprisoned awaiting trial.

Leningrad, home of one of the largest and most active Jewish communities in the Soviet Union, has so far been spared major arrests. With the exception of Yakov Gorodetskiy, a leading activist who served a minor two-month work release sentence in later summer, no one in the activist community has been arrested. The Leningrad community has not escaped major harassment, however. The phones of Gorodetskiy and several other activists have been disconnected and more than 20 non-activist refusenik families have been called in by the police and threatened with the loss of their jobs if they do not give up their plans to emigrate. There was also a local television program in November which identified several activists by name and accused them of engaging in "Zionist" subversion. Many local activists fear major arrests in the near future. One, Evgeniy Lein, has already been threatened with arrest on charges of "parasitism."

The crackdown on Hebrew teachers and Jewish cultural activists has been accompanied by a stepped-up anti-Semitic campaign in the Soviet media. In addition to the Leningrad program cited above, a program aired in Moscow in November equated Zionism with Nazism and accused World War II Jewish leaders of helping the Nazis round up Jews for the death camps. The diversionary activities of the officially-sponsored "Anti-Zionist Committee of Soviet Society" have also been given extensive coverage recently in the Soviet press.

Following a December free from major arrests, the crackdown regained momentum in January. The arrest of Latvian Jewish cultural activist Vladimir Frankel in Riga January 15 had the effect of spreading the crackdown beyond Moscow and the Ukraine. Frankel was charged with anti-Soviet slander. In Moscow, meanwhile, prominent activist Dan Shapiro was arrested on January 22 and also charged with anti-Soviet slander. Police conducted numerous searches in conjunction with the two arrests and Moscow authorities are reportedly planning to arrest two more activists, Dmitriy Khazankin and Igor Kharach, who are colleagues of Shapiro's.

The Department of State has been monitoring these disturbing developments with concern since the crackdown began in July. There can be no doubt that the campaign has been consciously directed by Soviet authorities to discredit and destroy the revival of Jewish culture in the Soviet Union. The methods used—arrests, beatings, the planting of evidence and the use of the media to slander refusenik activists—have created a renewed atmosphere of crisis in the Soviet Jewish community and heightened international concern about what may next lie in store for Soviet Jewry. The U.S. Government deplores this accelerating campaign in the strongest possible terms, calls on the Soviet authorities to end it immediately, and urges them to live up to the commitments to respect individual human rights that they have solemnly undertaken in a whole series of international accords, from the Universal Declaration on Human Rights through the Helsinki Final Act and the Concluding Document agreed to in 1983 at Madrid. We will be watching with particular interest the results of the upcoming trials of Aleksandr Kholmianskiy and Mark Nepomniashchiy.

Morris B. Abram, Chairman of The National Conference on Soviet Jewry (NCSJ), issued the following statement in response to a State Department report which was released today documenting the arrests and harassment of leading Hebrew teachers and cultural activists in the Soviet Union.

"The National Conference on Soviet Jewry (NCSJ) is pleased that, in response to our request to Secretary of State Shultz in a meeting earlier this week, the State Department has, indeed, demonstrated the U.S. government's continuing concern with the current wave of persecution against Hebrew teachers and cultural activists in the Soviet Union. The State Department document confirms our analysis of the situation, which was reported in our 1984 annual survey and presented to Secretary Shultz when we met. It is clear that Soviet officials have intensified their drive to eradicate Jewish identity and culture from Soviet society.

"The arrests and imprisonment of teachers is painful, not only to the individuals and their families, but also inflicts pain on the efforts of all Soviet Jews seeking to strengthen their ties to Jewish religion and culture. These teachers are the head of a corpus which the Soviet Union would like to assimilate, but has failed to do do except by persecution and force. Coupled with severe limitations placed upon Jews, we see the real situation—at a time when it has become virtually impossible for Jews to leave the Soviet Union, it has also become increasirgly difficult to live as Jews. Soviet authorities will not succeed, however, in pulverizing Jewish identity for those who wish it, nor will they succeed in stopping the desire of Jews to leave the Soviet Union to escape anti-Semitism and to live as Jews.

"The support of the Administration, as evidenced by this new report, continues to be welcome. It will demonstrate to the authorities in Moscow that the rights of Jews and others in the Soviet Union are part of the process of working toward improved relations between our two nations. The issue of the rights of Soviet Jews to be repatriated to Israel, to be reunited with their families, and to strengthen Jewish life is not just a Jewish issue. It is a matter of concern throughout the United States."

Mr. HOYER. Mr. Speaker, I thank the gentleman from New Jersey for his statement and for his ongoing leadership in the commission on the implementation and enforcement of the Helsinki accords and on the floor of this House on a continuing basis on behalf of Soviet Jewry.

Mr. Speaker, I yield to the gentleman from Ohio [Mr. KASICH], who I understand has a brief statement.

Mr. KASICH. Mr. Speaker, I thank the gentleman from Maryland for yielding.

I have got to comment on the fact that we read in the papers today the media pointing out that Members on both sides of the aisle seem to work together in terms of our concern about Soviet activity in Afghanistan.

One of the things that we do not see much written about is the tremendous bipartisan support that is involved in our concern about the Soviet treatment of Jews and also our strong support in calling for the release of political prisoners in the Soviet Union and for all refuseniks within the Soviet Union.

□ 1340

And I raised the issue during the special order for Anatoly Shcharansky whether it matters for Congress to get together here in the Chamber, and to raise the issue again and again about human rights; does it make a difference?

I said at the time that two constituents of mine had visited the Soviet Union and met with a number of refuseniks. The refuseniks told them that in fact it does matter, and I came to the floor that day and said that it did.

I had the opportunity in December, as the gentleman from Maryland knows, to visit in Israel with Mrs. Shcharansky, Anatoly's wife, Avital Shcharansky. I was having lunch with her, and I asked her if there was anything I could do. She said there certainly is; you can keep raising your voice in Congress on behalf of my husband, and told me she was coming to America in an effort to raise the issue with American officials on the eve of the talks in Geneva.

I told Mrs. Shcharansky that I would do my best work in trying to put my colleagues together for a news conference here on Capitol Hill in an effort to show our support for her husband and for political prisoners within the Soviet Union.

She and I traveled together from Israel here to the Capitol. I must say that Speaker O'NEILL's office was very helpful to me in terms of trying to generate bipartisan support and great activity on behalf of all the Members of Congress on Mrs. Shcharansky's behalf and on behalf of her husband.

We had a press conference on the steps of the Capitol; we had tremendous bipartisan support with Mr. LANTOS and Mr. PORTER, and also involving the gentleman from Maryland.

We also circulated letters within the Congress, written both to Mr. Cher-

nenko and Secretary Shultz. The Shultz letter expressing our concern that the issue of human rights be raised during the talks in Geneva and a letter to Mr. Chernenko inquiring about the health of Mr. Shcharansky, who at the time was reported ill; but no one had had contact with him, and we asked them not only to report on the health of Mr. Shcharansky but also to release him, something that we all believe ought to be done.

Mrs. Shcharansky left Washington, went to Geneva, was involved over there is several activities on behalf of her husband and other political prisoners; refuseniks in the Soviet Union, and I guess to make a long story short, as Mr. GILMAN reported earlier, Mr. Anatoly Shcharansky's mother had the opportunity to visit Anatoly.

Although his health is not as good as we would like it to be, and that comes from a direct result of his imprisonment, it is clear, though, that he is in high spirits and he is nothing but buoyed by the activity in the United States, particularly from the U.S. Congress on his behalf.

I received a letter from Avital Shcharansky, Anatoly's wife, and I would like to read it today.

The letter follows:

JERUSALEM,
January 17, 1985.

Congressman JOHN R. KASICH,
House of Representatives, U.S. Congress, Washington, DC.

DEAR CONGRESSMAN KASICH: I take this opportunity to thank you on behalf of my husband Anatoly and other Prisoners of Conscience in the Soviet Union for the initiative and enthusiasm you have devoted to their cause. The voice of the Congress of the United States of America, expressed in the letters sent to Secretary Shultz and President Chernenko, and in the press conference held on the Capitol steps, played a major role in the positive developments that have followed the Geneva discussions. Your part in organizing the members of Congress in these efforts was decisive.

The voice of the Congress must continue to be heard. The positive Soviet response to your efforts indicates that the Soviet authorities recognize the importance of congressional opinion on issues affecting bilateral relations and are willing to adjust their positions in response to congressional actions. I am confident that, in the light of this, the United States Congress will redouble its efforts to attain the release of all Prisoners of Zion and, of course, my husband Anatoly amongst them, and that you, personally, will continue to devote your thoughts and energy to a cause in which they have proven so effective.

Sincerely yours,

AVITAL SHCHARANSKY.

This message to the Members of Congress who see fit to participate in the special orders, in the press conferences, in the efforts to raise the issue within this country and directly to Soviet authorities has an effect. These special orders are well worth it. All of our efforts are well worth it, and it comes from someone who is about as great an expert on Soviet internal policies as it affects the prisoners of Zion, Anatoly Shcharansky perhaps the most celebrated Soviet dissident's wife.

I think that is good enough for all of us, and I think our voices ought to be loud and clear, and I want to commend the gentleman from Maryland [Mr. HOYER] and assure him that I, myself, have raised this issue with the President himself about whether the United States would continue to link human rights with arms control.

Of course, someone who has assured Mrs. Shcharansky, President Reagan has said clearly that while we do not want this to be on the front page of the newspapers, we think that effective, behind-the-scenes negotiations on behalf of political prisoners and on behalf of the human rights cause can be very effective, and that his administration will not ignore any opportunity in any meeting, anyplace, anywhere, in an effort to raise the issue of human rights and to gain the freedom of political prisoners within the Soviet Union.

Again I want to thank the gentleman from Maryland [Mr. HOYER] for this special order, and I appreciate the opportunity to contribute.

Mr. HOYER. I thank the gentleman from Ohio and again congratulate him on his efforts on behalf of Soviet Jews when Avital Shcharansky visited our country just recently. I had the opportunity and privilege of working with the gentleman from Ohio. I think it was extremely appropriate that he read the letter of Avital Shcharansky to show the effectiveness of these ongoing efforts. It is critical that the Congress, the members of the administration and the citizens of this Nation continue in their commitment to raise this issue and continue to exert pressure on the Soviets to change their policies with regard to human rights.

I thank the gentleman from Ohio [Mr. KASICH] for his comments.

At this time, I yield to the chairman of the delegation sponsored by the Anti-Defamation League of which I spoke earlier, the gentleman from California, Congressman COELHO.

Mr. COELHO. I thank the gentleman from Maryland for yielding to me. I want to compliment you for having this special order on an issue that I think much of the American public does not understand what is going on here: A very basic tragedy in the way that the Russians are treating a group of people; denying them their basic freedoms, but not only that, accusing them of things that never occurred and going further; imprisoning them, and as a result, many of these people ending up physically damaged as the result of the treatment that the Soviet authorities have given them.

Mr. Speaker, I am here today to speak on behalf of human rights. More specifically, I wish to talk about the plight of thousands of Soviet Jews who may not freely practice their faith in their homeland, nor emigrate to Israel. The Soviet Government has paralyzed Jewish emigration and is now trying to eradicate Judaism in the Soviet Union. Jewish refuseniks are continually harassed by the authorities. Many lose their jobs. Anti-Semitism is rampant, with the Soviet press accusing Jews of anti-Soviet behavior and linking Judaism with drug use.

One victim of this outrageous policy is Yuli Edelshtein, a longtime refusenik and a prominent Hebrew teacher from Moscow. On December 19 he was convicted on a drug possession charge to 3 years in a Soviet labor prison. He was originally arrested on September 4, when the KGB searched his home. No formal charges of drug possession were made at that time, although many religious articles, including Bibles and Hebrew books, were confiscated. Officials later alleged that opium was found in the search, and Edelshtein was convicted on that basis. Apparently it is common practice to use either drug possession or "anti-Soviet behavior" charges to harrass leaders of the Jewish community. "Parasitism" is another common charge, applied to those who do not work, regardless of why or how they lost their jobs.

Prior to his arrest Yuli Edelshtein was refused permission to emigrate to Israel on the grounds that his father had access to "secret materials." This, however, was a transparent attempt to justify the Soviet policy preventing Jewish emigration. Edelshtein had not spoken to his father for more than 20 years. Obviously his real crime was not the possession of drugs, but the rejection of the Soviet way of life and the desire to emigrate to Israel, where he could practice his faith freely. The fact that he was a teacher of Jewish culture and language made Edelshtein a leader in the Jewish community, and a target for harassment by government officials.

Mr. Speaker, we cannot stand idly by and watch as Soviet authorities attempt to destroy Jewish culture and religion. We must communicate our support to those who refuse to renounce their religious and cultural heritage. Perhaps we can help to stop the destruction of lives and families. We must at least try. I, myself, have already written, in protest of the treatment of Yuli Edelshtein, to the Soviet authorities. As official harrassment of Soviet Jews continues, and becomes more pronounced, so must our opposition, both public and private, continue and grow. Hopefully our efforts and the courage of the Soviet Jews will someday put an end to the moratorium on Jewish emigration and the official policy of anti-Semitism now present in the Soviet Union.

□ 1350

Again I want to compliment the gentleman from Maryland for not only the special order today, but his outspoken support for the cause of the refuseniks. This is something that many of us will look back and say that not only was it the right thing to do, but it was the just thing to do. Hopefully, many others will join the gentleman in his effort.

Mr. HOYER. I thank the gentleman from California [Mr. COELHO]. I observe that on our recent trip to Israel there was no person in our delegation or in my opinion in Congress who has traveled about the country bringing this matter to the attention of the public at large any more than has the gentleman from California [Mr. COELHO]. I congratulate him for his efforts.

Mr. Speaker, I yield to the gentleman from Hawaii [Mr. AKAKA].

Mr. AKAKA. Mr. Speaker, I thank the distinguished Congressman from Maryland [Mr. HOYER], for yielding and commend him for coordinating today's special order in support of the spirit and defiance of Soviet Jews seeking emigration and justice at home even in the face of persecution. I would also like to extend my appreciation to all of our colleagues who have proposed time to address this important issue. I want to particularly thank all those associated with the Anti-Defamation League who helped me realize the feelings of a struggling, new nation.

Article I of the Constitution of our great Nation states that—

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Fortunately, and we hope and pray eternally, as citizens of the free society of the United States, we all benefit from these few lines.

Today, as we stand here, we cannot possibly deny that we are thankful for those rights, and we certainly do not take them for granted. For today, we choose to sound the alarm to the Soviet Union that we stand in defiance of the persecution, repression, and disregard for human rights and liberties which run rampant in that nation's society. Likewise, today, we choose to ally ourselves with those members of Soviet society who continue to face up to those systematic attacks, even armed with the knowledge that the end result shall only mean personal tragedy.

My fellow colleagues, it is true that there is agonizingly little that we may hope to do today about the serious developments affecting Soviet Jewry. Perhaps, we convene today only in the hope that we will be recognized as people who will not ignore the treatment of Soviet Jews, who will not stand by quietly while others fight for fundamental liberties, who do not sanction the steadily worsening situation of anti-Semitism to which we are now witnesses. We all know about the desperate emigration situation with which many Soviet Jews are faced—although approximately 10 percent, or 260,000, of the Soviet Union's Jewish population left the country between 1968 and 1981, only 896 managed to get out last year. Likewise, we are aware of the countless others who have indicated their desire to leave the Soviet Union by initiating the process of applying for a visa.

In addition to the problem of emigration, an even greater threat, anti-Semitism, has developed. We already know that Soviet policy affects Jewish religious practices—teaching religion to persons under 18 is illegal, there are no seminaries in the U.S.S.R. to train rabbis, and Jewish religious texts and ritual objects are not produced in the Soviet Union. We also know that teaching Hebrew is not recognized by Soviet authorities as a legitimate profession, and that the language may not be taught or studied by Jews, although it is available to certain non-Jewish citizens. Should these facts not be sufficient enough to impress upon us the great oppression which many Soviet Jews must face, the recent wave of anti-Jewish attacks on Hebrew teachers should serve as adequate proof.

As early as July 26, 1984, the Soviet crackdown on Jewish cultural activities began with the arrest of Moscow Hebrew teacher Aleksandr Kholmiansky on the charges of hooliganism. Following a search of the home Kholmiansky shared with his parents, authorities elevated his charge to "weapons possession," claiming to have found a gun and ammunition on the premises. A close friend of Kholmiansky's, also a Moscow Hebrew teacher, Yuliy Edelshtein, was arrested after a police search of his apartment turned up narcotics. On January 29, 1985, a State Department report revealed that "there is no reason to doubt the assertions of close relatives that in both cases the items were planted by the police."

Frankly, it would be easy for me to stand here for hours reiterating a number of similar stories which reveal that, in fact, the Soviet Union is making a concentrated effort to destroy the remnants of Jewish education and culture. This is the fundamental threat which such judicial action represents. In this case, it is not only the personal welfare of the individuals which is at stake, but the larger, more devastating threat lies in the apparent intentions of Soviet authorities to indict not only the individuals on trial, but Jewish tradition itself. We are witnessing, therefore, the gradual deterioration and near extinction of an institutional form of cultural and religious life.

This is the situation to which each and every one of us must be attuned. In so doing, we may choose either to turn our heads in abeyance, or we may voice our disappointment and near contempt for the inhumane and unjust activities to which we are all observers. Today, I have chosen to follow the second route. I join my colleagues here on the floor of this great institution not only to rebuke the Soviet Union for its denial of fundamental human rights, but also to pay special tribute to those individuals who have chosen to fight for those rights. Rejecting the persistent assaults on their dignity, refusing to renounce their Jewish identification, and observing the religion, language, history, and culture for which their predecessors have continuously fought, those individuals deserve our full support and our highest praise. As their counterparts in other countries of the world struggle to maintain their historic identities, so too do the Jewish citizens of the Soviet Union fight for the right to preserve what little they have left.

I have recently witnessed the true strength of the Jewish heritage, religious and cultural life, as a guest of the Anti-Defamation League on a firsthand basis. During my first and recent trip to Israel, I observed the lifestyle of a people who have for far too long been the victims of harsh human rights abuses. A people who have continued to rally against the pulverization of their institutional life and the near obliteration of their very consciousness, a people who refuse to stop fighting until their existence is assured. We visited with the highest government leaders, the educational leaders, and rubbed shoulders with the regular people on the streets of Jerusalem. The Israel which I saw is an Israel of democracy. This great democratic nation is one of which we may be proud, a brotherhood in which we should be proud to render our assistance.

It does not surprise me that many Soviet Jews hope to someday emigrate to Israel, where they can freely practice their traditional lifestyles. However, even if we surmise that what Soviet Jewish communities want is to reestablish and renovate their oppressed culture, then why should they not be allowed that right? Why should they not be allowed to exercise the right to stay and live the way they want, to exist as a cultural entity. If this is in fact favorable to many Soviet Jews, then it is up to us to implore the Soviet Union for denying this right, and for continuing an unconscionable

persecution of each and every Jewish citizen of that nation.

Today, I hail the efforts of the Soviet Jews in their fight to maintain their identities. I stand behind each and everyone of them as they struggle to preserve what little they have. I stand behind you, Aleksandr Kholmiansky, as you serve your 18 months in a labor camp. I stand behind you, Yuli Edelshtein, as you are sent to labor camp for 3 years. And I stand behind all of you who shall continue to be made victims of systematic threats, searches, and false arrests. Let us make it clear that we will not rest until the Soviet Jews can truly feel free to live and worship in peace.

Mr. OBERSTAR. Mr. Speaker, the religious and cultural oppression of Soviet Jews, including officially sanctioned anti-Semitism and the denial of virtually all emigration visas, is a cruel violation of any standard of human rights, and is, and should be, a major impediment to improved relations between the United States and the Soviet Union. The increase of anti-Zionist propaganda and the growing violence against Jews in the Soviet Union should be a matter of grave concern to all of us in this House, and to all Americans who treasure the religious liberty we enjoy in this country.

I feel very deeply that it is vitally important for us Members of Congress to speak out en bloc on this issue, so that this House can underscore for the Soviet Government the importance we attach to the treatment of the Soviet Union's Jewish citizens. Concern for the physical, psychological, and cultural well-being of Soviet Jews transcends religious and ethnic differences. I think it is tremendously important for the Soviet Government to realize how deep that concern is and that it is not only Jewish Americans who are disturbed by the increase of anti-Semitism in the Soviet Union and the virtual cessation of emigration.

The barriers within the Soviet Union that prevent Jews from practicing their religion and celebrating their heritage are an outrage and an affront to humanity. It is degrading to the point of being inhumane for the Soviet Union to make the teaching of Hebrew a crime; it is difficult to imagine a more cruel assault upon religious liberty.

The Soviet Government's repression of its Jewish citizens is a cynical violation of the Helsinki accords, to which the Soviet Union is a signatory. I very much hope that the Soviet Government will consider very carefully our statements in this special order. The expression of support for Soviet Jewry unites Democrats and Republicans, conservatives and liberals. Commitment to human rights is a fundamental belief which does not know partisan differences.

I join with my colleagues in urging President Reagan to convey to the Soviet Government the conviction of the Members of this body that the official harassment of Soviet Jews and deprivation of basic human rights must end. I have joined in this special order because I want the Soviet Government to know how we respect and value the tremendous courage which Soviet Jews are continuing to show every day in their insistence upon their fundamental right to practice their religion and to honor their religious and cultural heritage.

I thank my colleagues for sponsoring this bipartisan special order and I join with them in solidarity with Soviet Jewry.

□ 1400

SOVIET JEWRY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. FISH] is recognized for 60 minutes.

Mr. FISH. Before proceeding, I just want to express my congratulations to my colleague, the gentleman from Maryland [Mr. HOYER], for initiating this very important special order, and I am happy to take this time to follow his hour so that all of our colleagues in the House of Representatives who wish to participate will have an opportunity to do so.

Mr. Speaker, at this time I yield to my friend and colleague, the gentleman from New York [Mr. MOLINARI].

Mr. MOLINARI. I thank the gentleman for yielding.

Mr. Speaker, I would like to share with my colleagues a personal experience that I had, which I think sheds a great deal of light on the subject that we are talking about today, this very important subject.

I was finishing my first year in Congress about the time when the President announced the now famous zero-zero option. And I sent a letter to Ambassador Dobrynin asking him and his country to join us in this partnership for peace and to stop the deployment of nuclear missiles. Surprisingly, one of the representatives from the Ambassador's office came to my office on Thanksgiving eve—we had but a skeleton force there—and said that the First Secretary wanted to see me. We made an appointment, and I subsequently had a meeting for about 1½ hours with Mr. Chetverikov. At least he was then. He may be today. But it is interesting to note, Mr. Speaker, that during that dialog from time to time I would ask him why the Soviet Union would not permit more of the Soviet Jews to emigrate. He became incensed, enraged. His face reddened visibly. And he said, "What business is it of yours?"

And when we got on to other subjects, he calmed down, but every time I brought the subject back to the plight of the Soviet Jews, he was enraged.

And I thought to myself. What manner of people are we dealing with?

When you think about the fact that the Soviet Union and this country, the United States, are in competition throughout the world, the bank of world opinion, so to speak, it is hard to understand, at least for this Member, why the Soviet Union would maintain this attitude of repression.

Is that not the wrong signal to send out to the world, the world that you are seeking to expand your influence in?

To this day I think that it hurts whatever ambitious goals that the Soviet Union has throughout the world. Certainly any country that is seeking more than normal aid and assistance would have to wonder about allowing the Soviets to have too great an influence in their country, knowing what happens behind their own Iron Curtain.

Well, I think those of us who have attempted to study the minds of the Soviets and to try to understand them have difficulty from time to time. They are very difficult to understand. But I think one thing comes out of all of this, one thing is very clear, and that is that when they make up their minds not to allow people to have even the basic religious freedom, then I think we know what we can expect when we attempt to bargain with them in any area, in any area whatsoever.

I hope, Mr. Speaker, the gentleman from New York [Mr. FISH], the gentleman from Maryland [Mr. HOYER], and others, that by this exercise today—this is I think the 15th year the Congress has taken to the floor in special orders to try to send this message out, and the message I tried to convey to Mr. Chetverikov that day in my office, if you were to open the doors and allow the Soviet Jews to leave and to go to the country of their choice, you would be helping yourselves and your causes and your own propaganda, as well as enlisting the support of the world community.

Mr. Speaker, at this crucial time in relations between the United States and the Soviet Union, I join my colleagues in paying special tribute to Soviet Jews seeking justice in their country and the right to emigrate abroad. I believe it is particularly fitting for us to pay this tribute in recognition of their indomitable spirit and unwavering defiance in the face of tremendous persecution. So many of these individuals show their spirit every day in ways we must admire and respect.

As you know, the Soviets have intensified their anti-Semitic and anti-Zionist propaganda campaigns in their at-

tempt to break the spirit of Soviet Jews. They have continuously violated the right to free emigration as guaranteed under the Helsinki accords, the Universal Declaration on Human Rights and other international agreements to which they are signators.

The number of Soviet Jews allowed to emigrate has continuously decreased since its peak in 1979. The combined total of Jewish emigration from the Soviet Union over the last 4 years was less than the year 1979 alone. In 1979, 51,320 Soviet Jews were allowed to emigrate, while the total of Jewish emigrates from 1980 to 1984 was merely 35,817. In 1984 alone, only 896 Soviet Jews were permitted to leave. This is the lowest amount for 1 year since the sixties. Despite these figures, supplied by the Union of Councils for Soviet Jews, the spirit of Soviet Jews remains optimistic.

Aleksandr Paritsky, a former Prisoner of Conscience whom I have adopted, and his family truly represent that spirit. Mr. Paritsky was released from a labor camp in August 1984 after serving 3 years for allegedly circulating material that defamed the Soviet state. Mr. Paritsky is still opimistic that he will be allowed to emigrate and rejoin his brother in Israel.

I would like to include a detailed account of the Paritsky family's ordeal in the RECORD so that others can see the suffering brought upon one family.

Mr. Paritsky, an electrical engineer, his wife, Polina, a structural engineer, and his two children, Dorina age eighteen and Anna age thirteen, have continually been harassed by the KGB since they first applied to emigrate in 1976. Information on the current status of the Paritsky family was given by the Greater New York Conference on Soviet Jewry.

The harassments by the KGB were in many different forms. Their apartment was searched and they were the subject of slanderous articles in the Soviet press and threatened with arrest. Their daughters have been teased and ridiculed at school by both teachers and schoolmates. Yet despite this persecution, the Paritsky's have continued to participate in many Jewish activities. They organized seminars on Jewish culture, history and Hebrew language. They also worked to establish a monument at Babi Yar in memory of the nearly 34,000 Jews killed there by Nazis in September, 1941. In addition, Aleksandr taught history at the unofficial "Jewish University of Kharkov." The Jewish University held science and Jewish studies seminars for refuseniks who were expelled from their universities after applying to emigrate.

On January 28, 1981, Aleksandr's title of "Candidate of Technical Sciences" (PhD equivalent) was revoked because of alleged "anti-patriotic activity." That April, the Paritskys were again refused permission to emigrate. In June, Aleksandr was informed that he was considered a "security risk" and would not be permitted to emigrate.

Aleksandr Paritsky was arrested on August 28, 1981. He was sentenced to serve three years in a labor camp because he allegedly circulated "fabrications known to be false which defame the Soviet state and social system." Before the arrest, the Paritsky apartment was searched and a Hebrew-Russian dictionary, a Bible, a Haggadah, and English magazine, some assorted Hebrew books, a "work record" booklet, and Aleksandr's diploma were confiscated.

In October 1981, Polina went to Moscow with appeals regarding her husband. On her way there, she was taken off the train and searched, and the letters she was carrying were confiscated. Later, Polina was threatened with arrest on the same charges as her husband.

During the summer of 1982, Polina attempted to move closer to the Vydrino labor camp in order to be near Aleksandr, but Soviet authorities warned her that she would lose her "propiska," residency permit, for her home in Kharkov if she remained in Vydrino. The camp, not far from the Mongolian border, is over 3,000 miles from Kharkov. She was further informed that the Paritsky family would not receive an exit visa until at least 1990.

In the labor camp, Aleksandr was ordered to work 12 hours a day, even though he suffered from high blood pressure, and fainted twice while working. In June of 1982, authorities demanded that Aleksandr publicly recant his "crimes", but refused. In September, he suffered a series of heart spasms while working in the labor camp. Prison authorities maintained that Aleksandr simply refused to work and repeatedly confined him to a punitive isolation cell within the labor camp. He was kept in this cell for six months. Conditions in the cell included not only solitary confinement, but also being fed once every two days and denial of warm clothing.

Let me summarize by saying that the Paritsky family has been continuously harassed by the KGB since they applied to emigrate to Israel in 1976. Despite this persecution, the Paritskys have continued to participate in Jewish activities. They, for example, organized seminars on Jewish culture, history, and Hebrew language.

In August 1981, Aleksandr was arrested for allegedly circulating false defamatory material against the state. He was sentenced to 3 years in a labor camp. Even though he suffered from heart ailments and high blood pressure he was ordered to work long hard days. Furthermore, contact with his family was virtually cut off.

By October 1983, Paritsky's health had deteriorated so seriously that he was hospitalized within the labor camp, suffering from an irregular heartbeat and an enlargement of the heart.

In August 1984, Aleksandr was released from the labor camp. He has returned to his home in Kharkov, and his health has begun to improve.

In December 1984, the Paritsky family once again requested an exit visa to Israel. As a result, his daughter Dorina was fired from her job. Both Aleksandr and Polina are currently employed as oven stokers. This is a rather menial job for engineers. The Soviets, however, are notorious for assigning menial jobs to refusniks. The Paritskys work 24-hour shifts and get a 72-hour break.

The Paritskys continue to wait for the day when they will be allowed to emigrate to Israel. Only then will Aleksandr's freedom be complete and his family's dreams fulfilled.

The Paritsky story is just one of too many such ordeals occurring across the Soviet Union. Another example is that of the plight of Aleksandr Klomyansky as related by the columnist Anthony Lewis. I would like to submit for the RECORD a copy of that article by Anthony Lewis titled "Crime and Punishment," published in the New York Times on February 14, 1985.

(By Anthony Lewis)

CRIME AND PUNISHMENT

BOSTON.—He is a computer programmer, 32 years old, described by a friend as "a quiet, contemplative, unobtrusive man." An unlikely person, one might think, to be treated as a threat to the state. But Aleksandr Kholmyansky is a Soviet Jew who cared about his Jewish heritage. His story is instructive.

He lived in Moscow. Last summer he took a trip to the Baltic, to the Soviet republic of Estonia.

On July 25 he was arrested and charged with stepping on flowers in a public park. He was tried and convicted of that offense and sentenced to 10 days in jail.

But he was not released after 10 days. He was held for investigation on the general charge of "hooliganism," including tampering with a mailbox.

In August, police searched the Moscow apartments of five friends of Mr. Kholmyansky's—all, like him, students of Hebrew. The police seized Hebrew books and teaching materials.

On Aug. 29, three officials and a number of policemen searched Mr. Kolmyansky's Moscow apartment, which he shared with his parents. His mother said in a letter that the officials "found" under a cupboard "some items that were not there before the search, including a revolver and bullets." As soon as they made their "discovery," they "stopped the search and left in a hurry."

On Feb. 1, in the Estonian town of Voru, Mr. Kholmyansky was convicted of illegally possessing ammunition and sentenced to 18 months in a labor camp. He was also fined 100 rubles for tampering with a mailbox.

That chronology would be funny if it were not so grim. The feeblest school of secret-police tactics should be able to come up with more convincing imitations of legality than planted guns and charges such as stepping on flowers.

But the real charge, the real point of the crude tactics used against Aleksandr Kholmyansky, is not in doubt. It is part of a new and frightening campaign to suppress Jewish consciousness and culture among the two million or more Soviet Jews.

Mr. Kholmyansky was one of a handful of young Jews who tried to keep alive the teaching of Hebrew. Like the others, he had applied for an exit visa to go to Israel—and since that application, in 1978, suffered much harassment. A visitor to Moscow who met him in 1982 summed up the case as follows:

"He is being made an example of because he had the curiosity to learn Hebrew, the courage to teach it and the audacity to request emigration to Israel."

Many other Hebrew teachers have been arrested in the last year. Yakov Levin of

Odessa got three years for defaming the Soviet state. Yakov Mesh of Odessa was arrested for refusing to testify in the Levin trial, so severely beaten that he suffered liver damage, then released in ill health. Yosef Berenshtein of Kiev was sentenced to four years for resisting arrest and has lost an eye affer a beating in prison.

Zakhar Zunshain of Riga was sentenced to three years for defaming the state, Aleksandr Cherniak of Kiev to four years for embezzlement, Mark Nepomniashchy to three years for defaming the state, Yuli Edelshtein to three years on a charge of possessing opium.

The indications are of a new turn in Soviet policy. In recent years the authorities have cut Jewish emigration to a trickle. Last year only 896 visas were given, down from a high of 51,000 in 1979. The plight of those who have applied and been turned down—the refuseniks who live in a limbo, without proper jobs, in danger of police oppression—has intensified.

The brutal campaign against Hebrew teachers has even more sinister overtones. It suggests that the authorities want to stifle all Jewish tradition. At the same time there has been a rise in anti-Semitic commentary, including a Tass article last month claiming that "Zionists" helped the Nazis come to power.

One last word on Aleksandr Kholmyansky: He reportedly began a hunger strike last Sept. 13. There is no word of his ending it; the authorities may be force-feeding him.

What can we in the West do about all this? Our power to influence the Soviet state toward humanity is limited, as we have sadly learned. But we can make clear that we know, that we care, that we will not forget.

Soviet officials must understand the price of such behavior. Whatever arrangements the Soviet administration or any U.S. government may try to make with the Soviet Union—arms control agreements, trade—depend in the end on support in Congress and among the American people. Persecution of the kind now going on is a sure way to destroy the possibility of that support.

I believe, Mr. Lewis has again expressed that indomitable spirit of Soviet Jews in describing the plight of Alekandr Klomyansky.

Let us hope that our speaking here today will once again send the message to the Soviet Union that we will not forget the plight of Soviet Jews and our relations can only be negatively affected by their actions in this area. Let us also hope that all persecuted Soviet Jews will know of our support for them and will gain strength from it.

I again thank my colleagues for arranging this most important special order.

Mr. FISH. Mr. Speaker, I now yield to my colleague, the gentleman from Minnesota [Mr. OBERSTAR].

Mr. OBERSTAR. I thank the gentleman for yielding.

Mr. Speaker, the religious and cultural oppression of Soviet Jews, including officially sanctioned anti-Semitism, and the denial of virtually all immigration visas is a cruel violation of any standard of human rights and is and should be a major impediment to improved relations between the United States and the Soviet Union.

The increase of anti-Zionist propaganda and the growing violence against Jews in the Soviet Union should be a matter of grave concern to all of us in this House and to all Americans who treasure the religious liberty we enjoy in this country.

I feel very deeply that it is vitally important for us, as Members of Congress, to speak out en bloc on this issue, as we are doing this afternoon, so that this House can underscore for the Soviet Government the importance we attach to the treatment of the Soviet Union's Jewish citizens.

Concern for the physical, psychological, and cultural well-being of Soviet Jews goes beyond religious and ethnic differences. I think it is tremendously important for the Soviet Union to realize how deep that concern is in this country and that it is not only Jewish Americans who are disturbed by the increase of anti-Semitism in the Soviet Union and the virtual cessation of emigration.

The barriers within the Soviet Union that prevent Jews from practicing their religion and celebrating their heritage are an outrage and an affront to humanity. It is degrading to the point of being inhumane for the Soviet Union to make the teaching of Hebrew a crime. It is difficult to imagine a more cruel assault upon religious liberty.

The Soviet Government's repression of its Jewish citizens is a cynical violation also of the Helsinki accords to which the Soviet Union is a signatory. I very much hope that the Soviet Government will consider very seriously our statements in this special order, because they represent very strong expressions of support for Soviet Jewry which unites Democrats and Republicans, conservatives and liberals, and people from all walks of life and all religious expressions in this country. Commitment to human rights is a fundamental belief and does not know partisan differences.

I join with my colleagues in urging President Reagan to convey to the Soviet Union the conviction of the Members of this body that the official harassment of Soviet Jews and deprivation of their basic human rights must end. I have joined in this special order because I want the Soviet Government to know how we respect and value the tremendous courage which Soviet Jews are continuing to show in their everyday existence, in their struggle to enforce and uphold the fundamental right to practice their religion and to honor their religious and cultural heritage.

□ 1410

Mr. Speaker, I thank my colleagues, the gentleman from Maryland [Mr. HOYER] and the gentleman from New York [Mr. FISH], for sponsoring this bipartisan special order, and I join them in solidarity for Soviet Jewry.

Mr. FISH. Mr. Speaker, I rise today to speak out once again about the plight of the Jews in the Soviet Union, proud of the strong expressions by my colleagues who have preceded me today. Recently we have all been aware of the stepped-up Soviet propaganda campaign against those who wish only to practice their religion, or be allowed to leave the Soviet Union for freedom elsewhere.

We have seen the numbers of those allowed to emigate decline to a mere trickle, and we wonder what more we can do to help alleviate their situation. They exist in a state of limbo where persecution is an everyday occurrence, and hope of deliverance is denied at every turn. No longer is the penalty for application to emigate only the loss of one's job. The most notable and serious development affecting Soviet Jewry in 1984 was a concentrated and systematic attack on Hebrew teachers. Harassment against Hebrew teachers and cultural activists culminated in a wave of searches, threats and arrests, and an elevation of physical abuse. Mr. Speaker, physical violence is escalating along with propaganda.

Part of our response to these injustices has been to speak out at every occasion to call the world's attention to the actions of the Soviet Union. We hold them accountable for their violations of the Helsinki accords on human rights and we ask them to adhere to their stated promises and intentions.

What more can we do? My colleagues in the Congress and I have asked the President and members of his administration to bring up the problem of Soviet Jewry at every high-level meeting with the Soviet Union. They have committed themselves unequivocally to doing just that. A recent example is the January meeting between Secretary of State Shultz and Foreign Minister Gromyko, when Secretary Shultz brought up our concern over Soviet Jewry. I received a similar assurance from Assistant Secretary of State for Human Rights, Elliot Abrams, at a recent meeting of the Union of Councils for Soviet Jewry.

We all hope that one day our efforts will be fruitful, and the gates will open up allowing those who wish to leave to do so. I have been concerned with making sure that any who wish to leave will have a place to go. As ranking Republican on the House Judiciary Committee, I am one of the four Members of the House of Representatives consulted by the administration on levels of refugee admission. I have asked and have received assurances from State Department officials that should the Soviet Union allow large

numbers of Jews to leave, we will raise our refugee admissions accordingly.

Mr. Speaker, the Refugee Act of 1980 provides for a consultation process to respond to refugee emergency flow requests. I am assured, should the opportunity arise, there will be no delay in seeking consultation with the Congress on increased numbers.

Mr. Speaker, it is important that all know that our Government is unified behind one policy. They firmly and consistently pursue our humanitarian aim and stand ready to act quickly and with compassion in response to any relaxation in the current repressive Soviet policy.

Mr. Speaker, to wrap up this important special order, I am happy now to yield to the gentleman from Maryland [Mr. HOYER], who was the initiator of today's special orders.

Mr. HOYER. Mr. Speaker, I thank the gentleman from New York for yielding, and I want to say that I am honored to reserve this time with him so that a few of the Members of the Congress of the United States could bring to the attention of the Nation and to their colleagues the important effort that has been going on, as the gentleman from New York [Mr. MOLINARI] said, during 15 sessions of Congress. That effort is to bring to the attention of the Nation and to impress upon the Soviets the importance we attach to their policies as they affect Soviet citizens. The gentleman from New York [Mr. FISH] is one of the most distinguished Members of this body, and I am very honored to join with him in this effort.

Mr. Speaker, earlier this year I had the opportunity to accompany five of my colleagues on a congressional study-tour of Israel sponsored by the Anti-Defamation League of B'nai B'rith. It was a very successful and personally rewarding trip.

One of the individuals we were fortunate to meet with was Dr. Yuri Shtern. Born in Moscow in 1949, Shtern immigrated to Israel in the early part of 1981 and presently manages a settlement in Judea. He is spokesman for the Soviet Jewry Education and Research Center in Jerusalem. Shtern spoke passionately to our delegation of the need to keep up the pressure on the Soviets, for to ignore the treatment of Jews is to encourage the repression. "Soviet Jews are standing in a 100-year long line. Once you decide to emigrate, your life comes to a halt. The existence of refuseniks is surrealistic, Kafka-like." Those, Mr. Speaker, were the words of Dr. Shtern.

It was because of the prompting from so many dedicated individuals in Israel like Dr. Shtern to continue our efforts on behalf of Soviet Jews, to keep up the pressure on the Soviet Government to allow Jews to emigrate, that this special order was initiated. Once again, we take our place on the House floor to speak out against the blatant violation of the principles of human rights common to all peoples. Mr. Speaker, Jewish emigration no longer exists; the survival of Judaism is in question and anti-semitism rages throughtout the Soviet Union.

Since 1979 when Jewish emigration reached its apogee of over 51,000—we have witnessed an intensification of antidissent efforts by the police; beatings on the streets and in prisons; murders by car accidents; deliberate physical torture: tightening of border controls; increased jamming of Western radio broadcasts; and drastic cuts in international phone circuits to the West.

More recently the assaults on the Jewish population have been on cultural/religious activities.

Today, there are fewer than 60 synagogues for 2½ million Jews—in 1926 there were over 1,000.

The teaching of Hebrew, Judaica or any kind of religious text is strictly prohibited.

There is no rabbinical seminary in the Soviet Union.

The printing of a Hebrew bible or prayerbook is not authorized and the prayerbooks that do exist are confiscated when found by the police.

There are no Jewish communal or social organizations, nor are there Jewish schools of any kind.

There is a pervasive discrimination in edcuation and employment.

Widespread state sanctioned propaganda equating Zionism with racism is televised and printed in books and newspapers.

Jewish cemeteries have been desecrated or converted to other uses. And, the latest targets of the KGB are teachers of Hebrew, Jewish tradition, and culture.

The Department of State's report on human rights practices for 1984 which was submitted to the House and Senate Committees on Foreign Relations, depicts a dismal year for the Jewish community in the Soviet Union. The report indicates that there has been a sharp increase in official anti-Semitic propaganda veiled as anti-Zionism. Numerous press conferences by Soviet officials were staged in which Zionism was linked to the nazism of the 1930's and 1940's. Jewish leaders have been accused of conspiring with the Nazi's to send Jews to the death camps.

For those of us familiar with the plight of Soviet Jews, Kholmyansky's story is all too common. He is a computer programmer, 32 years old and described as a contemplative man. But he is Jewish, a student of Hebrew and a man who cares deeply about his heritage. He has worked as a janitor since applying to emigrate to Israel in 1978. Last summer Alexsandr Kholmyansky was sentenced to 10 days imprisonment for stepping on flowers and then several months later sentenced to 18 months in a labor camp for illegally possessing ammunition.

The real reason for the arrest: Teaching Hebrew. The increased number of arrests and imprisonments of individuals like Kholmyansky who seek to practice their faith, to maintain links with their heritage and to hand down to the young a sense of history and culture is indicative of a systematic crackdown on Jewish consciousness.

The brutality of the enforcers has combined with the cynicism of the state in efforts to reduce the heroism of individuals. That heroism is reflected in the spirit of Soviet Jews such as Kholmyansky who resist, in the words of the prophets: "not by strength—not by force—but by spirit." Driven by their faith, their convictions and their courage, Soviet Jews continue to resist cultural and religious strangulation and to endure the years of helplessness, desolution and feelings of abandonment. Hopes are always shattered and dreams become nightmares. Despite all of this, the spirit endures.

It is but a short journey from subjugation to annihilation and from indifference to acceptance. The scholar and author Elie Wiesel, as a small boy enduring the horrors of a concentration camp said to his father: "If this were true, the world would not be silent." His father replied: "Perhaps the world does not know."

The world does know what goes on in the Soviet State today. And our obligation is clear: Raise our voices so they will be heard and our presence felt. We must state what we do know of the perilous condition of Soviet Jews. We must continuously denounce the forced surrender of basic human rights to the arbitrary will of a repressive government. We must intensify our efforts to demand that the Soviet Government account for its behavior. As Americans, we do possess special responsibilities, whether imposed by ourselves or others, to uphold and defend certain standards of human justice and human rights. There exists a level of human condition below which dignity is compromised and humanity is threatened. When a nation purposely pushes a people below that level, then all of us are threatened. I believe strongly that we all are touched by any nation's violation of human rights. We cannot be active participants in the world and not feel responsible. As Kafka said "when a Jew is beaten, mankind is falling to the ground."

I want to commend my colleagues for joining in this special order. For many their involvement has been not just today but throughout their careers. It is a tribute to our Nation and to our democracy that so many come

here today in a spirit of unity and solidarity to focus upon the desire to help change the current circumstances under which Soviet Jews must live. The Stalinist phenomenon of the "eternal prisoner" has reemerged in the Soviet Union. We may possess the keys to set free those individuals. As we proceed with arms control and trade talks, there is a need for continued pressure in bilateral and multilateral discussions.

We should approach such talks with a recognition of certain realities of the Soviet system. It will not modify its policies unless forced to do so. The Soviet regime has constantly sought the prestige of being a respected member of international organizations and of the system of nations itself. It demands to be treated as an equal of the United States as well. We should insist that the Soviets pay a high price for its current policies. It is apparent that the Soviets can function with certain levels of emigration as they did in the 1960's and 1979. The upcoming negotiations between the United States and Soviet Union may prove to be the mechanism by which the human rights issues can be seriously discussed.

In 1978, Anatoly Shcharansky at his sentencing stood before his accusers and judges and refused to compromise his soul. He said, "Now when I am further than ever from my people, from Avital, facing many arduous years of imprisonment, I say, turning to my people, my Avital: next year in Jerusalem. Now I turn to you, the court, who were required to confirm a predetermined sentence: To you I have nothing to say."

And so the spirit resists and continues to endure.

Let there be a next year in Jerusalem; let us continue to strive for that goal.

□ 1420

Mr. FISH. Mr. Speaker, I must congratulate my colleague on those eloquent as well as generous remarks.

● Mr. LANTOS. Mr. Speaker, I am joining today with my colleagues to speak out against the mounting persecution of Jews in the Soviet Union. I am appalled that Jewish emigration, declining since 1979 to oppressively low levels, reached a new low last year of only 896 persons. Combined with this, an anti-Zionist campaign currently raging throughout the Soviet Union creates an atmosphere of necessity in reaffirming once again in today's special order our commitment to Soviet Jewry.

The question we have to be cognizant of at all times is: how can we best aid Soviet Jews? Public statements and personal letters to Soviet officials are crucial ingredients in keeping pressure on the Soviet Union and emphasizing that Soviet Jewry plays a role in Soviet-American relations. In addition, adopting refusenik families is important in assuring these courageous people that they are not forgotten in the West. To increase and focus these types of action, the congressional human rights caucus, which I chair with our colleague, JOHN PORTER, is initiating a letter-writing campaign to increase this type of direct contacts by Members of Congress with Soviet officials and refuseniks.

Just a few weeks ago, I headed an 11-member bipartisan delegation of Members of this House on a visit to the Soviet Union. We arrived in Moscow at a historic juncture in United States-Soviet relations following the Geneva agreement to reopen bilateral nuclear arms limitation discussions.

During our visit, we met with a number of key Soviet officials. We emphasized to our Soviet hosts the united and sincere determination of the American people and the American Congress to reach meaningful reductions in the arsenals of nuclear weapons threatening humanity. While we made clear our national consensus that serious arms negotiations must succeed, we also underscored that there must be a significant improvement in the appalling state of human rights in the Soviet Union in order to create a climate in American public opinion for a general improvement in U.S.-U.S.S.R. relations.

The commitment of the American people to fundamental human rights—such as freedom of religion and freedom of movement—is deeply held. The American people want an improvement in United States-Soviet relations, but they insist on a Soviet policy with a human face. We stressed to our Soviet hosts that the negotiating climate will be poisoned if the Soviet human rights record continues to be as bad as it now is.

This point was underscored as the members of our delegation met with Jewish refuseniks in Moscow. Small groups talked with us in their shabby apartments while undercover police officers made little effort to conceal their surveillance of our meetings.

These were individuals and families who have applied for passports to join their families in Israel and other countries, but who have been refused permission to leave. When they applied to leave the Soviet Union, they were dismissed from their jobs, often their children were not allowed to attend schools, their mail was not delivered, and their telephones were disconnected. Many have then been imprisoned as social parasites, and some were beaten and tortured.

There are others whose principal crime is to practice their Judaism. Hebrew teachers are not allowed to teach, and those who distribute or circulate books in Hebrew are imprisoned for anti-Soviet slander. Individuals are arrested and convicted on the basis of false witnesses and evidence planted by the police.

Our meetings with these courageous individuals brought home to us our limited ability to help them. Less than a week after we left Moscow, Soviet authorities made arrests and conducted searches to harass the refuseniks. One pregnant young woman, who with her husband has applied to emigrate to Israel and who met with us, was subjected to a 10-hour police search of her apartment.

Despite the limitations on our ability to aid these people directly, we must continue to press Soviet authorities for their rights. We must not let our desire for agreements on nuclear weapons obscure the fact that no improvement in our long-term relationship with the Soviet Union is possible without Soviet improvement in the area of human rights.

Our visit to Moscow was part of the essential ongoing effort to convince the Soviets that they must face the issue of human rights. We did not go there to receive the key to the Kremlin or to contribute to a phony euphoria surrounding the agreement to resume arms talks. There are signs that the Soviets are ready to move toward détente, but they wish to ignore human rights. We must continue to make it clear that détente must wear a human face.●

● Mr. FASCELL. Mr. Speaker, I am pleased to join our colleagues today in paying tribute to the indomitable spirit of members of the Soviet Jewish community who today are facing terrible difficulties. I commend Representative HOYER and our other colleagues for organizing this special order.

Since the 99th Congress convened, Mr. Speaker, I have had the honor to participate in events here in Washington organized by the two national Soviet Jewry organizations. In mid-January, I took part in the congressional briefing for Members and staff organized by the Union of Councils for Soviet Jews. Later that month, I spoke at the National Conference on Soviet Jewry's "Emergency Action for Soviet Jews." These two events, which brought together hundreds of Soviet Jewry activists from around the country, had one common theme—urgency. For the Jewish minority in the U.S.S.R., this is truly a critical time.

Emigration rates hit rock-bottom in 1984 with less than 900 Soviet Jews emigrating compared to over 51,000, 5 years ago. A systematic campaign of harassment and arrest of Jewish cultural activists and Hebrew teachers was launched last year. Presently, there are 19 Soviet Jewish prisoners of conscience and there has been a disturbing increase in the use of violence against them and other Soviet Jews.

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Officially sanctioned anti-Semitism continues unabated in the Soviet Union; the November 1984 showing on Leningrad television of a blatantly anti-Semitic documentary is but a recent example of this tragic phenomenon.

Mr. Speaker, despite these dismal trends, we cannot despair. We in the Congress must redouble our efforts on behalf of Soviet Jews and all those denied their most basic human rights. We must not rest until all those who wish to emigrate are allowed to do so, until all those who seek to practice their religion freely may do so, and until all those who struggle to study their culture, history, and language are free to do so. I join our many colleagues today in reaffirming my commitment to the just and noble cause of freedom for Soviet Jews.●

● Mr. PEPPER. Mr. Speaker, once again, with sorrow in my heart, I call to your attention and that of our colleagues in the House of Representatives of our vibrant Nation the sad circumstances of a group of Soviet citizens who have been thoroughly alienated and abused by their native country which is seeking to dictate closely where they should work and live, how to speak and think, even what they may aspire to in their hearts.

Because the Soviet Union is dedicated to changing the nature of man, making him into something different in every way known only to the person and the mind, by violence they believe if other means do not work quickly enough, that nation unfortunately neglects at times to see people clearly as they are as of this very moment:

There exists a small minority of people from an old and accomplished civilization, called Jewish, who cause no harm and are capable by their tradition of respect for wisdom, law, and learning to make great contributions to the productivity and culture of the country they chose to call their own. Their teachings are founded solidly on the links between man and his creator on morality, the golden rule, consideration for others and joyful expression of self as human sharing with other human beings the universal pageant of life's small events.

Now, because of an abstract idea of political perfection which requires a different sort of human being altogether, the Soviet Union proceeds to tell these people that they must abandon their culture and take up another which may or may not be equally as useful to them. Why should such a thing be required? How can it ever work positively?

If that political idea of abstraction that is supposed to supplant earlier philosophies of human order in the service of mankind was actually superior then a new man would not be required, certainly not by force and mass extermination, but the idea would serve more people in more satisfactory ways than before and make them feel more satisfied in a wholesome way than they could have felt before. One does not do such a thing by forcibly removing from a person the only source of personal and spiritual strength they now possess without doing damage to one's own country. Even if a minority is supposed to suffer in isolation, it will be seen that their suffering magnifies in the minds of bystanders in the majority any slight complaint until they feel they too have been or will be treated in the same manner by their leaders. So begins a host of troubles and the social glue that allows people to work together efficiently deteriorates.

But in the meantime our main concern must be not with the theory of social problems, instead we are concerned with the actual suffering of real people, Soviet Jews, who have been driven to seek emigration from the lands of their birth to find shelter and comfort in the lands of their ancestors and are now denied from achieving this simple and just aim.

Such arbitrary demeanor on the part of any state endangers and cheapens civilization in a steady way by undermining the laws and concepts of human dignity.

Why must people be imprisoned for learning Hebrew? Why declared mentally insane when they are not? Why must people be denied work, livelihood, worship, and freedom of thought because of ethnic affiliation?

Their continued persecution cries out for compassion and mercy as for every human being who is forcibly denied basic rights. Their spirit shines as a beacon testifying to true human quality and improvement under cruel persecution. Let their tormentors realize that truth.●

● Mr. FEIGHAN. Mr. Speaker, I rise this afternoon to join my colleagues in calling attention to the tragic circumstances which now face the courageous Jewish community oppressed in the Soviet Union. The harsh reality we confront in 1985 is that the Soviets have stepped up their campaigns of harassment and violence, and of officially sanctioned anti-Semitism. Today, in the House, we pay tribute to the indomitable spirit of all those, in the U.S.S.R. and throughout the world, who continue to struggle for the recognition of their basic human right to live, work, and worship in a manner consistent with their beliefs.

The serious assault on the human rights of Soviet Jewry must be of particular concern to us. Their conditions have deteriorated in 1984, and every indication suggests that 1985 will see a continuation of restrictions on the right of Soviet Jews to emigrate, to worship, and pass on their cultural identity. In the face of continued Soviet disregard for these basic rights, we must speak out, loudly and clearly, on behalf of those who cannot speak. We must be their witnesses before a watching world. We must ensure that we do all that is necessary to transform the behavior of those who hold authority within the Soviet Union.

Recent news on the state of Soviet Jewry has been particularly bleak. In 1984, only 896 were allowed to emigrate, compared with more than 51,000 just 5 years earlier. Now, the Soviet Government insist that all Jews who desired to leave the U.S.S.R. have left, despite tens of thousands of applications that have not been granted. Life for those Jews consist of severe economic and social hardships. By requesting an exit visa, a Jewish citizen in the U.S.S.R. can find himself out of work, or school, and often an entire family has been subjected to public harassments and vilification. And in all too many cases, refuseniks have been prosecuted on trumped-up charges, convicted and separated from family and loved ones by lengthy sentences in prisons and labor camps.

Last weekend in Cleveland, I had an opportunity to meet and talk with Avital Shcharansky, the wife of Anatoly Shcharansky, the noted Soviet Prisoner of Conscience. I know that many of my colleagues have had the opportunity to meet with her and discuss the grim conditions which her husband faces in the Perm labor camp. This fall, he was hospitalized for 9 weeks on the brink of a coronary. And his health is still quite poor. Along with thousands of others in Soviet camps and prisons, he suffers for the sole crime of expressing a personal opinion, seeking to emigrate, and openly expressing a love of God.

The recent arrests of several teachers of Hebrew and young Jewish activist can only be seen as an integral element in the Soviet's continuing campaign to eliminate the Jewish cultural and religious heritage in the U.S.S.R. Several people have been arrested after their apartment had been set up with guns or illegal narcotics. Soviet authorities have gone so far as to suggest that Jews use drugs in religious rituals. The outrageousness of the charge is matched only by the strength with which the authorities present it. It represents clearly the extent to which the Soviet Government will go to alienate its Jewish population from the general Soviet public.

Another clearly related example of this orchestrated attempt to vilify Jews was the broadcast, in November of last year, of a program entitled "Hirelings and Accomplices." The show, transmitted by Leningrad television, suggested that Soviet Jews seeking exit visas are pawns of Western capitalists and may, in fact, be traitors. That charge, in effect, places many refuseniks in the category of

capital criminals, subject to a death penalty if found guilty.

Mr. Speaker, we must continue to press the Soviet Union to live up to its international commitments on human rights. As a signatory of the U.N. Charter, the Declaration on Human Rights, and the Helsinki final accords, the Soviets are obliged to ensure the human rights of their citizenry. Their conduct, however, makes clear that they are not doing so. As a member of the House Subcommittee on Human Rights and as a participant in the Congressional Coalition for Soviet Jews, I intend to do all that I can to keep the conditions facing Soviet Jews in public view, until that time comes when they are given the basic human rights that are expected in any society that presumes to call itself civilized.●

● Mr. UDALL. Mr. Speaker, my colleagues and I have stood in these Chambers time and time again in support of the rights of Soviet Jews—rights not only of religious freedom, personal safety, and employment, but also the right to emigrate to the Jewish homeland of Israel, or to other countries where Soviet Jews have family. We have, in our statements and urgings, attempted to make people more aware of the treatment of Jews in the Soviet Union.

Our ultimate goal, of course, has been to reach the Soviet Government itself, which has so far responded to our criticisms by maintaining that all Jews who wish to leave the Soviet Union have already done so. These claims are not supported by available statistics, however, which indicate that at least 350,000 Jews have attempted to start the emigration process. Further information points out that most of these attempts have been in vain. In 1979, the peak year of Jewish emigration from the Soviet Union, 51,320 were allowed to leave the country. In 1984, that number was drastically reduced to a mere 896.

Now that the Soviet Union has effectively trapped most Jews inside its boundaries, harassment and persecution have continued and, in fact, increased. Jewish students are expelled from universities; military conscription is selectively applied more to Jews than to other Soviets; arrests are made arbitrarily; personal property is confiscated; fraudulent charges place many Jews in prisons and labor camps; and anti-Semitic attacks appear regularly in the media, characterizing Jews as criminals, traitors, spies, and drug abusers. Despite the fact that many Jews are fired from their jobs when they apply for exit visas to Israel, the Soviet media reports that they "refuse to do productive work, preferring to do manual labor and live on gifts." More recently, KGB officials have warned Jewish teachers to stop teaching Hebrew, although other languages are allowed. Teachers' homes have been raided, Hebrew materials have been confiscated, and private gatherings about Jewish history and culture have been broken up. Clearly the goal of the Government is to destroy Jewish cultural identity.

As I've said, our ultimate goal as Americans is to reach the Soviet Government and somehow manage to stop this injustice. We must continue to point out, not only the unfairness of Soviet policy, but also the danger to United States-Soviet relations if it continues. President Reagan talks about the need for the United States to remain strong. This statement should not be limited to military hardware; it should include the strength of our commitment to freedom and equality for all people. It is one of the fundamental principles we stand for, and the Soviet Union must recognize this.●

● Mr. CONTE. Mr. Speaker, Alexander Paritsky, Vladimir Slepak, Ida Nudel, and Anatoly Shcaransky are just a few of the many Soviet Jews who undergo harsh and repressive treatment within the Soviet Union. In the past, I, along with many of my colleagues, have written innumerable letters to the Soviet leadership, asking that the Soviet Jews be allowed to enjoy the rights and freedoms which human dignity demands, but, more often than not, it seems these pleas fall upon deaf ears. The refusal of the Soviet Union's leaders to change their ways does not dissuade us from continuing the fight for Soviet Jewry. In fact, their continued repression demonstrates that there is still a substantial amount of work to be done on behalf of these men and women. I am enouraged by the recent improvement in relations between the United States and the leadership of the Soviet Union, but I will not allow this to silence appeals for Soviet Jewry.

There is only one reason why the Soviet Jews are persecuted: they wish to practice their religion in freedom. There are some who would like to emigrate to Israel, to be reunited with family and friends. Others wish to go to the promised land to begin their lives over, and live in the land of their religious ancestors. There are, however, those who do not want to leave their homes. Understandably, they would rather witness a change in the hostile conditions which they endure. It is my sincere hope that those who daily live in freedom will not forget those who still struggle against religious, ethnic, and cultural persecution. Perhaps the actions of free people on behalf of the Soviet Jews, will some day result in the recognition by the Soviet leadership that the rights of emigration and religious worship are fundamental to all people.●

● Mr. ADDABBO. Mr. Speaker, today, I join my colleagues in drawing attention to the continued oppression and harassment of Jews in the Soviet Union.

For the Jews of the Soviet Union, 1984 often seemed as dismal and discouraging as a long Siberian winter. The Soviets have not only brought a halt to emigration, they have also made every step in the long visa process more frustrating and difficult. Soviet authorities require that every Soviet Jew who wishes to emigrate must obtain an official invitation from a first-degree relative in Israel. The Soviets only place parents, children, and spouses in this first-degree category, and exclude aunts, uncles, cousins, and even siblings. Officials routinely confiscate such invitations from the mail and many of those who do receive invitations find they have been arbitrarily barred from submitting requests for exit visas. Jews categorized as refuseniks are increasingly treated as outcasts from Soviet society. Separated from their families and from Israel, they have been forced to wait indefinitely for permission to leave with no assurance that they will, in fact, ever receive it.

Most alarming is a new wave of anti-Semitism in the Soviet Union. Intelligence reports tell us that the Soviet media has enlisted an anti-Zionist campaign. The Soviet news frequently refers to Israel's leaders as Nazis. Denied the most basic cultural and religious rights, Soviet Jews are subjected to a daily barrage of anti-Semitic diatribes in the media, at work and at school. This open expression of hatred is frightening even for the Soviet Jews who do not wish to emigrate, but who only ask to be able to live as Jews.

This year we must continue to draw world attention to the Jews in the Soviet Union. We know that historically Soviet Jewry and emigration are tied to Soviet-American relations. Statistics show that in 1979, the emigration of Soviet Jews hit an alltime high of 51,230. Since 1979, as Soviet-American relations deteriorated, so has the level of emigration. The figures speak for themselves—1980, 21,471; 1981, 9,447; 1982, 2,688; 1983, 1,314; 1984, 896—the lowest recorded in a single year since 1970. There is no question that resuming arms control talks, is the No. 1 priority not only for improving the conditions of Soviet Jews, but for all free peoples of the world. We must renew our efforts with the Soviet Union. We must continue to speak out. Speak out for arms control, speak out for Soviet Jews.●

● Mr. FORD of Michigan. Mr. Speaker, I am pleased to join my colleagues in paying tribute to the plight of Soviet Jews who seek freedom of religion and the right to emigrate. The continued oppression of Jews in the Soviet Union is a gross violation of one's basic rights as we who live in a free nation know them.

Jewish history, culture, religion, and language are suppressed by the Soviet Union's attempt to sever the Soviet Jewish community with its brethren abroad. Individual Jews who attempt to keep alive their heritage are harassed, arrested, and imprisoned.

I would like to take this time to remind my colleagues of Anatoly Shcharansky, who was sentenced to 13 years in prison and labor camps on July 14, 1978, following a closed trial at which no lawyer of his choice nor any witnesses for the defense were allowed. Anatoly was charged with treason and anti-Soviet agitation. He broke no Soviet laws, but was actively engaged in working for the human rights of Jews and other minorities in the Soviet Union, all in accord with Soviet law and international agreements signed by the U.S.S.R. Anatoly was actually upholding the requirements of the Helsinki accords which require citizens to monitor their own country's behavior toward their own people.

Anatoly had not been heard from for over 5 months; his last correspondence written on September 5, 1984. According to authorities, he was taken out of Cristopol Prison on October 22, and moved to a labor camp. During the time of transportation, Anatoly's mother, Mrs. Ida Milgrom, tried to find out what camp he was being transferred to, and the status of his health, but authorities responded rudely.

On January 14, 1985, Ida Milgrom received permission to meet with her son, Anatoly, at the labor camp near Perm. Although Milgrom was told earlier that she would receive no information about her son until after the Geneva meetings between Secretary of State George Shultz and Soviet Foreign Minister Andrei A. Gromyko, she received a telegram on January 7, the day the talks began, notifying her of the scheduled visit. Milgrom had waited nearly 3 months for such permission. The telegram was the first official confirmation of Shcharanky's transfer from the Cristopol prison to the labor camp.

On January 14, 1985, Milgrom met with her son whose health appeared to be better; however, she was suspicious that he had been fattened up to make a good appearance for their meeting. Anatoly has not received any special treatment and will continue his sentence of 13 years.

Unfortunately, the plight of Anatoly Shcharansky is not unique as the arrests and imprisonment that many Soviet Jews have had to endure continues in the Soviet Union. I believe that world opinion can force the Soviet Union to abide by the Helsinki agreements and live up to the responsibilities agreed upon by all signatory nations. Therefore, I feel that it is our responsibility, as members of a free nation, to impress upon the Soviet Union our commitment to the human rights of all people.●

● Mr. GARCIA. Mr. Speaker, I place freedom as the first and most important of rights, and oppression as the greatest of dangers to be feared. To preserve our independence, we must act as a pillar of strength for those who desire liberty, but are deprived of this fundamental human right.

This deprivation of freedom exists in the Soviet Union. Thousands of Jews throughout the Soviet Union are denied the very freedoms that we in the United States hold so dear. America cannot ignore the mistreatment of this community. Soviet Jews are prohibited from worshipping as they please, or from expressing their beliefs and opinions. Perhaps worst of all, they are not allowed to leave.

In 1979, the peak year for Soviet Jewish immigration, over 51,000 Jews were allowed to emigrate. Last year, only about 1,000 Jews were allowed to leave the Soviet Union. This year the figure may even be lower. Conditions for Jews in Russia are steadily deteriorating. Yet, among all this adversity, there are still many Soviet Jews who are fighting for liberty.

However, Soviet Jews who stand up for liberty are imprisoned and sent to labor camps. Refuseniks, as they are known, are silenced for defending the very rights with which we are born. As Americans, we can help Soviet Jewry in its struggle for freedom by speaking out, and not letting the mistreatment of Soviet Jews go unnoticed by the free world.

I have agreed to become the 1985 honorary chairman for the Washington Lobby for Soviet Jewry in which hundreds of students visit our Nation's Capital to lobby support from their Representatives for the Soviet Jewry movement. I urge my colleagues to greet these young lobbyists with open minds and to support their cause. Further, I have cosponsored legislation such as H.R. 423, that will provide a special Radio Liberty program of Russian language broadcasting for the Jewish population of the Soviet Union. Gestures such as these and mentioning the plight of Soviet Jewry in newsletters will help to keep constant pressure on the Soviet Union to improve their treatment of the Soviet Jewish community.

The Congressional Coalition for Soviet Jewry is strong and becoming stronger every day because of the concern of my colleagues. I would like to assure the American public that human rights in the Soviet Union and the rest of the world will not be forgotten by the U.S. House of Representatives.

Recently, I received a letter from Ms. Carolyn Sanger, who for the last 5 years has been corresponding on a regular basis with a Jewish family in the Soviet Union. I would like to submit her letter of concern for this family and Soviet Jewry in general. In addition, I would also like to include a letter from this family in the Soviet Union exemplifying what it is like to live under conditions of oppression.

POTOMAC, MD,
February 6, 1985.

Representative ROBERT GARCIA,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN GARCIA: I am writing to you concerning the situation of a Soviet refusenik family with whom I have been corresponding on a regular basis since September 1979. The family is: Alexander & Leah Mariasin (Maryasin) and daughter Fany, Karl Marx Street 62-37, Riga-11, U.S.S.R., phone: 290530.

I have kept every letter from them over the 5½ year period, and I would be happy to share this correspondence with you. What it contains, in sum, is the most poignant and heartrending plea of three individuals who desire nothing more on this earth than to be reunited with their daughter (and sister), son-in-law, and grandsons in Israel.

As the enclosed typed copy of their most recent letter indicates, Leah Mariasin is in a life-threatening state of illness. She has an inoperable, malignant brain tumor, first diagnosed in the fall of 1981 and brought to my attention in January of 1982, when I alerted my Senators Sarbanes and Mathias, Congressman Michael Barnes, and the State Department.

I now write to you, as a member of the Congressional Coalition for Soviet Jews, and request your intercession on the Mariasins' behalf. Urge the Soviet leadership to permit Leah Mariasin access to the best medical technology, *wherever* it is located, so that her life will not simply end now, and urge them to repatriate the Mariasins with their beloved family in Israel.

Sincerely yours,

CAROLYN W. SANGER.

RIGA-11, U.S.R.,
December 12, 1984.

DEAR CAROLYN: I only received your letter and am answering it right away. Tomorrow I am leaving for Moscow with Leah to consult some doctors and don't know for how long I'll have to stay there, so I decided not to delay all my corresponce (sic). Unfortunately my wife and best friend is again in a tight corner and we fight for her health. Please God everything to come out well. The years of constant stress do not pass without consequences. The only thing I ask and pray for, is to tide her over this ordeal and to survive until meeting her children and grandchildren, sister, brother and nephew. Alas . . . the other days (sic) we received a new refusal to my application, the 20th, if I am not mistaken.

I never pleaded to them, to those merciless uncles, but this time I explained the whole situation, but nothing helps.

Recently we commemorated the execution of Riga's getto (sic) at Rumbula. By the way, there is issued a book in the USA called "I Survived Rumbula" by Frieda Michelson. If you are interested in the Holocaust of our Jews, please try to get and read it. I am always telling and mentioning you that name, but for quite understandable reasons can't tell you the whole story of it. If you'll read this book you'll have the idea of what I am speaking about. Fortunately

everything went on well, unlike last year, for example.

My dear Carol! I understand what a burden is for a decent and modest person to be called to the bimmo (raised platform) to read the Tora. It's not maybe the right word "burden". It's may be exciting or making nervous, but at the same time it is a honor. So go through it and you'll see how good you'll feel afterwards.

Congratulations to Chris with the weight loss. You obviously know the saying "The larger the waist, the shorter the life." So now after losing so many pounds he will have to live till 120. Full speed ahead.

The letter to the Gamarniks I'll pass, maybe today.

How are you all?

Regards from my family and friends.

Shalom Uv'racha (Peace and blessings) and live,

ALEXANDER.●

● Mr. SCHUMER. Mr. Speaker, I would like to join my colleagues in expressing my concern over the plight of Soviet Jewry. During the last year, Soviet Jews have endured greater discrimination and persecution than at any other time in recent Soviet history.

The year 1984 marked the nadir for Jewish emigration from the Soviet Union. Only 896 Jews were permitted to leave, the lowest single year total since 1970. In fact, the 1984 total represents less than 2 percent of the 1979 peak year emigration figure of 51,320. The reduction in the number of Jews granted exit visas has meant that the number of refuseniks stranded in the Soviet Union has climbed to over 20,000. This figure, however, includes only those Jews who submitted formal applications to leave for Israel and have received official refusals; it does not include the estimated 380,000 others who have initiated the complex process of applying for a visa.

Although the numbers themselves are shocking, nothing is more shocking than the new wave of officially sanctioned anti-Semitism that commenced 2 years ago. This campaign to eradicate Jewish culture from Soviet society has taken on many ugly forms, including the stepped-up harassment of refuseniks and the arrest and imprisonment of several Hebrew teachers. Most Soviet Jews who apply to emigrate are routinely dismissed from their jobs and forced to take menial jobs. They are often attacked in the media, arbitrarily arrested, and their personal property is confiscated by Soviet authorities. Moreover, refusenik children are not permitted to attend a college or university in the Soviet Union. In addition, several prominent Hebrew teachers and Jewish activists, such as Yakov Levin, Nadezhda Fradkova, and Yuli Edelshtein, have been sentenced to prison. Recently, Soviet television aired a documentary on Jews in the Soviet Union that mentioned their anti-Soviet tendencies and association with Zionists.

I find these developments, which represent a significant escalation in the Government-sponsored anti-Semitic campaign, extremely distressing. It is more urgent than ever that we continue our efforts to ensure that all Soviet Jews are given the right to emigrate and are permitted to freely exercise their religion while they remain in the Soviet Union.●

● Mr. NELSON of Florida. Mr. Speaker, for nearly seven decades the Soviet Union has denied its inhabitants the basic human rights which most of us in the Free World deem essential in the development of a civilized society. The appalling nature of the Soviet leadership has illustrated that the pursuit of civil rights and the quest for even the most basic of human freedoms has resulted in imprisonment, exile, torture, and ultimately death. Such are the prospects awaiting the Soviet Jewry as they attempt to exercise the false freedoms and shallow promises found in the Soviet constitution.

Today we in the United States pay a special tribute to those who risk their lives daily not only in the pursuit of emigration but in the very practice of their religion. We salute the refuseniks who after witnessing the formulation of the Universal Declaration of Human Rights and the signing of the Helsinki Final Act saw their dreams of a peaceful exodus end in a reign of renewed Soviet brutality and oppression. We have seen the number of emigrants drop from over 50,000 in 1979 to less than 900 in 1984.

To deny one Soviet Jew his personal rights due to his expression of religion is incarceration; to deny the Jewish people their rights as a whole is nothing short of tyranny. As a member of the Congressional Coalition for Soviet Jews, I join in the demand for justice and freedom for the refuseniks and an end to the anti-Semitism and violence of the Soviet Union.●

● Mr. FRANK. Mr. Speaker, I am saddened that, as we open the 99th Congress, we are obliged once again to hold a special order on Soviet Jewry. I would like to be able to say that over the course of the 98th Congress we saw an improvement in the human rights situation in the U.S.S.R. But the tragic reality is that the situation of the Soviet Jewish community is increasingly desperate. Jews are being harassed at the workplace, or outright forced to leave their jobs. They are being denied the right to join their families in the West. They are denied the right to move to Israel and live in dignity in their homeland. The Soviet authorities are seeking to destroy the identity of this community. Teachers of Hebrew are targeted for persecution. An anti-Zionist campaign—really an anti-Semitic campaign of the old-fashioned kind—is spewing out hateful propaganda in the Soviet press and in the academic world.

I am grateful to my colleagues for taking out this special order; we in Congress must make every effort to keep these Soviet violations of their international commitments before the public eye. We cannot allow the Jews of the U.S.S.R. to feel that we have forgotten them. By extending the hand of solidarity to them we help them keep alive their dream that some day they will be able to live in freedom.●

● Mr. McGRATH. Mr. Speaker, the issue of Soviet Jewry is ever on our minds. However, as rights continue to be denied and visas for emigration continue to be denied, we have seen the introduction of a new tool to further isolate and ostracize the refuseniks. Soviet authorities have taken to the airwaves to bring their case against the anti-Soviet and pro-Zionist element within their nation.

Specifically, I refer to the television broadcast in Leningrad which accused the refuseniks of turning their backs on a society that has given them everything. This characterization is a curious one. It is difficult to fathom how citizens who have had every advantage would want to leave a generaous motherland. Yet Soviet Jews by the thousands are waiting for permission to emigrate. Why?

Clearly Soviet Jews are not recipients of the bounty of which the Soviet leaders speak. They are denied the right to learn about their religion, its heritage, customs, and language of prayer. They are denied the right of emigration, and they are denied the human dignity guaranteed in the Helsinki accords of which the Soviet Union is a signator.

While visiting the Soviet Union I was greatly impressed by the appreciation the refuseniks had for the interest and involvement our Government and citizens had for their plight. At this critical time in the cause of Soviet Jewry, I urge my colleagues to continue their efforts on behalf of all those Soviet Jews who live for the prospect of emigrating to Israel.●

● Mr. BUSTAMANTE. Mr. Speaker, I rise today in support of freedom for Soviet Jews. At this critical point in United States-Soviet relations it is important for this body to affirm its commitment to uphold the fundamental rights of Soviet Jews to emigrate as well as exercise their right to exist as Jews.

Despite its commitments under the Helsinki Final Act, the Soviet Union has continued to deny exit permission to thousands of its citizens who wish to join relatives living abroad. The rate of Jewish emigration reached a nadir, for the 1984 total of 896 was the lowest recorded in a single year since 1970. The Soviet authorities continue maintaining, despite abundant evidence to the contrary, that the vast

majority of Jews who wanted to leave the country have already left, and the rate of emigration is declining naturally as fewer and fewer families remain to be united. More accurately, the reduction in the number of Jews granted exit visas left an estimated 20,000 refuseniks (Jews who have been refused when they apply to emigrate) stranded. This figure is a conservative estimate, since it accounts only for those Jews who submitted formal applications to leave for Israel and received official refusals. The figure does not include those who have been arbitrarily denied even the right to apply for exit permits, those who have applied but received no official answer from the authorities, or those who choose not to publicize their plight for fear of reprisals. Finally, available statistics indicate that more than 350,000 Jews have begun the emigration process.

Lately Soviet Jews have been subject to increased levels of anti-Semitic rhetoric thinly veiled as anti-Zionism. Soviet propaganda maintains that Israeli and Western intelligence encourages emigration in order to obtain state secrets from Soviet citizens. It further alleges that Zionists collaborated with Facists during World War II to send many innocent Jews to their death.

Individual Jewish refuseniks have responded in various ways to official intransigence on emigration. Some have reacted with despair and, for the time being, have stopped applying to leave, while others apply as frequently as possible—once every 6 months; 1984 was a bleak year dominated by harassment, and a new wave of arrests, and persecution. At the same time, the movement for a renewed Jewish religious and cultural life grew, indicating that Soviet Jews are continung to draw strength and hope from their Jewish heritage, despite tremendous adversity.

Mr. Speaker, I want to pay special tribute to the indomitable spirit and unwavering defiance in the face of persecution of Soviet Jews seeking emigration and Justice at home.●

● Mr. ACKERMAN. Mr. Speaker, this special order strikes against Soviet attempts to fragment the Jewish community, as we in the Congress express our unified support for the efforts of Soviet Jewry. The Kremlin seeks to void Jews of their heritage and their freedom, and then to fill the chilling emptiness in these prisoners' spirits with pervasive fear.

We cannot collapse or compress the distance that physically separates us from our breathren in the Soviet Union, so perhaps the Jews there remain forcibly blinded to U.S. efforts made on their behalf. But our hearts, minds, and words must proclaim our refusal to tolerate spectacles of oppression wherever they occur. Mr. Speaker, quietude breeds impotence. If we become unresponsive bystanders, we perpetuate gross human-rights violations with our own hands. Mourning passively, we make dead the freedom which might live if it had a voice. Words that strike sideways at issues burn crucial moments away.

Since 1979, Jewish emigration from the Soviet Union has declined consistently. Not since the Leningrad trials of 1970-71 has the figure been as low as it was in the past year. Over 57 times as many Jews were permitted to emigrate in 1979 as in 1984. During the second half of last year, the Soviets initiated with gusto a campaign of brutally surpressing Jewish cultural activities, employing threats, beatings, arrests, and searches in order to cleanse the streets of any remnant of Judaism. Kholmiansky, Lein, Edelshtein, Levin, Mesh, Schreier, Begun, Roseberg, Shcharansky—the names are a roll of honor of conscience, a roll of disgrace for the Soviet leaders.

We cannot simply hang these victims' names in tributary silence. The United States must, through policy measures, enforce its ideological commitment to the cause of Soviet Jewry. With the Kremlin refusing to adhere to international accords such as the Helsinki Final Act and the Declaration of Human Rights, the United States must demonstrate that we mean what we say, and insist that the Soviet Union do the same. The more steadfastly we uphold our dedication to this issue, the closer we bring ourselves to those imprisoned in their own homeland.●

● Mr. CARR. Mr. Speaker, one of the strongest foundations of our great Nation is the sanctity of religious freedom for all citizens. Thus, it is most important that we here in Congress recognize and identify with the struggles of people of other nations who are burdened with religious persecution. Today, we recognize the struggles of a people who have long been persecuted for their beliefs, yet who steadfastly persevere in maintaining their heritage: the Soviet Jews.

Despite a government-sanctioned campaign of anti-Semitism eerily reminiscent of the Nazi era, Jews in the Soviet Union have steadfastly pursued the practice of Judaism. Despite the imprisonment of Hebrew teachers and Jewish activists, such as Anatoly Shcharansky and Ida Nudel, the Soviet Jews' devotion to their heritage forces them to risk the consequences of teaching Hebrew and observing Sabbath customs. Though Bar Mitzvah ceremonies and holiday celebrations are often interrupted by the arrival of the KGB and the confiscation of prized possessions and coveted Judaica, these people will not be intimidated into docile silence or quiet assimilation. Their beliefs and values are too vital.

In a nation that often brands devout Jews "hooligans" and "defamers of the state," it would seem that their emigration would be welcomed. But ironically, as the anti-Semitic drive grows more intensely adverse, the Soviet Government clamps down more stringently on emigration.

Those Jews who seek to leave behind the oppression of the Soviet Union have been met with little success, and those applying for exit visas often set themselves up for further persecution. It is not uncommon for Jews to be dismissed from their jobs and essentially blacklisted from other employment after making exit visa applications.

Mr. Speaker, the United States can and does play an important role in aiding the plight of Soviet Jewry. There seems to be a direct correlation between the Soviets' treatment of their citizens and United States-Soviet relations. In the late 1970's, during a period of United States-Soviet cooperation, the gates of Jewish emigration seemed to swing open. In 1979, 51,320 people left the U.S.S.R. With the return of Cold War rhetoric under the Reagan administration, those gates slammed shut to allow a mere trickle of Jewish emigration. In 1981, only 9,447 Jews were permitted to leave. This diminished to 2,688 in 1982 and 1,314 in 1983. Last year, 1984, an unprecedented low of 869 Jews were allowed their freedom.

This trend must not continue. We must make every effort to assure that tensions between the United States and the Soviets do not—even indirectly—keep Soviet Jews from leaving their country if they so choose. The United States must press for further dialog with the Soviet Union, because improvements in United States-Soviet relations can create new opportunities to express our concern for the human rights of Soviet Jews. I urge my colleagues to recognize the important role we can play in bringing greater freedom to every Jewish person who faces persecution in the Soviet Union. Just as we cannot take our own freedoms for granted, we cannot close eyes to those who are denied freedom elsewhere.●

● Mr. DOWNEY of New York. Mr. Speaker, I am pleased to join my colleagues in this special order on behalf of over 2½ million Jews trapped within the borders of the Soviet Union.

In the past few years, we have witnessed the renewal of blatant Soviet anti-Zionist and anti-Semitic activities and a severe cutback in emigration to less than 1,000 in 1984. These people are unable to practice their religion, unable to perpetuate their heritage; indeed, unable even to emigrate from this land where to be a Jew is, in and of itself, construed by the authorities as criminal.

More than 400,000 Soviet Jews are in the process of seeking exit visas. More than 20,000 have applied and been refused. These refuseniks often lose their jobs, are subject to various forms of harassment and some are subsequently arrested under charges of "hooliganism" or "parasitism" and sentenced to prison and labor camps.

It is one of these refuseniks, Iosif Begun, on whom I have chosen to focus my remarks today. Until 1971, when he applied for an exit visa, Begun was a senior scientist at the Moscow Central Institute of Research in Economics. He was then dismissed from work and has been unable to find work in his field since that time. He began teaching Hebrew and became one of the leading protagonists in the struggle for the rights of Soviet Jews.

His first arrest occurred in March 1977. While awaiting his trial, Begun went on a hunger strike for 100 days. Shortly afterward, he went on trial amidst a storm of protest from the refusenik community. Begun was sentenced to 2 years of exile in Siberia for "parasitism." His work as a Hebrew teacher was not considered "legitimate employment."

Begun was released in 1978 only to be arrested again while visiting his family in Moscow. He was tried on the 43d day of his second fast and sentenced to 3 years in exile. He was released from exile in 1980.

Begun's unprecedented third trial took place in 1982. There has been no direct contact with him since this last trial when he was given a harsh 12-year sentence of 7 years in prison and 5 in exile for "anti-Soviet agitation and propaganda." His wife, Inna Begun, has not received a letter from him since June 22 of this past year. At this time, Iosif was reportedly on a hunger strike because camp authorities had confiscated his prayer book, a forbidden article in prison.

Inna Begun recently sent an appeal to the West. This message ended with the simple statement: "I earnestly beg you to let me have an answer as to where my husband's guilt really lies."

The plight of Iosif Begun is not unique. As Members of Congress, we must not relent in our efforts to assist these oppressed peoples. We must lay human rights on the negotiating table with the Soviet Union. For Iosif Begun's quilt lies only in demanding the rights we hold so dear—the right to worship as he pleases, the right to study his heritage, and the right to follow his conscience.●

● Mr. KEMP. Mr. Speaker, Soviet Jewish emigration is practically at a standstill. The harassment of the 400,000 Jewish individuals remaining has increased. We, as Members of Congress must act.

It is heartening to know that our activities are not without results. Yesterday I met with Avital Shcharansky, who was delighted to tell me that, as a result of the efforts of Members of the House and Senate, her husband had been permitted to visit with his mother. Now that may sound like a normal visit to most, but in this case, Anatoly Shcharansky, a Jewish Prisoner of Conscience in the Soviet Union, had not been allowed to see his mother for 8 years. Because of pressure exerted by Members of Congress, his mother was able to spend 2 days with him.

A small victory, but an encouraging one. I urge my fellow Members of Congress, and fellow citizens of this great and free country to continue to pressure for even more and greater victories until we achieve our ultimate goals as spelled out in the Helsinki Final Act of 1975, and the Madrid Concluding Document of 1983. That is, freedom for those who wish it to leave, and freedom for those who wish to stay. Again, a simple policy, but one which has been consistently violated by the Soviet Union, which was a party to the original agreement in 1975 and the further commitments of 1983. We, as cosignatories, must continue to work for full compliance with these ideals.●

● Mr. MAVROULES. Mr. Speaker, I am both honored and pleased to join with my colleagues in this special order for the advancement of human rights. We, as Members of the U.S. Congress, should strive for the worldwide expansion of unalienable rights.

Members of the Jewish faith living in the Soviet Union are one group of people who desperately need our help, for they are forced to live under blatant suppression of their civil liberties. The Soviet Union has found it within its power to subject these people to constant hardships. While offering the chance for the Jewish people to emigrate to Israel or to the West, the Soviet Union has in reality denied them the chance to settle in their religious homeland or to practice their religion without pain or insult.

We, as Americans, must do all we can to see that the decrease in emigration is reversed as quickly as possible.

At this time, a drastically low number of applications for emigration are being refused. The Soviet Union contends that this is because either all people of Jewish faith who want to leave the country have, or that sponsors cannot be found for the remainder. This, however, is not the case. Applications are at one of their highest levels ever, and sponsors are upset to learn that their letters to their adopted families are being intercepted by Soviet officials.

Now is the time to appeal to the Soviet Union for the expansion of human rights for all of Soviet Jewry. Let us hope that this will be the last time a special order such as this will be needed, and that all members of the Jewish faith will be free from persecution and oppression, once and for all.●

● Mr. LEHMAN of Florida. Mr. Speaker, Jewish emigration from the Soviet Union in 1984 was the lowest recorded in a single year since 1970. The 1984 total of 896 was less than 2 percent of the 1979 peak year figure of 51,320.

Unfortunately, these tight emigration policies have been accompanied by an escalation of efforts to isolate and intimidate Jewish activists. Hebrew teachers and other observant Jews have been imprisoned on fabricated charges—most recently, on charges of possession of drugs and firearms. Anti-Zionist propaganda campaigns continue to spread through the Soviet media.

I am honored to participate in this special tribute today to those Soviet Jews, who through their courage and determination to practice their religion freely, continue to apply for exit visas to Israel despite threats of harrassment, loss of professional jobs, expulsion of their children from colleges and universities, and confiscation of personal property.

I recently returned from the Soviet Union where I met with several refuseniks. One cannot adequately retell the passionate moments when a mother pleaded with her young son's freedom, even if it meant his separation from her and her husband.

The situation is especially bleak in Leningrad, where only days after I met with Yevegeny Lein he was interrogated and beaten by the KGB. He holds a Ph. D. in computer science but must work as a stoker in a bathhouse.

I call on my colleagues to work toward reopening the emigration for Soviet Jews and others who wish to be reunited with family in other parts of the world. Let us continue our efforts on the many individual cases of refuseniks and others whose lives have been utterly interrupted, and let us press for the inclusion in every international fora with the Soviets the topic of Jewish emigration from the Soviet Union.●

● Mr. GLICKMAN. Mr. Speaker, I rise with my colleagues today to call attention to the increasingly grim situation of the Jewish community in the Soviet Union. At the same time, I stand to give tribute to the abiding strength and spirit of hope which, even in the face of oppression, our Jewish brothers and sisters in the Soviet Union continue to maintain.

As we speak today, more than 2 million Jews are trapped inside the Soviet Union. Emigration has fallen to an all-time low. In fact, there has been a virtual shutdown of Jewish emigration: only 61 Soviet Jews were permitted to leave last month, compared to an average of more than 4,000 per month in

1979. As emigration has fallen, Soviet harassment of refuseniks and teachers of Hebrew and Jewish culture has grown resulting in prison terms, internal exile or loss of jobs for many Soviet Jews. Also on the rise is the dissemination of anti-Jewish publications and other propaganda in the officially sponsored Soviet media. Even more disturbing is the marked increase in violence directed toward Jews in the Soviet Union.

All of these injustices demand the concern of the Congress, the concern of the administration, and the concern of people worldwide. The ominous escalation of anti-Semitic sentiment and activity in the Soviet Union must not be met with silence.

Members of Congress must remain vigilant in their role of both calling on the Soviet Government to cease its campaign against its Jewish citizens and creating a greater public awareness of the plight of Soviet Jews. Our President and State Department officials must seek all avenues for reminding the Soviet Union of its violation of the Helsinki accords and for expressing this country's condemnation of the Soviets' actions. Freedom-loving people everywhere must continue to write letters of hope and support to Soviet refuseniks, as well as carry out visible acts of support for Soviet dissidents such as fasts and prayer vigils.

Today I call on my colleagues to renew their efforts to demonstrate to Soviet Jews that we have not forgotten them. Nor have we forgotten who it is that oppresses them. Until the Soviet Union restores to Soviet Jews their fundamental rights to freedom of religious and cultural expression and the freedom to emigrate, we will remind the world of the Soviets' intolerance and their denial of freedom and justice to Jews in the Soviet Union.●

● Mr. DWYER of New Jersey. Mr. Speaker, I wish to thank my colleagues today for calling my attention to this special order. It is time for us to address the worsening plight of the more than 2 million Jews trapped inside the Soviet Union.

Last year, the rate of Jewish emigration all but reached a standstill. The 1984 total of 896 was the lowest recorded in a single year since 1970. As a result, an estimated 20,000 Jews were left stranded in the Soviet Union. Separated from their family and friends, refuseniks have been forced to wait for permission to leave with no assurance that they will, in fact, ever receive it.

At this time, I think it only befitting that I once again call attention to my prisoner of conscience. Grigory Rozenshtein has not been permitted to leave the Soviet Union since 1974, yet this has not dampened his brave and enduring spirit. Earning only a fraction of his former income, Grigory struggles to make ends meet. Let us not ignore the deplorable struggle of Mr. Rozenshtein and other refuseniks. We must continue to serve as a source of encouragement and inspiration to the oppressed.

Equally as important, the refusenick community serves as a reminder of the human rights and liberties which we in this Nation hold so dear, but so often take for granted. Let each one of us speak out with more vigor than usual. When basic human rights are violated, words alone are not enough. We must demonstrate to the world at large, but more importantly to the refuseniks, that we will work endlessly until the human rights of all are affirmed.●

● Mr. MATSUI. Mr. Speaker, the treatment of Soviet Jews by the Soviet State continues to deteriorate. This trend is at once dangerous and disturbing.

The rate of Jewish emigration from the U.S.S.R. had dropped from a high of 51,320 in 1979 to a nadir of 896 in 1984. At the same time the situation for the Jewish community remaining in the Soviet Union has deteriorated. We have witnessed increased harassment of Hebrew teachers and cultural activists which have resulted in a wave of searches, threats, and arrests. In Leningrad this harassment took a vicious and frightening turn for the worse when a program that was aired on television singled out members of that city's Jewish community for anti-Soviet behavior.

I join today with my colleagues in saluting the indomitable spirit and unwavering defiance in the face of persecution of the Soviet Jews who are seeking emigration and justice at home.●

● Mr. MACK. Mr. Speaker, not long ago I took the floor to talk about the incredible hardships faced by the Jewish people of the Soviet Union. I noted the intransigences of the U.S.S.R. and their refusal to comply with the most basic tenets of the international human rights agreement. An agreement, I might add, to which they were a signatory.

At that time, I held out hope that mounting pressure from an increasingly impatient international community might convince the Soviets to move closer toward compliance with the Helsinki accords.

Mr. Speaker, my hope was entirely in vain. Indeed, it's clear that quite the opposite is occurring. Conditions for Soviet Jews have deteriorated even further.

It is necessary not just to point out specific violations of the Helsinki agreement, but to realize how the spirit of these accords has been crushed and broken. The refuseniks' cases are not simply isolated incidents, rather, they constitute a pattern of evidence of the total campaign being waged by the Soviet Union against its Jewish population.

Probably what best illustrates the Soviet drive is its willingness to rape its own judicial system in order to continue persecuting Jewish people. It is common knowledge that any Jew filing an application to emigrate from the Soviet Union is almost certain to lose his or her job, and that the state will place obstacles in the path of obtaining a new one. Furthermore, unemployment is punishable as a crime, and in a recent effort to crack down on refuseniks, the maximum prison sentence for what the Soviets call parasitism has been raised from 1 to 2 years.

Many questions have also arisen of late over the alleged planting of weapons, ammunition, and drugs in the apartments of refuseniks that are later discovered and used as evidence in criminal cases—mysterious discoveries among people for whom there has previously been no reason for suspicion. Sometimes the authorities don't even go to that much trouble. Court cases bearing remarkable similarities to the notorious show trials of Stalin are appearing again. In one recent case, a Jewish man was tried for resisting arrest. Not only was the courtroom filled with Ukranians yelling, "Beat the Jew," but any witnesses for the defense were noticeably absent.

Mr. Speaker, many of us in this Chamber have spoken of this matter before. We are indignant and upset about the abuses heaped upon a defenseless Jewish population in the Soviet Union. But our rhetoric continues to fall upon deaf ears. As a Nation, we must redouble our efforts and work toward a consensus within the international community to bring pressure to bear on the Soviets.●

● Mr. WEISS. Mr. Speaker, recent events have provided disturbing new evidence of an intensified campaign against Jews by the Soviet Government. In Odessa, Hebrew teacher Yakov Levin has been sentenced to a labor camp; in Moscow, Yuli Edelshtein was imprisoned on trumped-up drug charges; in Leningrad, Jewish activist Nadezhda Fradkova is being punished for parasitism. Also among those now incarcerated in Soviet labor camps is Sergei Fishel, the son of one of my constituents and a refusenik who has not been permitted to join his mother in New York.

In their attempt to deny Jews the right to practice their religion and to learn about their culture, Soviet authorities have even resorted to the despicable charge that Jewish religious rituals make use of narcotics. Last November, Leningrad television aired a viciously anti-Semitic program denouncing the activities of Zionist-oriented junkies.

Balancing my abhorrence of these developments, however, is my admira-

tion for the courage of Jews living in the Soviet Union, who continue to risk their livelihoods, and their lives, to defend their basic human rights. Surely their friends in the United States must be equally determined in our efforts on their behalf. Knowing that Soviet-American relations and the status of Soviet Jews often rise and fall together, we can regard with some hope our Government's renewed dialog with the Soviet Union. At the same time, the leaders of the Soviet Union must understand that by their mistreatment of Soviet Jewry and their violation of the Helsinki accords they make that much more difficult the achievement of arms control agreements which require confidence of adherence by both parties.

The Soviet Jews have shown us that, for them, there can be no turning back. We must continue to demonstrate to them, and to the Soviet Government, that we will never turn our backs on their cause.●

● Mr. McCAIN. Mr. Speaker, as a member of the Congressional Coalition for Soviet Jews, I am particularly concerned about the plight of those people within the Soviet Union who are persecuted for their religious beliefs, and with the recent intensification of the attacks on Soviet Jewish communities.

Over 20 percent of the entire world Jewish population resides in the Soviet Union—more than 2.5 million people who are deprived of their basic human rights. Because they are Jews, because they have expressed a desire to emigrate, their jobs are taken away, they are expelled from schools and universities, and they are denounced by their neighbors. They are forbidden to study Hebrew or to practice their religion. Many are currently serving time in labor camps for refusing to renounce their culture and their beliefs.

One such person is Feliks Kochubievsky. Once a respected electrical engineer who earned the Soviet Order of Merit for Patriotic Work, he lost his job as a senior researcher after he and his wife, Valentina, applied to join their two sons in Israel.

His application was refused on the gounds of "Regime Considerations," a common reason for the denial of visas to Jews, especially those who have served in the Soviet military. The Government claims that these people have had access to classified information, and that their presence abroad would be damaging to national security. Kochubievsky denies ever having had access to such material.

The target of official harassment since his application to emigrate in 1978, his subsequent attempts to reestablish a "U.S.S.R.-Israel Friendship Society" and the publication of several of his works abroad resulted in his arrest in September 1982. Sentenced to 2½ years for the "circulation of fabrications known to be false which defame the Soviet State and Social System," he is now imprisoned in a labor camp.

Mr. Kochubievsky is due to be released from prison in April of this year. An old man in ill health, his only wish is to be reunited with his sons who are living in Israel.

This wish, however, is unlikely to be fulfilled. Soviet Jewish emigration has fallen off dramatically in the past few years. In 1984, only 896 Jews were allowed to leave the country, compared to over 51,000 in 1979.

Recently, the Soviet Government has stepped up its anti-Zionist campaign. There have been more arrests in the last 6 months than in the past 2 years. In addition, there has been a distinct increase in violence directed toward Jews, and arrests have begun to center around accusations of ritualistic drug use in Jewish religious ceremonies. These obviously false allegations are partially responsible for the rising tide of anti-Semitism within the Soviet Union.

This intensified campaign against the Soviet Jews means that it is critical for us to remind the officials of the Soviet Government that we have not abandoned our commitment to human rights. As signators of the Helsinki Final Act and the Madrid Concluding Document, the Soviets agreed to uphold certain basic rights, and their continued violations of these accords should not be ignored. It is all too easy to take the liberties we enjoy for granted and to forget that there are so many people throughout the world who are persecuted for their system of beliefs.

We take pride in our reputation as leaders of the free world, and with this pride should come a sense of responsibility. Our foreign policy should not be concerned with economic and security interests alone, but should also reflect our concern for moral issues. The presence of Max Kampelman—who headed the U.S. delegation to Madrid—at the upcoming talks in Geneva, is, I believe, an important step toward linking the improvement of foreign relations with a respect for human rights.

In the meantime, our continuing expressions of concern are of vital importance. The Soviets must not succeed in isolating the Jewish community. The Jewish people have a right to their cultural and religious heritage. The opportunity to emigrate freely should be available to those who desire it, and those who choose to remain should be freed from persecution.

I am proud to have had this opportunity to pay tribute to the Jewish community of the Soviet Union. Their courage in the face of this determined system of repression is truly admirable.●

● Mr. YOUNG of Missouri. Mr. Speaker, Soviet Jews comprise the third largest surviving Jewish community in the world. Soviet Jews have been struggling to achieve basic human rights, including the right to maintain their own religion and culture. The right to leave any country that denies one their heritage is an internationally recognized human right, yet in the Soviet Union permission to emigrate is given arbitrarily.

I believe that it is important that in the face of this wave of anti-Semitism, America must reaffirm our commitment to human rights. The U.S. Congress has been a leading supporter of Soviet Jews in their attempts to study and teach their faith.

We have held "Congressional Prayer Vigils" on behalf of Soviet Jews, but we must be sure that the vigil continues each and every day until the human rights of all Soviet Jews have been restored.

As a Member of Congress and concerned citizen, I have adopted a Soviet Jewish family from the Ukraine to help them fulfill their dream of emigrating to Israel.

Samuel and Manya Klinger have been trying unsuccessfully, for a number of years, to emigrate to Israel. Samuel Klinger is an agronomist from Dnepropetrovsk in the Ukraine. He and his wife, a nurse by profession, have been repeatedly denied exit visas since 1970. The only reason given by Soviet authorities has been a lack of consent from Manya's parents, who have not seen their daughter in many years. Manya, a mother herself, recently celebrated her 50th birthday.

The Klinger situation is quite pressing in that they are the only family in Dnepropetrovsk awaiting exit visas. Recently, a defamatory letter was printed in a local newspaper about the family—prompting Samuel to immediately send a letter of protest to the editor. The result was the printing of another anti-Semitic article in the same paper.

We have asked the Soviet Government to grant this family permission to emigrate, but have received no response. There can be no doubt that by not allowing the Klingers to leave the Soviet Union, the Soviet Government is in clear violation of the Helsinki Final Act, the Universal Declaration of Human Rights, as well as their Soviet Constitution.

Surely the emigration of the Klinger family would pose no threat to the security of the Soviet Union, and instead would be a humanitarian gesture. Yet permission to leave is continually denied.

As the leader in the free world, the United States must do all that we can to protect the human rights of all people. And I urge my colleagues to continue to protest the blatant viola-

tions of human rights occurring each day in the Soviet Union.●

● Mr. HALL of Ohio. Mr. Speaker, during the past 5 years, the emigration of Jews from the Soviet Union has declined to a virtual halt. Last year, the exodus of Soviet Jews totaled just 896, compared to a total of 51,333 in 1979. This signals a return to the Soviet policy of severely limited emigration. This policy became prevalent in post-World War II Russia, when Stalin maintained that all Soviet citizens must concentrate on turning Russia into an industrialized nation. Therefore, few people were permitted to leave the U.S.S.R. Presently, the Soviet Union is doing all in its power to literally close the door on emigration for all Soviet minorities.

Life in the Soviet Union for Jews is one hardship after another. A campaign of anti-Semitism has run rampant in the state-controlled press for several years, portraying Jews as criminals and conspirators. Higher education for Jews has become increasingly restricted, and enrollment has dropped 50 percent over the past 15 years.

The Soviet Union has made it extremely difficult for Jews wishing to leave the country. Simply applying for an exit visa may result in harassment or punishment. Visa applications must be renewed every 6 months, and an invitation from abroad must be included with each application. In addition, each person who applies for a visa loses his or her job, making the troubles of the Soviet Jew even more burdensome. Some have waited nearly a decade in hopes of obtaining a visa.

This oppression and persecution of Soviet Jews is a most distressing human rights violation. With the signing of the Helsinki accords in 1975, 35 nations—including the Soviet Union—agreed to honor certain human rights and freedoms. Among these are freedom of movement and the right to family reunification. Soviet compliance with these agreements is highly questionable.

We, as men and women living in the free world who believe in basic freedoms for all people, must continue to support the cause of the Soviet Jews and to fight against the religious and ethnic persecution they are forced to endure.●

● Mr. BERMAN. Mr. Speaker, I rise today to join my colleagues in a special tribute to the courage of Soviet Jews. We have assembled to address the issue of Soviet Jewry several times during the past year, and each time we have done so with renewed hope that the situation will improve. Instead it deteriorates as the Soviet regime tightens its grip.

Jews residing in the Soviet Union comprise 20 percent of the world's total Jewish population. But they are hostages in a country that has denied them fundamental human rights. They may not practice their religion or pass their heritage on to their children. And they are denied the right to emigrate in order that they may do so.

Of the 2½ million Jews in the U.S.S.R. approximately 350,000 are currently seeking emigration priviledges. Of these, 200 have been waiting over a decade. Only 896 Jews obtained exit visas in 1984.

It is our duty and our obligation to escalate efforts to oppose these gross violations. We should take our inspiration from those Jews imprisoned by Soviet persecution who still continue their struggle. As Anatoly Shcharansky serves his 8th year in a Soviet labor camp, his wife, Avital, dedicates her life to alerting the world of its duty to protest the violation of human freedom. Aleksandr Kholmiansky was recently convicted and sentenced to 18 months in a labor camp for alleged possession of ammunition. Josef Begun is currently serving his sentence of 7 years labor and an additional 5 years internal exile for agitation and propaganda. Yakov Levin is in the midst of a 3-year sentence in a labor camp on charges of slander toward the Soviet Government. In reality, each has been sentenced for committing the same crime, that of attempting to practice his religion.

Jews who apply for emigration priviledges are considered traitors, individuals who pose a threat to the State. Arrest, imprisonment, and abuse is often the response to those who either attempt to adhere to their religious principles while living in the U.S.S.R. or exercise the right to emigrate.

It is of the utmost importance at this time as the United States and the Soviet Union begin negotiations that we continue to denounce these gross violations and fulfill our obligation to work toward freedom of religion for all Soviet Jews.

● Mr. WIRTH. Mr. Speaker, the spirit of Soviet Jewry is facing one of its most severe challenges in some time, as authorities in the Soviet Union have initiated and sustained a vicious anti-Semitic campaign, focused primarily on refuseniks.

Since the beginning of 1984, the Soviet Government has added new weapons of Jewish persecution to its already substantial arsenal. In addition to the harassment of individual refuseniks, the Soviets have engaged in a widespread slander campaign aimed at discrediting the cultural and religious foundations of the Jewish faith.

The Government's "Anti-Zionist Committee of the Soviet Public" held a number of news conferences during the year, that attempted to blur the line between anti-Zionism and anti-Semitism. At one new conference, the committee made the absurd equation of Zionism and Nazism.

Beginning in July, Soviet officials initiated a comprehensive campaign against Hebrew teachers and other Jews who promote their culture. As the State Department has reported in its just released "Country Reports of Human Rights Practices for 1984," "by year's end, nine activists, including four Hebrew teachers, had been arrested and three sent to labor camp. The arrests were accompanied by a series of searches, beatings, and threats which sent shock waves through the Soviet Jewish community." Soviet officials, lacking any legal justification for destroying the spirit of these cultural activists, frequently had KGB agents plant drugs in the dwellings of Hebrew teachers and religious practitioners. They have also authorized KGB agents and other security police to beat Jewish detainees savagely while they are in custody, whether they are bound for imprisonment or not. For example, Yakov Mesh was released in December without being charged as a result of the severe injuries he suffered from the beating to which he was subjected following his arrest.

Soviet officials have also begun public attempts to sow dissension among Soviet Jews. Last year, Government propagandists assembled a documentary entitled "The Hirelings and Their Accomplices." The film depicted specific Soviet Jews as being Zionist agents who were part of a Western conspiracy to overthrow the Government, and was broadcast throughout the Soviet Union. Not only did the film impugn the reputations of numerous refuseniks by falsely portraying them as members of the world-wide Jewish deception, it also raised the issue in the minds of the Soviet people as to whether any Soviet Jew could be trusted.

"The Hirelings and Their Accomplices," combined with the intensified campaign against Jewish culture, has eroded the fortitude of many refuseniks. Given the increase in the scope and methods of Jewish persecution, "it is no wonder," said Boris, a Leningrad refusenik, that "many refuseniks are in a desperate mood. They are exhausted from fear and from waiting, waiting not only for permission to leave but simply waiting to see what will happen to them next. And the children suffer most of all. They are rejected and tormented. Their situation is—it's incredible."

This despondent mood, this fatalistic approach to life—these are precisely what the Soviet Government wants the Jewish people, particularly refuseniks, to feel. They want them to feel cut off from their country, and cut off from the world as well. More importantly, they want the refuseniks to feel cut off from their faith and cultural heritage. By making it a crime

against the state for Soviet Jews to practice their faith, Soviet authorities are attempting to undercut the very legitimacy of that faith and the culture associated with it. And, as Boris noted above, it is the children of Soviet Jews who will bear the most profound emotional scars from this experience. Their feelings of torment may be translated into a rejection of their Jewish heritage.

To combat such an occurrence, Boris and many of his compatriots are secretly teaching their children the history and religion of the Jewish people. Of course, with the increase in Soviet persecution, Boris and other Soviet Jews risk their lives in erasing the smears propagated against their people.

It is our job, as U.S. Representatives and advocates of religious freedom, to lessen that risk. We must continue to let the Soviet Union know that we will not abide their brutal and prejudiced treatment of Soviet Jews. We must continue to let the Soviet Union know that their slander of the Jewish faith and culture is not tolerable and is a clear violation of the human rights provisions of the Helsinki accords and the Universal Declaration of Human Rights. And finally, we must never let the leadership of the Soviet Union rest so long as there is even one refusenik who is barred from emigrating.

Last year, the Anti-Zionist Committee of the Soviet Public once again declared that the problem of Soviet Jewish emigration was solved, because every Jew who wanted to leave the Soviet Union had already left. In the year ahead, let us vigorously rebut this absurd yet dangerous statement by maintaining our support for the rights of refuseniks and Soviet Jews in general. As the Soviet Union moves to snuff out the proud heritage of Jews in the Soviet Union, let us not shrink from this challenge, but rather redouble our efforts on behalf of the Jewish faith and its adherents.●

● Mr. LEVINE of California. Mr. Speaker, as cochairman of the 98th Congressional Class for Soviet Jewry, and as a member of the Congressional Coalition for Soviet Jews, I place special significance in participating in this special order. Today we again pay tribute to the indomitable spirit and unwavering commitment of Soviet Jews in the face of unrelenting persecution by Soviet authorities.

This past year has been especially harrowing for Soviet Jews. It has seen a deliberate campaign of arrests and intimidation targeted at the activist Jewish community in the Soviet Union by Soviet authorities. This is a cause of special concern on the part of those of us who are fighting for the freedom of these strong and courageous people.

Mr. Speaker, the Soviet Government makes life very difficult for Soviet Jews in many ways. The lifeline to virtually all facets of Jewish culture has been nearly severed as Soviet authorities conduct an ongoing campaign to prevent a meaningful rebirth of Jewish language and culture. The teaching of Hebrew, the only language which has always been commonly shared by all Jews, is not recognized by Soviet authorities as a legitimate profession and cannot be taught or studied by Jews. The recent brutality against Hebrew teachers suggests that Soviet authorities want to destroy all Jewish tradition.

There are no Jewish communal or social organizations, nor are there Jewish schools of any kind. The freedom to practice religion is strictly controlled, and teaching religion, including Judaism, to people under 18 is illegal.

There are no seminaries to train rabbis, and while in 1926 there were 1,000 synogogues in the Soviet Union, today there are only around 50. It is not uncommon to find one of these synagogues closed or barricaded by the KGB to prevent entry.

The doors to higher educational institutions are closing to an increasing number of qualified Jewish applicants as a result of discriminatory entrance exams. Under the late Yury Andropov, the plight of Soviet Jews worsened considerably. New measures were introduced to make even more difficult the already arduous process of applying to emigrate. Emigration applicants continue to be subjected to oppressive measures such as dismissal from employment or, in some cases, even imprisonment.

Laws were changed to further punish those trying to emigrate, and there was a crackdown on Jewish culture. Of extreme concern is the massive propaganda effort against Jews which includes the creation in April 1984 of the Anti-Zionist Committee of the Soviet Public, and the publication of the virulently antisemitic book, "The Class Essence of Zionism." The most significant sign of worsening treatment was the drastic decrease in emigration from a high of 51,320 in 1979 to a low of only 896 in 1984. Yet the number of Soviet Jews applying for emigration visas has not diminished.

As if this were not enough, Soviet authorities have taken steps to further isolate Soviet Jews from their heritage and culture, and from the West. Stricter laws have been laid down affecting travelers, who can no longer ride in a car with a Soviet citizen, and who cannot sleep in their houses.

Soviet authorities have instituted a policy of nondelivery of mail to Soviet Jews, a situation important enough to have been brought up at the Universal Postal Conference in Germany in the summer of 1984. The significance of this policy is that Soviet Jews may no longer receive their all-important invitations to leave the Soviet Union, which is the first step in the emigration process.

These are significant, additional steps in the cultural genocide of Soviet Jews being carried out by Soviet authorities.

In short, Mr. Speaker, Soviet authorities are denying Soviet Jews their basic human rights—the right to maintain their own religion and culture, and the right to leave a country that is denying them their heritage. Soviet Jews are denied the rights guaranteed to other national minorities and religious groups by the Soviet Constitution.

Unable to live according to their historic traditions, hundreds of thousands of Soviet Jews in recent years have requested the right to leave the Soviet Union. The right of any individual to leave any country, including his or her own, is an internationally recognized human right upheld by the Helsinki Final Act and other international agreements—ratified by the Soviet Union.

Secretary of State Shultz said he emphasized U.S. concern for the human rights of Soviet Jews when he met recently in Geneva with Soviet Foreign Minister Gromyko. The increasingly harsh policy by Soviet authorities is of deep concern to me and I know to my colleagues in the House. We take this opportunity to tell Soviet authorities that we strongly oppose their policies, and that we are as deeply interested in the well-being of Soviet Jews as we have ever been. We take this opportunity to tell the Jews of the Soviet Union that our concern for you is unending. Your plight is always with us. We join you in your never-ending, difficult fight for the freedom to live a Jewish life in the country of your choice, in the manner and with whom you wish, with your human rights and your freedom intact and protected. We admire your courage and perseverance and your spirit and defiance in the face of persecution. We are with you, we will always be with you, and we will never stop our efforts on your behalf.

Thank you.●

● Mr. BIAGGI. Mr. Speaker, I am proud to join my colleagues today in paying tribute to the tremendous courage and deep convictions of the Soviet Jewish community, which continues to be denied basic human rights, such as the right to emigrate and the right of cultural and religious expression.

We are entering a critical juncture in United States-Soviet relations, Mr. Speaker. It is a time when maybe, just maybe, our calls for freedom and justice for Soviet Jews may be heard and responded to by the Soviet Government. It would not be a moment too soon.

The news from the Soviet Union, Mr. Speaker, is not good. In fact, the plight of Soviet Jews has deteriorated to a new all-time low. During the past year, we have seen the constant harassment of Hebrew teachers and Jewish cultural activists, including a new wave of anti-Jewish trials; a new modern low for the number of Soviet Jews allowed to emigrate in a single year—896—with a monthy rate of less than 100 Jews emigrating; and an increase in an already virulent anti-Semitic campaign being spearheaded by the Soviet Union's Anti-Zionist Committee.

Typical of the growing anti-Semitism that is so prevalent in the Soviet Union was the airing last November of a documentary film entitled "Hirelings and Accomplices." By broadcasting this film on Leningrad television during prime viewing hours, the Soviet Government made it clear that they will stop at no lengths to discredit and alienate their refusenik community—Jews who have been denied emigration on at least two occasions and who choose to publicize their refusal.

Simply put, "Hirelings and Accomplices" sought to equate Soviet Jews who seek to emigrate to Israel with anti-Soviet behavior. This was not a new theme, but the highly visible way in which it was projected to the Soviet People marked a new intensity in the Soviet's anti-Semitism campaign.

Since the film chose to focus attention on four leading Jewish activists from Moscow and Leningrad, I will focus on their plight as well. The film calls them traitors. I call them courageous freedom lovers.

First, let us consider the plight of Lev Shapiro. Mr. Shapiro, along with his wife, Leah, and their two children, have sought to emigrate to Israel since 1977. They have been repeatedly denied for various absurd reasons, including the fact that Mr. Shapiro had access to classified materials which were 7 years out of date, and because his emigration "is against the interests of the U.S.S.R." As a result of their seeking to emigrate Leah Shapiro has been fired from her job and denied subsequent employment and Lev was attacked by the media as a Zionist conspirator. They have been told by an emigration official that the decision to deny them emigration visas is final.

Second, there is the case of Iosif Radomyslsky, who has been denied employment in his mechanical engineering profession since he applied to emigrate to Israel in 1979. His application to emigrate was denied on the alleged grounds of "secrecy," another vague term used by the Soviets, when there is, in fact, no grounds for denial. It should be noted, too, that shortly after the airing of "Hirelings and Accomplices," which cited Mr. Radomyslsky as a traitor, his telephone was disconnected, and his supervisor began receiving KGB threats and pressure to dismiss Iosif from his job.

The third case case is that of Aba Taratuta, who has been waiting for permission to emigrate to Israel since 1973. He and his wife, Ida, are among the longest waiting refuseniks. Since applying to emigrate, Mr. Taratuta has been denied the right to work in his profession as a mathematician and engineer. Both Aba and Ida have been prominently involved in efforts to retain Jewish history and culture and, as a result, have been frequently attacked by the media. In 1980, Mr. Taratuta was named a Zionist conspirator with Lev Shapiro.

The fourth refusenik discussed in the film was Yakov Gorodetsky. Mr. Gorodetsky, his wife, Polina, and their daughter, Ester, applied to repatriate to Israel in 1979, and they have been repeatedly denied exit visas on unspecified grounds. As a direct result of his efforts to emigrate, Mr. Gorodetsky has been fired from his teaching position, and from several subsequent menial jobs. Last year, he was penalized by a 20-percent salary reduction for a 2-month "correctional period" because he refused answering authorities' questions about his current employment situation out of a very justified fear that he would once again lose his job. He has been warned against any future "misbehavior."

Mr. Speaker, these four individuals are not unique in their suffering. Over 400,000 Soviet Jews have begun the emigration process, and some 20,000 have been denied permission to emigrate on more than one occasion. Each has suffered considerable hardship at the hands of the Soviet Government and those hardships should not and must not be allowed to continue.

For my own part, I have joined the Congressional Coalition for Soviet Jews, a group of more than 100 Members of Congress formed to speak out on behalf of the 2.5 million Soviet Jews. Acting in this position, I am committed to fully supporting and pursuing the Greater New York Conference on Soviet Jewry's requests that the Soviets release all Soviet Jewish Prisoners of Conscience and cancel those trials which have not yet occurred; grant exit visas to those Jews wishing to be reunited with family members in Israel; allow for the repatriation of Jews to their homeland, Israel; and allow Jews to live without discrimination within the Soviet Union.

We can also pursue other avenues of assistance. For instance, I recently reintroduced a bill (H.R. 1019) to cut the price of postage in half on parcels of food, clothing, and medicine sent from the United States to the Soviet Union and Poland. This legislation seeks to encourage much needed personal assistance from Americans to persons in Poland and the Soviet Union, particularly Soviet Jews. We have a responsibility to do whatever is possible to make life a little easier for those repressed people who are forced to live under Soviet tyranny. We cannot ignore the fact that Soviet Jews are not only routinely deprived of basic human rights, but also of basic human needs, such as food, clothing, and medicine. The passage of H.R. 1019 would help to fill those needs.

Finally, Mr. Speaker, the Soviet Jewry issue should be raised with high level Soviet officials, at every opportunity, whether the forum is arms control talks or trade negotiations. We owe it to everything good our great Nation stands for and for freedom lovers everywhere to confront the Soviet Government about the terrible plight of their Jewish citizenry whenever possible.●

● Mr. FOWLER. Mr. Speaker, I am pleased and proud to participate in this special order on behalf of the courageous men and women in the Soviet Union.

The situation for these Jews has never been worse, and it is our obligation to pay heed to their plight. What can we do? How can we best work to help alleviate their situation? The questions are simple, but the answers are not. During both my visits to the Soviet Union, I have been struck by a profound sense of frustration. We live in a free and open world where we can practice our religion as we please. We write letters to the President, to refuseniks, to Soviet officials, but at present, we are witnessing the most depressing point ever, for both emigration and treatment of Jews living in the U.S.S.R. That is our next step?

Now, when the lines of communication are opening between our Government and the Soviets, it is time to turn that sense of frustration into action. It is with great pride that I serve as cochair, along with my colleague JACK KEMP, of the bipartisan Congressional Coalition for Soviet Jews, which currently has almost 200 Members of Congress. Only in unity can we, as Members of Congress, achieve positive results for our beleaguered brethren in the Soviet Union. In one outspoken and determined voice, all 435 of us must make it known that human rights and basic freedoms, aspects of life that we all take for granted, must be an integral part of negotiations with the Soviet Union. Perhaps that kind of pressure from our country will put an end to the continuing harassment of Hebrew teachers, the threats against refuseniks and the extreme anti-Semitism that is permeating the Soviet Union today. The Congressional Coalition will ensure that our commitment to freedom of religious and cultural expression and the right to emigrate remain fundamental to a meaningful United States-Soviet

dialog. We have a responsibility to these people. As Pope Pius XII once said, "The American people have a genius for splendid and unselfish action, and into the hands of America, God has placed the destinies of afflicted humanity."

We all agree that the mistreatment of Soviet Jews is of great concern to us—now, during the 99th Congress, let's take united action.●

● Mr. REID. Mr. Speaker, several weeks ago I returned from a trip to the Soviet Union. While there I had the opportunity to meet with Prisoners of Conscience, the so-called refuseniks, whose only crime is the desire to worship God in their own way. These people, most of them Jews who have been refused the right to emigrate to Israel, are routinely persecuted by Soviet authorities seeking to stamp out all traces of organized religion. They have been battered physically and emotionally and fired from their jobs. In some cases, after having been followed and harassed for years, they have been murdered.

One thing that strikes me as particularly sad is the fact that the majority of Americans are unaware of the tremendous adversities faced by the refuseniks. I think there are a number of constructive measures that we, as Congressmen, can put into effect to bring the refuseniks' plight to the attention of the world, and hopefully ease their burden. First, we can try to increase the sensitivity of the American public to this issue through cooperation with the mass media, the assembly of conferences, publication of books, and similar efforts. Second, we can urge the Reagan administration to link treatment of refuseniks with other issues discussed during bilateral talks with the Soviets. Third, we can press each other in Congress to make the handling of Soviet Prisoners of Conscience a central concern of future congressional delegation trips. Clearly these are just a few suggestions to help address a problem that shows few signs of abatement; but if enough of us are committed to this human rights cause our voice will be heard and answered.●

● Mr. SAXTON. Mr. Speaker, it is indeed an honor for me to join my colleagues today in paying tribute to the unwavering spirit of Soviet Jews. I appreciate having the opportunity both to pledge my support for Soviet Jewry and to encourage the Soviet Union to grant emigration rights to this persecuted people.

Jewish life in the Soviet Union is dominated by determined, state-sanctioned propaganda and harassment activities. In fact, the few freedoms which have been accorded other religious minorities are not extended to Jews. The ultimate goal of the Soviet Government is the annihilation of Jewish culture. Because Jews are denied the right to pass on most of their rituals and traditions to younger generations, the Jewish religion may well face extinction in the Soviet Union.

Today in the Soviet Union there are about 70 synagogues. There are 70 synagogues in a gigantic country with the third largest Jewish population in the world. Seventy synagogues—this means one synagogue for every 25,000 Jews. And all too often, a synagogue will be found barricaded.

Another tactic of harassment is state-sanctioned propaganda. The number of incidences of hostile fabrications in all media is growing rapidly. Also, since the compulsory indoctrination program for young recruits often includes extensive anti-Semitic and anti-Israel propaganda, the Soviet Army is a breeding ground for future anti-Semitism.

These trends, not surprisingly, have accelerated the desire of many Jews to leave the Soviet Union.

Over 350,000 Jews have shown an interest in emigrating, but many are unable to begin the process due to innumerable and clever bureaucratic obstacles. Harassment, discouragement, and illness caused by the stresses of refusenik life prevent thousands from ever beginning the process of emigration, which takes years, if permission to leave is granted at all.

Mr. Speaker, I call on the Soviet Government to end anti-Semitic practices and to ease restrictions on emigration. The Soviet Union must understand that this situation is intolerable to freedom-loving people everywhere.●

● Mr. MOAKLEY. Mr. Speaker, I would like to call to the attention of my distinguished colleagues, the increase in violence and persecution directed toward the refuseniks of the Soviet Union and to emphasize my concern regarding this distressful situation.

As we all know refuseniks are those Soviet Jews who are routinely denied the right to emigrate. With an increase in the number of those denied visas, fewer than 1,000 Soviet Jews were allowed to emigrate in 1984. This exiguous figure is negligible when compared to the peak of 51,320 Soviet Jews allowed to emigrate in 1979; 5 short years ago.

We are all aware of the plight of the refusenik. Denied visas, refuseniks become pariahs in their own country. Oftentimes, they and their families become targets of harassment, degradation, and blacklisting. Parents lose their jobs and risk being arrested for parisitism; children are forced out of schools, thus extinguishing any hopes of further education or a successful career; refuseniks live in daily fear of being arrested on false charges and separated from their families. Clearly this form of oppression is the antithesis to the Helsinki accords which bestows upon every individual the right to leave any country, including his own, and of which the Soviet Union is a signatory.

At a time, such as now, when the Soviet Union has expressed an interest in improving relations with the United States, I find the level of human rights maintained in the Soviet Union extremely distressful and would urge my colleagues to speak out against such oppression in an attempt to press the Soviets to act in good faith on their commitment to peace.●

● Mr. BEILENSON. Mr. Speaker, I am honored to join with my colleagues today in paying special tribute to the unsurpassed courage and tremendous strength of Soviet Jews in the continuing struggle for freedom and the preservation of Jewish culture.

As we are all aware, the Soviet Union's repression of Soviet Jews is intensifying. In 1984, only 896 Jews were permitted to emigrate from the Soviet Union and join their families in Israel, the lowest level since records have been kept. In addition, there has been an alarming increase in the number of Hebrew teachers who have been arrested and convicted on charges of "defaming the Soviet State," just because of their overwhelming desire to keep their Jewish faith alive; this trend is particularly troublesome as it suggests that Soviet authorities are attempting to completely eliminate the dissemination of Jewish cultural heritage and tradition. The situation for Jews is further jeopardized by a dramatic rise in anti-Semitic propaganda.

By releasing its prisoners of conscience and granting religious freedom, the Soviet Union would indicate to the world not only its respect for the principles outlined in the Helsinki Accords, but also its desire to improve the strained relations between the United States and the Soviet Union. I fervently hope that Secretary Chernenko will finally seek to reverse the drastic decline in Soviet Jewish emigration and curb his government's policy of discrimination against and abuse of Soviet Jews.●

● Mr. DAUB. Mr. Speaker, I rise to add to the statements of my friends and colleagues today as we pay tribute to those brave, suffering souls who maintain their courage and demand to emigrate in the face of increasing Soviet persecution.

This is no small matter when one considers the ways and means employed by Soviet authorities to break the spirit of this movement. Anatoly Shcharansky describes these methods in this correspondence:

In March and April, during interrogation, the chief investigators warned me that the position I have taken during investigation, and held to here in court, I would be threatened with execution by firing squad, or at least 15 years. If I would agree to cooperate with the investigation for the purpose of de-

stroying the Jewish emigration movement they promised me early freedom and a quick reunion with my wife.

This cynical and barbarous use of power by Soviet Government officials described by Mr. Shcharansky is unfortunately typical of the way the Soviets treat those Jews who have indicated a desire to move West. It is disheartening to think that the Soviets are getting more repressive, not less, in recent years.

Continued defiance by Jews wishing to emigrate confirms my conviction that ultimately the individual is stronger than the state. Continued persecution, indeed intensified persecution, all point to the fact that defiance by refuseniks courageously endures.●

● Mr. LENT. Mr. Speaker, I rise today to join my colleagues in paying tribute to the brave and indomitable spirit of Soviet Jews who have long suffered under the Kremlin's oppressive rule.

Many of my colleagues here today have been active for years in the campaign to free those Soviet Jewish citizens wishing to emigrate from Russia. I know many share the deep sense of frustration and discouragement I feel when I hear the alarming—and increasingly frequent—reports of hatred and violent attacks against Jewish refuseniks and activists. These days, the situation looks very dark indeed. Emigration levels of Soviet Jews have dropped dramatically—from a high of 50,000 in the watershed year of 1979 to a low of 896 last year.

The Kremlin has launched a propaganda campaign against its Jewish citizens that is frightening in its intensity, and which is abhorrent to all free men.

On Soviet television, radio, and in the official Soviet newspapers, the authorities are linking Jews and Zionists as traitors in a plot to overthrow the Soviet Government. Branded as liars and traitors, Soviet Jews are isolated from their countrymen—outcasts with nowhere to turn. Authorities are attempting to cut Soviet Jews off from the outside world by severely restricting and intercepting mail and telephone communications.

The alarming trend in Soviet official policy seems directed at eradicating Jewish culture from the U.S.S.R. forever. Jews are forbidden by Soviet law from practicing their religion, observing holidays, and teaching the Hebrew language. Over time, these courageous men and women have banded together in a kind of underground movement practicing their religion in bold defiance of the Kremlin's crushing edicts.

But the cost they pay is dear. Jews are pulled from their homes, arrested, and cruelly beaten. They are tried by kangaroo courts of the so-called Soviet system of justice. For their "crimes," they are driven into exile in the wastelands of Siberia, enslaved for years under harsh conditions and driven to hard labor. Some are institutionalized in Soviet psychiatric hospitals, their minds and bodies subjected to overdoses and injections of dangerous drugs. So many Soviet Jews endure a suffering few of us can comprehend.

Yet, they still keep fighting. And they will never submit as long as the hope and spirit of freedom burns bright in their hearts.

That, Mr. Speaker, is our reason for being here today. We are witness to that spirit of freedom which refuses to die. We are children born of such a love of freedom. Our forefathers left their homelands to come to America. They sought freedom of speech, religion, and the press, and they fought and died to protect those inalienable human rights which are the rights of all men.

Let us join our voices together in loud protest. Let the Kremlin know that the whole world is watching at this criticial point in United States-Soviet relations. Let us renew our pledge to fight to free those Soviet Jews who seek only to practice the religion of their choice in the land of their choice. And let us not cease until we have won.●

● Mr. KILDEE. Mr. Speaker, last January 30 I joined many of my colleagues and community leaders from across this country in participating in a daylong Emergency Action for Soviet Jews, sponsored by the National Conference on Soviet Jewry. Participants in Emergency Action viewed a powerful Soviet television propaganda film which attacked Soviet Jews as agents of the CIA and a Zionist conspiracy. We also ate a symbolic prisoner lunch consisting of black bread and potato soup. We heard firsthand accounts of Soviet repression of Jews who seek to either freely practice their religion or emigrate to a land which will allow them to do so.

Today we pay special tribute to the indomitable spirit of Soviet Jews who face persecution for seeking emigration and justice at home.

The overwhelming majority of Jews who apply to emigrate from the Soviet Union are denied permission by the Soviet Government. In fact, the numbers of Jews who have emigrated from the Soviet Union declined from 51,320 in 1979 to just 896 last year. For those fortunate enough to be permitted to leave, months or even years may pass from the day of application to the day of departure. The long emigration process may be marked by constant harassment and conscious bureaucratic delays, especially for activists. To apply, one must submit a variety of documents to the local OVIR [Office of Visas and Registration, a branch of the Ministry of Interior]. The critical one is a Nyzov, or invitation from a relative in Israel. Since 1979, narrow rules determined that this must be a first degree kin, virtually precluding hundreds of thousands of people from receiving the mandatory document. A Soviet Jew might request several invitations before actually receiving one, since authorities often intercept them in the mail.

The Helsinki Final Act and the Universal Declaration of Human Rights calls for the easing of the repression of Soviet Jews who simply wish to emigrate. Yet the Soviet Union's record in recent years of this issue is appalling. It seems clear that allowing Soviet Jews to emigrate would not harm the security of the Soviet Government. Rather, it would greatly enhance the likelihood of improved relations between our two nations.

There are other dangerous trends occurring within the Soviet state. Not only is the sharp decline in Jewish emigration from the Soviet Union continuing, but with determined brutality, the Soviet Union has refused to allow Jews to live in their homeland with dignity and the freedom to be Jews.

We are witnessing an intensification of forced cultural assimilation, an expansion of anti-Zionist propaganda campaigns and an attempt to sever the Soviet Jewish community from any contact with similar communities abroad. In recent months, scores of private Hebrew teachers have been warned by the police and KGB to stop teaching Hebrew or be severely punished. During the past several months, four Jewish activists have been sentenced and three more are awaiting trial. Jews have been arrested on spurious charges and may have been beaten by Soviet authorities.

Given these worsening conditions, and given recent signs of possible improvement in our bilateral relationship with the Soviet Union, now is the time to launch new initiatives that will heighten public awareness of the crisis facing Soviet Jews. And now is the time for Congress to display to the Soviet Union a bipartisan resolve that we consider Soviet improvement on these human rights issues to be an integral part of our overall relationship with them. I call on all Members of Congress and all Americans to join in this struggle for basic human rights and human dignity.●

● Mr. MORRISON of Connecticut. Mr. Speaker, today I am honored to join with my colleagues in paying tribute to the indomitable spirit and unwavering defiance of Soviet Jews who face persecution for desiring to emigrate to Israel or to live as Jews, without discrimination in the Soviet Union.

Last year saw an all-time low in Jewish emigration. Emigration fell from its 1979 figure of 51,320, to 896 in 1984, in part due to recent changes in application regulations. The applica-

tions now require the disclosure of the names of all relatives, placing relatives under the Soviet Government's scrutiny along with the applicant. Many of these applications are held up in the review procedure so that the applicants are left waiting for months while the Soviet Government claims to be processing their request to emigrate to Israel. In the meantime, they are dismissed from their jobs and forced to take menial jobs or risk criminal prosecution. Sometimes their children are expelled from colleges or universities or their personal property is confiscated.

Accompanying this low rate of emigration is a stepped up effort on the part of the Soviet Government to erase the Jewish culture from the Soviet Union. Their attack has been focused on Hebrew teachers and Jewish activists. These outspoken members of the Jewish community have been the targets of searches, threats, and arrests by the Soviet Government. Four of those arrested have been sentenced to prison and labor camps on trumped up charges—charges of treason because they dare to speak of their desire to leave the Soviet Union or to remain in the Soviet Union without discrimination.

Still further, the Soviet Government has intensified its efforts to spread anti-Zionist propaganda. The National Conference on Soviet Jewry recently released a 27-minute film that was aired on Leningrad television, entitled "Hirelings and Accomplices." The appearance and key placement of this so-called documentary on prime-time viewing hours indicates the Soviet Government's intensification of its campaign to discredit the refusenik community. It vividly portrays the Soviet propaganda tactic equating Soviet Jews who seek to emigrate to Israel with anti-Soviet behavior. Hebrew teachers and Jewish cultural activists are equated with spies and criminals, allegedly coerced by outsiders to emigrate.

Mr. Speaker, I am honored to be able to pay tribute to the many Soviet Jews who continue to struggle for freedom and for the reestablishment of basic human rights of Jews in the Soviet Union. As the situation drastically deteriorates, we must stand stronger and even more united in the struggle to free them from the Soviet repression if they are to survive.●

● Mr. SIKORSKI. Mr. Speaker, 1984 was a bleak year for Soviet Jewry, a year dominated by harassment and a new wave of arrest and persecution. In addition the Soviet Union has effectively closed the gate to Jews desiring to leave the country. We have all seen the numbers, 896 Jews allowed to emigrate from the Soviet Union in 1984, a number that stands in stark and distressing contrast to the more than 51,000 Soviet Jews granted the freedom to worship the god of their choice just 5 years ago.

According to Soviet authorities, all Jews who wanted to leave the U.S.S.R. have already done so. This is not the case. According to the National Conference on Soviet Jewry, it is estimated that more than 350,000 Soviet citizens desiring to emigrate are still stranded within their homes.

Jews categorized as refuseniks are increasingly treated as outcasts by Soviet society. Often separated from their families and from Israel, they have been forced to wait indefinitely for permission to leave with no assurance that they will ever receive it. As refuseniks, they are routinely dismissed from their jobs and forced to take menial jobs or risk criminal prosecution on charges of parasitism. They are harassed, expelled from school, stripped of their standing in society, and subject to arbitrary arrest, confiscation of personal property, and defamatory attacks against their heritage.

Who are these Soviet criminals? They are ordinary men and women, whose only crime is their active struggle to secure the right to emigrate to Israel or to live as Jews without discrimination in the U.S.S.R. They are Yakov Levin, a Hebrew teacher from Odessa who was sentenced to 3 years of hard labor for allegedly circulating false materials which defamed the Soviet state. The inciteful document—a copy of Leon Uris' novel, "Exodus." They are Lev Shapiro who, with his wife, Leah, and their two young children, have been denied emigration to Israel since 1977. Lev, educated as an electrical engineer, has worked for the last 8 years as an electrician and Leah has been unable to find work. They are Nadezhda Fradkova, a Leningrad activist sentenced to 2 years in prison on the charge of parasitism and confined to a psychiatric hospital ever since.

And yet, despite adversity, despite this blatant attempt by Soviet authorities to crush the will of the Jewish people, a voice of hope can still be heard above the anti-Semitic din. The movement for a renewed Jewish religious and cultural life within the Soviet Union grows stronger. Soviet Jews are continuing to draw strength from their heritage. We too must draw strength. To our Jewish brothers and sisters in the Soviet Union, we will stand with you. We will not let your voices be silenced.●

● Mr. PORTER. Mr. Speaker, I would like to commend my colleagues for calling for the special order today to emphasize the plight of Soviet Jews.

Like many of my colleagues, I had the opportunity to travel to the Soviet Union in August 1982. I returned with a strong commitment to do all that I could to held the people I met during my trip. These refuseniks, were an inspiration to me. I was impressed by their commitment to their Jewish faith, and to their desire to emigrate to Israel, the homeland of the Jewish people.

As a direct response to my desire to help the victims of human rights abuse in the Soviet Union, and elsewhere in Soviet bloc countries, and around the world, I formed the Congressional Human Rights Caucus. My cochairman TOM LANTOS and I were very pleased with the support we received from our colleagues for the caucus during the 98th Congress, and we hope that again we will have one-half of the Congress as members.

Today we are talking about the dangerous trends occurring in the Soviet Government's treatment of Jewish citizens. The situation has never been more bleak. Last year only 896 Jews were allowed to emigrate; this sharply contrasts with 1979 when over 50,000 Jews were allowed to emigrate. There are thousands of Jewish families who want to emigrate, and have either been refused permission, or are waiting to hear from the visa office about their request. Most often, they receive refusals for their requests to emigrate.

Lately I have become increasingly concerned by the reports of government-sponsored anti-Semitism in the Soviet Union. A recent example of the Soviet anti-Semitic campaign is a documentary, titled "Hirelings and Accomplices," which aired on Leningrad television last November. This 27-minute film portrayed the desires of Soviet Jews to emigrate to Israel as anti-Soviet behavior. It also implicated members of the Jewish community as participants in a Zionist conspiracy operating in cooperation with the CIA. Unfortunately, this film, which was smuggled out of the U.S.S.R., is only one small sample of the harassment and persecution facing the Jewish community in the Soviet Union.

The Soviet Union has committed itself, by signing international treaties, to allow its citizens the freedom of emigration and freedom of religion. Yet time after time we see that they violate these international agreements.

Most recently I have become very concerned about the treatment of Evgeny Lein, a Soviet Jew living in Leningrad. Many of my colleagues joined in signing a letter I initiated with Representatives KEMP, HOYER, and BOXER urging President Chernenko regarding Mr. Lein. Unfortunately, Mr. Lein's situation is an all too common example of the plight facing Soviet Jews. I would like to submit for the RECORD a recent editorial from the New York Times which accurately, and poignently describes Mr. Lein's plight:

THE PARASITE, BY A MODERN KAFKA

The bureaucratic double bind: it's a game rigged so that officials always win. Here is a classic instance, drawn not from history but from the Soviet Union today. It concerns an outstanding Soviet mathematician, Evgeni Lein.

Under Soviet law, everybody must work or face a prison sentence for "parasitism." But since the state controls employment, it has the power to turn any citizen into a "parasite," which is Mr. Lein's likely fate. He has been unable to obtain even a menial job before a 90-day deadline expires today.

Mr. Lein's real crime is sadly commonplace. In 1978 he applied for a visa to Israel, and on the same day was fired from his job as a senior researcher at Leningrad State University. Accused, implausibly, of assaulting a militiaman, he was sentenced to a labor camp in Siberia. He was released in 1982—into the terrible limbo where thousands of "refuseniks" are dumped.

The British historian Martin Gilbert, in his moving book "The Jews of Hope," reports in detail on how the Soviet double bind can become a triple, even quadruple bind. When Mr. Lein was told no computer work was available, he asked for a simple job. The response: "No, you have too good an education. "Nonetheless, he finally shamed the state into giving him work as an assistant stoker. The roaring boiler impaired his hearing and he was certified for a disability, yet denied a transfer to quieter work. So he quit, provoking a beating last November by four security policemen who wrenched his right hand to stop his writing protest letters.

There's still another twist. Even if there is no job in Leningrad, there is one in this country. Roosevelt College in Chicago has offered Mr. Lein a job teaching his specialty. He need not be a parasite.

The Helsinki Agreement, which the Soviet Union signed, says, "Everyone has a right to leave any country, including his own." And the Universal Declaration of Human Rights, also signed by Moscow, affirms the right of all "to leave any country, including his own and to return to his country," Yet for a Soviet citizen to invoke either pledge is to risk jail, ostracism, beatings and the stigma of being a "parasite." That is the univeral bind for Jew and gentile alike in the Soviet Union.●

GENERAL LEAVE

Mr. FISH. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on the subject of this special order today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

REMEMBER OUR FARMERS

(Mr. PENNY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PENNY. Mr. Speaker, yesterday some of our colleagues in the other body staged a filibuster to draw attention to the farm crisis. They held up action on the vote to name Ed Meese as our next Attorney General. I compliment them for their concern and their commitment to rural America.

However, Senate Majority Leader BOB DOLE called this filibuster by farm state legislators, "blackmail."

Secretary of Agriculture John Block called the action "inappropriate."

President Reagan termed the effort "ridiculous."

Today I have a few words to offer to them.

To Senator DOLE: "Remember your roots. You are from a farm State. Fight for your farmers as hard as you fight for Ed Meese."

To Secretary Block: "Remember your job description. You are the Secretary of Agriculture. Fight for rural America the way Cap Weinberger fights for the Pentagon budget."

To President Reagan: "Remember your campaign promise. Last year you told farmers you would not rest until they joined in America's economic recovery. Now is the time to put those words into action. The farmers of America need your leadership."

THE DISPUTED ELECTION IN THE EIGHTH DISTRICT OF INDIANA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. GINGRICH] is recognized for 60 minutes.

Mr. GINGRICH. Mr. Speaker, I wish to speak this afternoon about the House refusal to seat the certified winner of the election in Indiana, Mr. McIntyre, and to introduce into the RECORD some additional information which I hope our friends on the Democratic side will look at carefully and will come to examine, because in the near future when we have another chance to vote on the issue of whether or not to go back to the precedent that says that once a Member has won an election and been certified by the secretary of state, that that Member should be seated until such time as the House finds that the election was fraudulent.

□ 1430

Let me again remind the distinction: Historically, in this House, once a Member has won an election and been certified by the secretary of state of the State in which the election was held, historically, the House seats the Member, and only then begins to look at the election.

In this case, the House is in a very dangerous way breaking precedent, and many people who have been looking at this are very concerned.

I want to quote, for example, a Minneapolis Star and Tribune story from February 8, 1985, talking about a colleague of ours, Mr. FRENZEL, of Minnesota, a Republican leader who spoke out on this issue. I quote this because Mr. FRENZEL, the gentleman from Minnesota, is widely regarded as one of the more sophisticated and one of the more sincere Members of the House; a man who does his homework; who is in fact not only very bright but very dedicated to the House; a man who serves on the Committee on Ways and Means with great discipline and with a great sense of trying to do that which is in the public good.

This is the article from the Minneapolis Star and Tribune.

FRENZEL ASSAILS REFUSAL TO SEAT MCINTYRE

(By Steve Berg)

WASHINGTON, DC.—Rep. Bill Frenzel, the usually poised and diplomatic Republican, got hot under the collar on the floor of the House Thursday—so hot that the chamber's Democratic leader interrupted Frenzel's stormy speech and accused him of going "beyond the bounds of decent debate."

"This is murder! This is a rape of the system!" Frenzel roared in arguing to seat Richard McIntyre as the representative of a House district in southern Indiana.

"With great patience (I) have desisted from insisting that the gentleman's words be taken down," shot back Majority Leader Jim Wright of Texas. "But some of the words just recently used go beyond the bounds of decent debate."

Under House rules, "taking down" means reprimanding a member for using "disorderly words." In extreme cases it could lead to censure, but Wright decided not to press the issue yesterday.

The tussle was over whether the House should seat McIntyre, a Republican, while one of its committees investigates the disputed election. The chamber, controlled by Democrats, voted 221-180 yesterday not to seat him, but to leave the matter to the House Administration Committee, also controlled by Democrats.

The battle has become one of stubborn, partisan honor. Five Democrats joined Republicans yesterday in voting to temporarily seat McIntyre over incumbent Democrat Frank McCloskey.

Frenzel was still steaming after the vote.

"It's hard to be calm and serene when you've been mugged," he said. "Perhaps I got a little emotional. But I regret it not a bit. Rick McIntyre by any law, by any act of logic or reason or precedent should have been seated while the true outcome is determined. Not seating him is a blatant abuse of arrogant and ruthless power by a majority."

Democrats are trying to "steal the election," Frenzel continued. "They're going to figure out a way to seat their guy. They want to throw enough dirt on the trail that this will be declared a vacant seat and they'll hold a new election."

He suggested that House Democrats are smarting over recent defeats and that their campaign committee, chaired by Rep. Tony Coelho of California, "wants to show its manhood."

The Republican secretary of state in Indiana certified McIntyre the winner by 34 votes immediately after the Nov. 6 election. After a recount, his margin was placed at 418. But Democrats charged that the recount left thousands of votes in doubt, many of them in black precincts around Evansville.

Aides said that only twice before in Frenzel's 14 years of representing the Twin Cities southern and western suburbs have

they seen him so upset. "It has built up to the point where he nearly exploded," said one. "He's frustrated because he knows he can't break many Democrats out of the pack."

And I would urge every Democrat in this House to consider seriously the man of the seniority and the maturity and the basic good nature of the gentleman from Minnesota [Mr. FRENZEL] is that upset; if he is that concerned, then maybe one should look more carefully at this very, very dangerous and unprecedented act of failing to seat Mr. McIntyre of Indiana who has won the election, won the recount, and been certified by the secretary of state.

Let us look outside this body. The New York Post, February 12, 1985, in an editorial entitled, "Someone Should Pass the Word" they said, and I quote the New York Post:

SOMEONE SHOULD PASS THE WORD

You have to tip your hat to Tip O'Neill. The Speaker of the Democratic-controlled House of Representatives sure knows his Constitution.

Article I, Sec. 5 says: "Each House (of Congress) shall be the Judge of the Elections, Returns and Qualifications of its own Members."

O'Neill and his 252 partisans in the 435-member House have used that as the basis to refuse even a temporary seat to Republican Richard McIntyre of Indiana, who apparently won his race by 418 votes out of 436,000 cast.

A special House committee is examining the returns, but in 82 previous such disputes—without exception—the apparent winner has been seated pending the outcome of any investigation.

O'Neill tried to argue last week that McIntyre should not be seated until the House probe is complete.

The Democrats in Washington are saying—in essence—that a local election official can't be required to submit a correct voting tally.

Considering that the Democrats already enjoy an overwhelming 70-vote margin in the House, denying Republicans one more seat on such specious grounds is a diplay of arrogance.

The real loser right now is Indiana's 8th Congressional District.

How far will the Democrats under Tip go to maintain their 30-year control of the House?

It would be reassuring if other leading Democrats took Tip aside and told him that winners don't need to cheat and that cheaters, in the long run, don't win.

That is the New York Post, looking from the outside, looking at this unprecedented act of refusing to seat a Member of the House who has won an election and been certified by the secretary of state.

The Washington Times, on February 14, 1985, in an editorial entitled, "Indiana McIntyre in the House of Doom."

The article follows:

INDIANA MCINTYRE IN THE HOUSE OF DOOM

The behavior of the House Democratic majority over Indiana's disputed House seat suggests a wretched kind of partisanship. Richard McIntyre, the Republican challenger, has twice been certified the winner of the 8th District House race, but has yet to be awarded the seat.

The initial count had the Democratic incumbent, Francis McCloskey, ahead by 72 votes. But the first recount put Mr. McIntyre ahead by 34 votes—a result certified by Indiana's secretary of state. Because the margin was narrow and because the secretary of state was a Republican and because a second recount was under way, the House declined to seat either contestant.

Now the second recount has been completed, and Mr. McIntyre leads by 418 votes. Yet the House, splitting along party lines, says no one can be seated until the House Administration Committee reviews the case. That committee, controlled by the Democrats, is not moving with alacrity.

Who knows? Mr. McIntyre's putative election may yet be overturned. Even so, precedent argues for seating the gentleman pending completion of the Administration Committee's inquest. Mr. McIntyre is pushing the case in U.S. District Court, which, let us hope, will dawdle less than the House.

Now, that is the Washington Times echoing the New York Post, which echoed the editorials I put in yesterday from the Washington Post, the Detroit News, from the Texas newspapers, again and again and again. From the Indianapolis newspapers, from the Evansville newspaper saying to this House, that once a Member has won the election, once the secretary of state has certified that Member, he or she should be seated during the recount.

Imagine, for 2 months now the 500,000 people of the Eighth District of Indiana have not had a Representative. For 2 months they have been paying taxes without representation. For 2 months, they have been denied their voice in this Congress, and on what grounds?

Under American law, you are innocent until proven guilty, yet in effect, the secretary of state of Indiana has been ruled guilty until proven innocent, because this House, by its vote, says the secretary of state of Indiana is in fact guilty of sending a certificate that is not valid.

What arrogance. The people of the eighth district have been told their votes do not count. For 2 months now their votes have not counted. What arrogance.

This House, under the Democratic leadership, is denying the people of the Eighth District of Indiana their vote; virtually every newspaper says so, and yet, look what we are being asked to believe:

Having by a party line vote refused to seat the winner from Indiana, we now have a task force which is two Democrats and one Republican. Gives you some idea of what House Democrats think of as fairness.

In the Ethics Committee, there would be two Democrats and two Republicans, because a matter of ethics should be decided on a nonpartisan basis. What about an election? Is it not on the face of it partisanship for two Democrats and one Republican to recount an election, in a situation where only Democrats have voted to not seat the winner of the election?

And are we in effect seeing a partisan Democratic leadership fail to seat the man who has won both the election and the recount and now fail to have a fair hearing because the task force is by its definition a partisan tool of the Democratic leadership?

□ 1440

It has a greater margin, 2 to 1 of Democrats over Republicans than exist in the House, which was 58 to 42, or existed in the election which was barely 50.3 to 49.7.

So we have the case that the people of Indiana voted. Their votes have been counted twice. The secretary of state is satisfied. Five Democrats had the courage to vote with us. But the Democratic leadership insists on not seating someone.

What do they say in Indiana about all this?

The Noblesville Daily Ledger, February 7, 1985, in an editorial entitled "Poor Losers."

[From the Noblesville Daily Ledger, Feb. 7, 1985]

POOR LOSERS

Residents of Indiana's 8th Congressional District are being denied representation in Washington in a blatant abuse of power by Democrats controlling the House of Representatives. Richard D. McIntyre was elected to the House from the 8th District last November, but he still is on the outside looking in.

The election was a close one. Mr. McIntyre was certified the winner over Democrat Frank McCloskey by a scant 34 votes in December. Mr. McCloskey demanded a recount, which was not unexpected.

Now the recount has been completed—by county election commissions that were dominated by Democrats in 11 of the 15 counties comprising the 8th District. Mr. McIntyre again emerged the winner—but by more substantial margin of 415 votes.

The Democrats are turning out to be poor losers. Rep. Tony Coelho of California, chairman of the party's congressional campaign committee, insists the returns still are not conclusive. He points out that 1,000 ballots were used invalid in a precinct with a heavy pro-McCloskey vote, but conveniently ignores the fact that thousands more were ruled in precincts that favored Mr. McIntyre.

Election officials in Indiana are satisfied that the election of Mr. McIntyre was on the up-and-up, but the Democratic leadership in the House is insisting that the seat remain open until the House Administration Committee, which it controls, has had a chance to "investigate" the case. The investigation, of course, is a last-ditch effort to find some reason to give the seat to Mr. McCloskey.

This is believed to be the first time the House of Representatives has ever refused to seat a person whose election was duly certified by state-election authorities. If the Democratic majority is allowed to impose its will in this manner, the implications are frightening. Why bother to have elections if

the party controlling Congress can overule the results?

If Mr. McIntyre is not seated promptly, voters in Indiana should seek an order from a federal court granting them the representation in Congress that is being denied to them by the losing side in the November election.

Let me repeat. I think the three things that every House Democrat should be aware of, from the Noblesville Daily Ledger, first, that the recount was "by county election commissions that were dominated by Democrats in 11 of the 15 counties." So it is not a Republican recount. In 11 of the 15 counties there was a 2-to-1 majority of Democrats providing the vote.

Second, that all the assertions that the Democratic leadership has been making about the 1,000 ballots that were thrown out, about the two precincts that were not counted, conveniently ignore the fact that there were 1,000 more ballots not being counted in precincts that McIntyre carried, that Indiana law was faithfully followed and that in fact the reality is that if you count all the ballots, McIntyre won by 34 votes. If you count more carefully and more precisely, McIntyre won by 418 votes, but there is no single piece of evidence that in any way suggests that the Democrat won this seat anywhere in Indiana. Although clearly the Democrats in Washington are doing their best to win it for him.

Third, and this is the reason that today we had votes on the floor, this is the reason there will be more votes next week, this is the reason there will be a consistent systematic effort to force another vote on the McIntyre matter and that is the danger which the Noblesville Daily Ledger correctly notes when it says:

If the Democratic majority is allowed to impose its will in this matter, the implications are frightening. Why bother to have elections if the party controlling Congress can overrule the results.

The precedent that the Democratic leadership is trying to establish this year is a dangerous constitutional precedent for the future of this country. If we allow any 218 Members on the opening day to refuse to seat a Member for whatever reason, we create an artificial majority and we deny the right of the American people to be represented.

The Noblesville paper has understood the constitutional challenge in this action.

Consider another Indiana newspaper, the Goshen News, February 8, 1985, in an editorial entitled "Time To Seat McIntyre."

[From the Goshen News, Feb. 8, 1985]

TIME TO SEAT MCINTYRE

Republicans are making noise about the failure of the Democrats in the U.S. House of Representatives to seat Rick McIntyre as representative from Indiana's 8th congressional district.

The GOP efforts were turned back in a 221-180 party line vote Thursday to have McIntyre seated conditionally while a House committee investigates the disputed election. The matter has been left in the hands of the House Administration Committee.

There was a lot of election night confusion, and a 100-vote tabulation error in Vandenburgh County gave Congressman Frank McCloskey a preliminary 72-vote lead. The error was discovered and the corrected vote made McIntyre a winner by 34 votes. This was the way the official vote was recorded.

Obviously, incumbent McCloskey would request a recount and one was completed. But it was a recount by lawyers with lots of witnesses watching every vote tallied. It was nothing like the friendly recount going on in Elkhart County, where we're testing a system and not expecting to unseat winners who have big victory margins.

With uninitialed punch card ballots and others that didn't officially qualify eliminated, McIntyre won by 415 votes.

The recount in 11 of the 15 counties was controlled by Democrats, so McIntyre hardly had an advantage or "stole" the election in a recount.

Secretary of State Edwin Simcox, a Republican, certified McIntyre the winner. But the House, controlled by Democrats, decided to declare the office open pending a determination by the House.

Rep. Guy Vander Jagt of Michigan, chairman of the National Republican Congressional Committee, has some strong things to say about all this.

"A crime is being committed in the United States House of Representatives affecting half a million people today and perhaps many more in the future."

Vander Jagt says the House Democrats vow to leave the seat vacant until they construct a formula to thwart the voters of Indiana and throw the election to McCloskey.

"By ignoring the election results and laws in Indiana's 8th congressional district, the Democrats are refusing to honor the decision of the voters of Indiana as certified by the constitutional officers of that sovereign state.

"It is an irresponsible abuse of power for any majority to supercede the election laws and results of any state," Vander Jagt says.

It has been pointed out, by Republicans of course, that never before in the history of this nation has the House "so blatantly interfered in the state election process and never before has the House refused to seat a congressman whom state officials agree is the winner in a congressional contest."

Simcox, after some delay to make certain of McIntyre's 34-vote victory in the official count, certified the Republican as the winner. Now some House Democrats are claiming politics prompted Simcox to take his action. This did not go over too well with our secretary of state.

After winning the election by 34 votes, and the recount by 415 votes, House Democrats certainly should conditionally seat McIntyre pending the House committee review. The delay could go on for two years, based on the usual speed of governmental action. The half million people in the 8th District deserve representation. Members of Congress should think this is important.

McIntyre has a right to ask the question, "How many votes does a Republican have to win by in order to be seated in the Democrat-controlled House?"

It's the only open seat in our U.S. Congress and Democrats better give up this petty political fight to deny a duly elected representative his office.

That is from the Indiana Goshen News, February 8. The point again to be made to our colleagues who are Democrats is that on election night it was only a mathematical error in double counting two precincts that ever gave the Democrat the lead. In accurate counting the Democrat never had the lead. McIntyre has always been the winner. McIntyre won on election night with 34 votes. He won in the recount with 418 votes. There is no excuse for not seating him. The recount was not done by Republicans. In 11 of the 15 counties it was done by a majority of Democrats, 2 to 1 on the voting recount commission. And it was done carefully.

Now, as the paper said and I think it is worth reminding everyone, during the recount: "It was a recount by lawyers with lots of witnesses watching every vote tally." Again from an Indiana newspaper.

So from New York, we should seat McIntyre.

From the Washington Times, we should seat McIntyre.

From two Indiana newspapers, we should seat McIntyre.

What about citizens. Michael Miller wrote a forum in the Evansville Press on February 18, entitled "Precinct Worker Claims Committeemen Fouled Fair Congressional Vote."

□ 1450

He happens to be a student at Purdue. He talked about all the confusion, all the chaos, the difficulties. He talked about how in his precinct on the Purdue campus that they followed the instructions included with election day materials.

He says:

As each voter entered, the 2 sheriffs demonstrated the voting procedure, then the 2 clerks had the voter sign in, checked to make sure each other's initials were on the ballot, told the voter to look for the initials, then passed the ballot to the 2 judges. The judges also checked for the initials, again alerted the voter to be sure to look for initials, then gave the ballot to the voter. Therefore, in my precinct, 4 people checked to make sure the required initials were on each ballot and each voter was instructed twice to check for those initials himself.

Election laws require that a valid ballot is to be properly initialed. Voters cannot be upset with recount officials for enforcing those laws. Instead, concerned voters should be upset with their precinct committeeman and ultimately must remember that they were the ones who elected their committeeman in the first place.

Now, it goes on to say this:

Rick McIntyre has been certified the winner of the election. If the recount rules were truly inconsistent with the laws, then a final set of rules must be determined and another recount taken. But to seat Frank McCloskey just because his party happens to be in the House majority would be unfair to the people of the 8th District. The very

principle of our democracy is that our leaders are chosen by the people.

Citizens on both sides of the issue should be concerned. To ignore the vote of the people would be a dangerous precedent, and next time the situation could work in reverse.

Two things are certain. We have to let our legislators know that our Representatives must be chosen by the people they represent. Second, we need to elect more responsible precinct committeemen to ensure that no vote is ever again thrown out because of their carelessness.

This is from a college student, a senior in computer and electrical engineering at Purdue, who himself is a precinct committeeman.

Now, I raise this issue because there has been a great deal of baloney cited to suggest that the votes thrown out during the recount were improperly thrown out. Indiana law is very precise and very careful about how to vote because in the past they have had a great deal of vote theft. They have had people who voted falsely, they had people who stuffed the ballot box. And in order to make sure that only real people vote, that nobody is able to stuff the machine, they have adopted very, very strict rules.

When a loose count was taken on election night, Rick McIntyre won by 34 votes. When a far more careful count was taken during the recount, Rick McIntyre won by 415 votes. There is no allegation at any time by anyone in Indiana that under any circumstance the Democrat won. In fact, only the 2-to-1 Democratic majority on the Task Force on House Administration offers any hope that the Democrat will win this election.

Let me cite not just a student who is a precinct worker, but Helen Kuebler, clerk of the Circuit Court for Vanderburgh County. Vanderburgh County is a county in the Eighth District. And her letter to the editor was entitled, "Don't Blame the Punchcards." And it is really important to consider this because there is a great deal of baloney being thrown out right now about we need to look at this race because there are a lot of unusual votes that are not being counted, because it is somehow different. We have many places in America that have election machines that are dubious. We have many places in America that have Congressmen seated today where one could question easily 5,000 votes. That is not what is at issue. What is at issue here is that there has been both an election and a recount out in the open, and listen to what a local official, the clerk of the Circuit Court for Vanderburgh County says:

Every day for weeks I've read letters to the editor, editorials, opinions, jokes, insinuations of those who voted in the 8th District: Did or did not my vote count?

I've tried to keep an open mind: Let the accusations fly, we did our best, we went according to the election laws of the Indiana Legislature.

It seems to be "Knock the Punch Card System" time. Do you remember the paper ballots? Do you know if your vote counted then? No! I've had members of both political parties tell me how back in the old days we didn't have this, we mutilated the ballots while counting them, just by marking on them (not on a recount, either). Do you remember the Big Machines? Here again, they blocked out numbers, counted what they could get by with. Who could check them? Nobody. Also, they counted all night, not just until 9 to 10 p.m.

Now we have a method of punch cards that tells you how many ballots are cast, and how many are counted, that a tabulator counts, no personnel can mutilate a ballot, no personnel can change the number of ballots that go to the counting center, without being detected. We have a check and balance, which has been proven in Vanderburgh County.

Legislators passed the laws for Indiana, not to count the ballot if it is not initialed or does not have the ward and precinct. (This is to prevent ballot-box stuffing, or illegal voting.) We upheld these laws in the recount.

The voter must also take some responsibility, he must be educated. Again as usual we are eager to put the blame on someone else.

The election office has instructional meetings every year, every day for one week, two weeks before the election. We do advertise and invite the public to attend, as well as the poll workers. The news media have been more than generous in their publicity of these meetings.

No one is throwing out ballots because they are for or against a candidate. The recount commissioners consisted of one Republican member and two Democrat members appointed by a Democrat Circuit Court judge. They discarded ballots according to the laws of Indiana, per their court order. And in turn the clerk certified these results to the Secretary of State. He then certified the complete 8th District results to the U.S. House of Representatives.

We do have a winner in the 8th District. The same person who won Nov. 8 is still the winner. Now get the House to seat this person after being certified by the state of Indiana. We followed the law of the land. Now it is their turn.

Ask the House of Representatives if your vote counted.

HELEN L. KUEBLER,
Clerk of Circuit Court,
Vanderburgh County.

I yield to my good friend and colleague, the gentleman from New York.

Mr. MOLINARI. I listened to the gentleman yesterday and today, the gentleman from Georgia, and I must say that I agree with the conclusions that he has stated both yesterday and today. But I am somewhat confused. Last Wednesday, 1 week ago Wednesday, I was called by the leadership on our side of the aisle asking me to remain the following day because this resolution to seat Mr. McIntyre was going to be taken up. And I did. I canceled plans back home, speaking engagements, and I attended, as did most of my colleagues.

I note, however, in looking at the RECORD from that day, that the gentleman in the well, Mr. GINGRICH, was listed in the CONGRESSIONAL RECORD as not being present. I do not know how the gentleman can square that with the position he is taking here. If this is indeed one of the most important votes that we would have before us in this legislative session, then I think the gentleman should have a very good excuse for not being here.

Mr. GINGRICH. I do. I was, in fact, representing the American position in Central America in a debate at Oxford against the Nicaraguan Communist Vice President. Frankly, when I knew that Mr. McIntyre had won, that he had won not only the election but he won the recount, I knew that the recount had been certified back here, I knew that he had won by 418 votes, a margin far larger than most of the cases we have seen recently, my position was quite simple. I felt confident that he would be seated. I could not imagine the Democrats, faced with a recount solution, faced with a situation—in fact, I can tell the gentleman a true story. Several of the newly elected freshmen on our side who were very concerned and very upset and knew Rick McIntyre personally and wanted to get involved, said: "How can we get the Washington Post to write an editorial in favor of seating McIntyre?"

I suggested they go down and see the Washington Post editorial staff. And they called down there and they said: "We want you to write an editorial in favor of seating Mr. McIntyre."

And the Washington Post said to them, the day before the vote: "We don't need to write an editorial about Mr. McIntyre. We are confident that tomorrow the House of Representatives will seat Rick McIntyre because it is clearly obvious that Mr. McIntyre has won the election and won the recount."

Mr. MOLINARI. Will the gentleman yield further?

Mr. GINGRICH. Let me finish.

In fact, the Washington Post found itself in the same position I am in, because several days after that event, the Washington Post then rose and wrote an editorial, which I put in the RECORD yesterday, on seating Mr. McIntyre, and the Washington Post shares my disbelief that the Democratic leadership—it was hard enough to believe, on the opening day, when you and I were both here, that the Democrats would not seat him. But the Washington Post shared my disbelief that on that date Mr. McIntyre would not be seated.

So I have to say to the gentleman that it seems to me very clear that Mr. McIntyre should have been seated that day, and it should have been a pro forma vote of 430 or 422 to zero.

I will be glad to yield to the gentleman further.

Mr. MOLINARI. If I understand the gentleman correctly—I am a little confused—the gentleman left town, left

Washington, because he assumed that the vote the following day was going to be to seat Mr. McIntyre. Is that correct?

□ 1500

Mr. GINGRICH. Mr. Speaker, it seemed to me that the vote the following day would have one of two results: either the Democratic leadership would decide that clearly Mr. McIntyre deserved to be seated and would pass the word to its whip system to allow a free and open vote, in which case Mr. McIntyre would be seated decisively; or the Democratic leadership would decide they were going to try to steal the seat, in which case they would pass the word to their whip system and Mr. McIntyre would fail to be seated by a margin of approximately 45 votes.

In either case my vote would not have made the difference since a 45-vote difference is not going to be made up, and it seemed to me that it was a legitimate cause to defend the U.S. policies in Nicaragua against a Communist Vice President in Nicaragua at Oxford in a situation in which a number of people in the Reagan administration had assured me it was of some use to them.

Mr. MOLINARI. Mr. Speaker, I suggest to the gentleman from Georgia that you can call it as you see it, but if you believe in this issue as strongly as you say you do, I think you had an obligation to be there, just like I was and all the rest of our colleagues.

Mr. GINGRICH. I can appreciate the gentleman's point. I find it interesting, though, that the gentleman feels more compelled to worry about whipping Republican votes to get them on the floor than about communicating the fact that the outrage here is not whether you and I voted that day but the outrage here is that the Democratic leadership systematically and deliberately passed the word through its whip system to not seat a man who on that date clearly should have been seated.

Mr. MOLINARI. Mr. Speaker, if the gentleman will yield further, it is only because of the deep respect I have for your eloquence and the power of your persuasiveness that I say that perhaps if you were here that day and you spoke as eloquently as you are today in the well, you may have been able to prevail upon enough Members on the other side to join us, and Mr. McIntyre might have been seated that day.

Mr. GINGRICH. I appreciate your kind comments, and all I say is that I wish eloquence would have worked. Had eloquence worked, I am confident that the gentleman from Minnesota [Mr. FRENZEL] that day would have persuaded them; I am confident that the eloquence of the gentleman from Illinois [Mr. MICHEL] or the gentleman from Mississippi [Mr. LOTT] would have persuaded them.

The tragic problem we are faced with here is that unfortunately eloquence does not seem to work in a situation in which the Democratic leadership has told its whip system that one should vote one's future in the House rather than on the arguments.

Mr. GALLO. Mr. Speaker, will the gentleman yield?

Mr. GINGRICH. I am delighted to yield to my good friend, the gentleman from New Jersey.

Mr. GALLO. Mr. Speaker, I thank the gentleman from Georgia for yielding.

Mr. Speaker, I find this a very difficult situation to understand. We have had a great debate over this matter. We have talked on numerous occasions about the constitutional questions and really whether or not what has transpired in this Congress and in this House represents democracy.

This issue before us at this time involves a fundamental question: Does democracy work in this country and in this House?

Other nations of the world have come under criticism within the Free World for using methods outside the democratic process to strengthen their personal, partisan positions. We in this country are quick to pass judgment on other nations regarding elections or election practices which involve a bending or a breaking of the rules of society for the gain of one group or another group within the society. At home, however, these distinctions can be blurred by our personal involvement in the process.

In the case of Richard McIntyre of Indiana, we must be very careful to uphold the principles of democracy as an example to those in other countries who would like to understand our system and follow our experiences and examples in their own countries.

I will submit that the Governor of New York once said, Mr. Speaker, that the only cure for the ills of democracy is more democracy. I am sure that we all support this important idea today. Our disagreement is over the meaning of that idea. Some of us see the need for more deliberation and study; some of us need more time to think about the issue; some of us are quite happy to allow time to pass while the wheels of democracy continue to grind on in Washington.

When I think of democracy, however, I think of the half million people in Indiana who are not represented in Congress. I think of the democratic process in Indiana which has certified Mr. McIntyre or Mr. McIntyre's election to a seat in this Congress. I think of a loss of individual rights represented by this failure of our House to seat this man so that he may represent the people of Indiana. I think of a broader issue which transcends State lines and party politics, and it goes to the heart of the system—the U.S. Constitution.

When we discuss this back home with people in the State of New Jersey, they ask "Why are you that directly involved? What is the rationale? Why are you concerned? It's not for the State of New Jersey."

Well, as I say, this transcends State borders. It is a concern we all have as U.S. citizens. It is a concern where we want to assure that the process is one that works. We want to ensure that the process itself brings about a final count, and that every vote that is cast in an election is counted, and that when the winner is announced and that winner is certified—and in this particular case he was certified, and then we had a recount which recertified that fact that Rick McIntyre was duly elected—he is seated. I think that has a very serious implication when in fact this House fails to seat a Member who has met all the qualifications, including the certification from the secretary of state.

I have said on numerous occasions that I wonder what our young people think when they visit this House and they look down at those Members representing all the districts throughout the United States and figure that democracy does work, that the election system is one that works, that gives true representation, and I think how they must be disappointed or confused when they hear the debate and dialog that is going on in this House dealing with this particular seat and Rick McIntyre in particular.

I am disturbed because we all want this process to work, and, Mr. Speaker, I hope and pray that this House does correct the injustice. No one says that that debate cannot continue, but it is my absolute belief and opinion that while there is an investigation and a review of that election, the facts are very clear in the eyes of Indiana and the secretary of state, who has sworn to uphold the law in signing the affidavit which says that Rick McIntyre won that election, and not to seat him at this time is to me a disgrace to this House and one that I do not take lightly.

Mr. GINGRICH. Mr. Speaker, I might ask the gentleman, was he not involved in State government?

Mr. GALLO. Yes; I was involved in State government for 9 years in the State of New Jersey as an assemblyman and also as its minority leader.

Mr. GINGRICH. Does it strike you as strongly as it does me as a very grave insult to a State to arbitrarily assume that the secretary of state would send a certificate in that was invalid?

Mr. GALLO. Absolutely. The thing that bothers me is that when we talk about States, you may recall that we had an election for Governor, and it

was between Tom Kean, who was a former speaker of the house of the State of New Jersey, and a colleague of ours, Congressman JIM FLORIO. That race was a hotly contested race. That race came down to the last day as a nip-and-tuck race.

□ 1510

They did a recount because it was that close and Tom Kean was eventually certified the winner with a 1,700-vote plurality.

I did not see Congressman FLORIO say that he was going to take this to court. I did not see him fight that final decision. He respected the voters, even if it was so close, in this particular case 1,700 votes cast out of 2 million. That is a lot of votes and a very close election, but we did not have what transpired here.

I think that it does transcend Indiana. As I said before, when you talk about the election and what has transpired in Indiana, they wonder, well, why does that have such meaning, and the significance is that if we are going to have a race that is going to be contested and because the numbers are very small we are going to allow this House and the majority party, no matter who the majority party may be at that time, say "We are not going to seat that individual because it is too close," well, that is absurd. We have had a number of close elections this past year and if we took that as a House rule that if you did not win by more than 500 votes, we will not seat you; now, that is not fair. It goes against all the principles we know. It goes against the Constitution of this great country. I think that in this case there is still time. There is still time to right the wrong that has taken place and that is to seat Rick McIntyre.

Mr. GINGRICH. Mr. Speaker, I am glad to yield to the gentleman from Texas [Mr. ARMEY].

Mr. ARMEY. Mr. Speaker, I have listened to this discussion before and this point before about how close the race was, but it seems to me that when this House took up their grievance against that process in Indiana, the concern was not how close the race was. The concern that was expressed and ultimately voted was that the secretary of state in Indiana did not have the right or the authority to duly certify that election as he did, irrespective of the vote count; so it is not at all clear to me that a fellow like myself, who got a 6,700-vote margin would necessarily be safe from being challenged the next time I come around; but all that again, I think, misses the problem.

I would like to talk about that a little bit, because as I have characterized myself so often, I am not a politician. I have never held public office before, never even ran for public office, so I have a spirit of kinship with my constituents when I come home, because for most of my life I, like they, have sort of sat on the outside and watched this process. It is the first time in my life that I have been involved.

As I was back there during this recent period discussing what it is like in Washington with a group of very curious constituents, the question was, "Well, what are you doing in the House? We hear so much about what is being done in the other body, but it doesn't seem like much is being done in the House."

I expressed my own frustration that, yes, it does seem like it is slow getting started taking on all this enormous business. I said I felt like I would have had half the Government reformed by now, and we haven't even gotten started on the job.

We talked also about our concerns and how long we had to struggle to renegotiate a fair committee ratio when indeed we finally came in the last analysis within only 19 seats of a fair ratio, but still managed to get our committees up and this week got back to committee work.

In discussing this thing, there was one old gentleman who sat there very quietly and listened to this discussion and finally just sort of blurted into my face, as some of our constituents are wont to do, "Don't you believe in the Constitution, young man?"

It sort of reeled me back because, of course, I do.

He said, "How can you say there is nothing happening in the U.S. House of Representatives, there is no business going on, when you are dealing with what might be the most flagrant violation of the Constitution in this United States today?"

Now, this was a voter. One of the things that occurred to me at the time is that every now and then we think nobody is watching us here, we can do all the mischief we want.

Well, the American public is watching. They are very concerned. They are very informed, and as I looked at this problem through this gentleman's eyes, I realize that it is not a problem of what is fair to Rick McIntyre. It is not a problem of whether you win by 30 votes or 500 votes or even the State authorities who certify elections. It goes to the very heart of the Constitution of the United States and that is what the voters see, because they, like myself, see a Nation that was founded on the principle of one man, one vote, go out there and fight a good fight, campaign hard, contest the election, count the votes and then seat the winner. That is what this Nation is all about.

How often do we quarrel with other nations of the world because that process, that basic tenet of human freedom and liberty is not being honored.

I think this is what we have got to address. We above all people have to come here, do honor to those constitutional processes with due process to fight for that.

As this older gentleman explained to me, "You may just be a freshman, but you are sitting in the hot seat now, because it is one of your fellow freshman in the Congress who is the lightning rod for a constitutional issue. Is this Constitution going to stand? Is this House going to stand and fight in the 99th Congress, or are we going to let it go with a black mark against the process?"

I think the time has come for us to set this right. I am disappointed to be back here today talking about this. When we had our first initial experience and the first vote was taken and then when the second vote was taken I really felt that we were going to have this problem resolved. We have gone through the recount. The certification has been upheld. The time has come now for this Congress to have 500,000 people in the State of Indiana represented and then if we want to go on with the process, that is fine, but that is a half a million Americans that did their duty. They paid their taxes. They deserve representation. They went to the polls and they did their duty and they expressed their choice and their preference. They deserve that to be honored. If we cannot honor that now and give representation to those taxpayers and those citizens, 500,000 Americans, a half a million of our fellow countrymen, I think it is time for us in the House and I think it is time for other Americans across the Nation to be as angry, to be as outraged, to be as insistent as this fine old gentleman from Fort Worth, TX, who does not know Indiana, never has been there and does not know Rick McIntyre, but cares about the Constitution and says the time has come to settle this issue and to do it properly for once and for all, for this body to live up to its obligation.

Now, I can tell you, I regret being back here a third time talking on this, but if I spend both the years of the 99th Congress coming back here every day and fighting for this, I will be back, because that is what we ran for to do our duty to the Constitution, that is what we are obliged to do. It is my job and we will be back and we will fight this until, indeed, justice is served in this body.

Mr. GINGRICH. Well, I think the gentleman makes an excellent point. You know, the comment from the gentleman's friend or constituent back home in Texas that this is a constitutional matter I think should drive home to every Member of this body what is involved here.

We swore an oath on the first day of the session to uphold the Constitu-

tion. Many of us now feel that we are part of a body which has violated the very spirit of the Constitution which has broken a precedent, which has for the first time refused to seat a man who was certified.

Let me read, if I might, from a letter from the secretary of state of the State of Kansas, much like the friend of the gentleman; not from Indiana, not a Member of this House, but the secretary of the state of Kansas, Jack Brier, writing to a Democratic Member of this House, and I will not mention the Democrat's name, but I think it is an important letter and I think I would like it introduced without his name. He says:

I urge you to reconsider your vote to refuse to seat Indiana Republican Rick McIntyre as a member of the House of Representatives.

Petty, partisan politics must give way to greater concerns when the stakes are representation in the U.S. House for a half million people.

And there is no doubt that partisan politics are behind your vote, for the facts clearly show that Mr. McIntrye should be seated. Mr. McIntrye won the election in Indiana's 8th Congressinal District by 34 votes and was certified the winner. Later, a recount not only confirmed his victory, but widened his lead to 418 votes.

Never before in history has the House refused to recognize a valid election certificate issued by a sovereign state. Never before have I seen the election process subjected to such brazen and arrogant abuse of power.

I ask that you recognize the will of the people of Indiana, respect the electoral process and reverse your decision.

With every good wish.

Cordially,

JACK H. BRIER,
Secretary of State,
State of Kansas.

FEBRUARY 13, 1985.

□ 1520

And one reason we are picking up this fight and saying more and more about this is that as people around the country are beginning to pay attention; as they look on in disbelief as I did at the Democratic leadership refusing to seat Mr. McIntyre after the recount was completed and he won by 415 votes, more and more newspapers, more and more secretarys of state and other citizens are writing their Congressmen, calling their Congressmen, writing editorials and saying, "You should vote to seat the man who represents Indiana."

There is a reason for that. One has to recognize that, for example in 1937 there was a contest for New Hampshire's seat. It took 1½ years to solve that. In 1961 there was a contest for the Indiana seat. It was the middle of June before it was solved.

The House has always followed the firm rule that you deserve to be seated if you are the certified winner. You deserve to be seated until the House decides the election. This new rule of not seating the winner is very dangerous indeed.

I would be delighted to yield to my good friend.

Mr. GROTBERG. I thank the gentleman from Georgia for yielding to me.

Mr. Speaker, I have been waiting my opportunity to speak up on behalf of our friend, Rick McIntyre. But I have also been waiting to speak out for what I observe as one of the biggest aberrations of the domestic process that I have seen in my 12 elections I have been through. I am from Illinois, Mr. Speaker, and we all know about elections in Illinois.

We know that they can come and go, chicanery is not a new word in the State of Illinois and its election process. But when the winners win, they are seated, and then we go about the people's business.

One of my concerns is, and I was reminded yesterday morning going to the church services that many of us go to Ash Wednesday, I was reminded of the words of our Lord who said rather explicitly: "In that ye have done it unto one of the least of these, my brethren, you have done it unto me."

I think all 433 Members of this House are at stake in this basic principle of justice by democracy and by democratic action in the ballot box.

Mr. Speaker, I think Marcellus said it rather well to Horatio, the great Dane in that big castle, when he said: "Me thinks there is something rotten in the State of Denmark."

Those are the kinds of words that I heard last week, 10 days I was home in the field working with my voters. And you know what? Way out in the middle of Illinois; not in Indiana, they are beginning to ask questions on other things besides the budget and the farm bill. They are beginning to ask "What's the matter with that Congress?"

We all get blamed, Mr. Speaker. What is the matter with that Congress, that 500,000 people in the southwestern part of Indiana are not on board yet? We have been answering our mail; the letters from there come in by a hundred or two a day; they have no one to write to. What has happened to this system? Is it 30 years of power that would corrupt? Is it that absolute power corrupts absolutely?

I hope not, Mr. Speaker. The worthy opposition consists of fine people representing their legislative districts, much as you and I represent ours.

If the gentleman from Georgia [Mr. GINGRICH] would understand, along with the rest of the world, that just a few months ago we sent our Army and Navy in to liberate a country of less than 500,000 people; Grenada.

Margaret Thatcher was here yesterday. A few months before she sent the British Navy down to take back the Falkland Islands because of basic disagreements in how government is going to be run.

Good heavens, I do not want, Mr. Speaker, for us to compare those chemistries with the chemistry that is going on here. The solution for this problem lies right in this House. It lies right in the hands of the leadership of this House. It lies in the hands of the gentlemen on the election committee that has been appointed, and those decisions have to made.

The injury that has been done has been done. Our comrade-in-arms still waits to be seated. That is not fair; it is unjust, un-American.

I was around when Truman was a member of the Un-American Activities Committee, one of the great Democratic leaders of our time. I wonder if he is turning over in his grave now as he looks about what is going on in his old Congress of these United States. Very un-American activities can happen right in this Chamber, and I challenge the great leaders of the opposition that enough is enough, and that the people of America are beginning to ask, Mr. Speaker: Why don't we get on with the people's business?

There are States in this Union that do not have 500,000 people in them, that have 2 Senators and a Representative seated in this body. And yet we deny a half a million people the basic right to join with us in deciding the important issues.

Can you imagine living in southwestern Indiana and not have your Congressman vote on the farm bill in time for the spring seeding in March, if the Senate gets it over here today? We will be doing something.

It is just basically unfair. I deplore it personally, but on behalf of the rest of the people of America and my district in particular, we object to what is going on.

Mr. GINGRICH. I thank the gentleman for bringing these points out. As you mentioned, you do have a distinguished record of having run in a number of elections; you do know what it is like to deal in a situation with very close elections.

In closing, let me say that I think one of the most amazing distortions and deliberate deceptions which some people in some places have been talking about as it relates to this election in Indiana is this question of the votes that were not counted.

Let me quote again from Helen Kuebler, who said:

Legislators passed the laws for Indiana, not to count the ballot if it is not initialed or does not have the ward and precinct. (This is to prevent ballot-box stuffing, or illegal voting.) We upheld these laws in the recount.

In other words, many of the people whose ballots were not counted may never have voted; it may not have been people. It may have been local ballot box stuffing.

These laws were passed in Indiana specifically to ensure an honest election. The precincts in the areas that did not follow the law are legally not being counted, because those laws were passed to prevent a political machine from being in a position to pack the ballot box.

The fact is that both in the original result where Mr. McIntyre won with 34 votes and in the far more carefully recounted result where he won by a bigger margin, 415 or 418 votes, he was the winner.

The fact is that the certificate from the secretary of state says we have a winner. The fact is that under the Constitution, under the precedents of this House, it is inexcusable, and I think the gentleman from Illinois is exactly right to have emergency aid coming up next week for Africa; to have emergency aid coming up for our farmers, to not have the people of Indiana represented is absolutely intolerable and is a very, very grave challenge.

Not that we should not recount the ballots. Not that we should not have a task force. That is perfectly reasonable. We should have a task force, but the question I would ask is: Under what circumstances by what right should that task force proceed before we seat the winner?

If it turns out, as it did in the New Hampshire case in 1937, that he in fact lost the election, he was turned out in 1937. But in this case the burden of proof is on the House, not on the certified winner, and for that reason we should seat Mr. McIntyre, and I think that in the future we should always seat the certified winner until the recount is done.

□ 1530

CITIZENS OF D.C. HAVE NO VOTING RIGHTS IN CONGRESS EITHER

(Mr. FAUNTROY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FAUNTROY. Mr. Speaker, I was quite moved by the references to the fact that some 500,000 American citizens have been denied their right to representation in this U.S. House for several months now. I certainly wanted to call the attention of the House and the American people to the fact that there are about three-quarters of a million of us who live in our Nation's Capital who had to wait not just a few months, not just a few years, but all of our lives to be represented in the Congress of the United States with a vote.

The fact is that I represent more people than any single Member of the House. I represent more people than reside in seven different States of this Union, and yet, the people of the District of Columbia have no voting representation in the U.S. House and Senate.

It is not because we do not pay our taxes. It is not because we do not assume all the other responsibilities of citizenship. It is only because we happen to live in the Nation's Capital. Of course, capital cities are nothing new to the world. The citizens of Paris, France, are represented in the National Assembly there. The citizens of Great Britain in London are represented in their Parliament. The District of Columbia residents are not represented.

I hope that as we appeal to the conscience of the Nation to have the citizens of Indiana represented in this district that the District of Columbia residents might well be represented through the ratification of our D.C. voting rights amendments.

H.R. 1188, THE HIGH TECHNOLOGY RESEARCH AND SCIENTIFIC EDUCATION ACT OF 1985

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota [Mr. FRENZEL] is recognized for 10 minutes.

● Mr. FRENZEL. Mr. Speaker, today I, along with many of my colleagues, am cosponsoring legislation that would make permanent the research and development tax credit. Under current law, the credit for R&D expenditures expires on December 31, 1985. The bill is H.R. 1188. It's principal sponsor is the distinguished gentleman from Texas [Mr. PICKLE].

The legislation, in addition to making the R&D credit permanent, would narrow the definition of qualified research for R&D credit purposes to ensure the credit is granted only for those purposes originally intended by Congress. The credit would also be made available to startup corporations, to research joint ventures composed of corporations, and to other qualifying joint ventures of partners with existing businesses to which the research relates.

The R&D tax credit has been successful. The credit as part of the Economic Recovery Tax Act of 1981 [ERTA], R&D expenditures have increased. Making the credit permanent, or by extending it for a reasonable period, will allow companies to plan long-term R&D investments with more certainty. A credit that expires this year provides no real incentives for long-term investment planning.

Few governmental actions can do more to improve U.S. productivity and competitiveness than the extension of this successful tax policy. It does not subsidize all research. It stimulates additional research efforts, particularly for growing companies which have difficulty generating capital for R&D expenditures.

Tax credits are under close scrutiny these days. We need to be especially careful to make sure our tax incentives really produce the intended results. Even ex-Secretary Regan's plan, which abolishes most preferences, preserves the R&D credit. It really does work, and it ought to be extended.●

COMPREHENSIVE OIL POLLUTION LIABILITY AND COMPENSATION LEGISLATION

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Massachusetts [Mr. STUDDS] is recognized for 10 minutes.

● Mr. STUDDS. Mr. Speaker, today, for the sixth time since 1975, I am introducing legislation to establish a comprehensive means of providing prompt and equitable compensation for those suffering economic loss as the result of damage from oil pollution. Joining me in introducing this bill are the Honorable WALTER B. JONES, chairman of the Committee on Merchant Marine and Fisheries, as well as Representatives LENT, BIAGGI, DAVIS, YOUNG of Alaska, LOWRY of Washington, and MIKULSKI.

This will be, as I say, our sixth attempt to enact a comprehensive oil pollution liability and compensation bill. Sooner or later, we are bound to get it right, and move this idea out of Congress and into the lawbooks where it belongs.

This bill would, as in years past, establish equitable limits on the liability of those who own or operate oil carrying vessels, pipelines, or offshore oil production facilities. A single Federal fund, financed entirely by a 1.3-cent-per-barrel premium on oil, would be available to help provide compensation in the event of very large spills. This fund would replace four different Federal oilspill funds that presently exist. Victims of oil pollution would be required initially to negotiate with the person responsible for the spill, but would be permitted to seek compensation from the Federal fund if a prompt settlement with the spiller proves not to be possible.

Although the bill is identical in most respects to the version that was approved by the House last summer, there are three significant differences.

First, the bill would provide for an immediate refund to the General Treasury of more than $20 million from the oilspill cleanup fund established by section 311 of the Federal Water Pollution Control Act. This fund, which is financed by general tax dollars, has borne more than $70 million in unreimbursed oilspill cleanup costs since it was created in 1972. Rather than continue to use general tax money for oil pollution cleanup, my legislation will return the remaining funds to the taxpayer and require

all oil pollution costs to be borne directly or indirectly by those responsible for the pollution.

Second, the new bill provides for limits on liability for oilspill incidents that are roughly equal to those approved for the international community by last May's meeting of the International Maritime Organization [IMO]. At that meeting, the IMO adopted protocols to the International Convention of Civil Liability for Oil Pollution Damage and Compensation, in which the limits on liability under that Convention were substantially increased. Under the newly introduced domestic bill, the liability of a vessel carrying oil in bulk as cargo (other than an inland oil barge) would be $420 per ton of the vessel, with a minimum of $3 million and a maximum of $60 million. The liability of a vessel not carrying oil in bulk as cargo would be $300 per ton, with a $500,000 minimum. The liability of an inland oil barge ($150 per ton, with a minimum of $150,000) and that of a facility ($50 million) would not change.

Third, the new bill provides for the establishment of a Marine Oil Pollution Insurance Corporation (the Corporation), as a wholly owned Government corporation, located within the Department of Transportation.

The Corporation will be managed by an administrator, appointed by the President, with the advice and consent of the Senate. The Corporation will be responsible for management of the Marine Oil Pollution Compensation Fund (the Fund), to be financed by a 1.3-cent-per-barrel premium on oil produced in, or transported to, the United States. Other sources of revenue for the Fund include moneys transferred from the OCS oil pollution contingency fund and the Deepwater Port Oil Pollution Fund.

The Corporation will be responsible for administering the Fund and for implementing the claims procedure established by the act.

I continue to believe that the enactment of a comprehensive oil pollution liability bill is clearly and provably in the national interest. We begin this year with the advantage of strong support from the Department of Transportation for this central position. Secretary of Transportation Dole announced a change in the administration position on this legislation last May and testified in behalf of most of the major provisions of the bill at a special hearing of our Subcommittee on Coast Guard and Navigation in June. I am aware that the Department continues to have recommendations for changes in the bill, but I am confident that these changes can be accommodated successfully as congressional consideration of the bill goes forward.

The underlying case in support of this legislation is clear. Its enactment would improve upon present law in at least the following eight respects:

First, it will guarantee that those suffering economic loss as the result of an oilspill from a vessel or offshore facility will be quickly and fairly compensated for the loss, whether or not the spiller accepts liability or admits negligence in connection with the discharge of oil;

Second, it will impose a concept of strict liability on those producing or transporting oil in order to encourage a high standard of care in oil-related operations, and make certain that those responsible for pollution will be held primarily responsible for the cost;

Third, it will encourage prompt and complete cleanup of oilspills from vessels or offshore facilities, including relatively chronic pollution, such as that caused by tar balls;

Fourth, it will reduce the cost to the taxpayer of cleaning up oilspills by creating an industry-financed fund to be available to reimburse the Government for cleanup activities not otherwise compensated;

Fifth, it will simplify and reduce Federal administrative costs by eliminating four single-purpose oil pollution liability funds presently in existence and replacing them with a single fund established as a nonprofit governmental corporation liable for all costs of administering this act;

Sixth, it will establish a clear and predictable legal and regulatory framework within which actual or potential claimants, spillers, and insurers will be able to make decisions relevant to oil pollution matters;

Seventh, it will encourage efforts to improve international standards of oil pollution liability and compensation; and

Eighth, it will eliminate certain provisions of the Outer Continental Shelf Lands Act Amendments of 1978 which distort traditional methods of allocating pollution liability within the offshore oil production industry.

Approximately 11,000 oil pollution incidents occur in U.S. waters every year, spilling from 10 to 14 million gallons of petroleum into the marine environment. Many of these spills are so small that no Federal response is warranted, and no damages are caused. Since 1972, however, the Coast Guard has responded to approximately 10,000 spills, totaling more than 38 million gallons of oil.

The Coast Guard's response is authorized by the Federal Water Pollution Control Act [FWPCA]. The Fund created by section 311(k) of that act consists of appropriated money used to finance cleanup activities. Theoretically, the Coast Guard can recover its expenditures by taking legal action, or by negotiating informally with those responsible for the pollution. Unfortunately, cost recovery efforts have been hampered by the limits of liability which are contained in FWPCA, by the unknown source of some spills, and by the delays, compromises, and procedural problems associated with most formal legal actions. Since the 311(k) fund was created, the Coast Guard has spent almost $131 million cleaning up oilspills, but has been able to recover only $61 million.

The difficulty of recovering cleanup costs has led to a reluctance on the part of the Coast Guard to commit section 311(k) money to clean up oilspills in other than dramatic or emergency situations.

Many State officials have complained about the difficulty of getting Federal funds to assist in local cleanup operations, and several States have, as a result, developed their own revenue sources for responding to pollution incidents. Under our new legislation, Federal cleanup efforts would be reimbursed by the trust fund, which is financed not by the taxpayer, but by a 1.3-cent-a-barrel fee imposed on oil. If the person responsible for the spill cannot be found, or is able to limit his liability, the trust fund, not the taxpayer, would be available to pick up the bill. Present law, however, does not provide any assurance that those suffering economic loss as the result of an oilspill will be able to receive compensation for their loss.

Claimants other than the Federal Government are now in a particularly bad position. Unless they are able to prove that the spill resulted from negligence on the part of the owner or operator, no recovery of damages is likely. Even if negligence is proven, individual claimants may not be able to recover for loss of income and State governments may not be able to recover for damage to natural resources, due to common law interpretations of those damages for which compensation may be required. In any event, prolonged legal wrangling is almost inevitable with respect to any substantial spill in which the extent of fault and the scope of damages are not clear cut.

Under our bill, all claimants, whether governmental or individual, will have the option of negotiating with the spiller or of submitting a claim to the newly created trust fund. In all except the most extreme circumstances, a claimant will be able to recover in full for a broad list of clearly spelled out damages. He will be able to recover, moreover, regardless of whether the negligence of the responsible party resulted in the oil pollution incident. There will also be a guarantee, through the requirement that a potential spiller possess adequate insurance, or other evidence of financial responsibility, that the person liable for damages will have the resources necessary to compensate claimants or,

by subrogation, the trust fund, for damages and costs incurred.

The system established by our bill will permit claimants to have a clear understanding of their rights, and a guarantee that their claims will be promptly and fairly considered. The oil transportation and offshore production industries will know, in advance, the potential pollution liability to which they may be exposed, and will be required to have insurance or financial guarantees to cover that cost. The Federal taxpayers will be spared administrative and pollution cleanup costs they are currently required to bear, and all concerned will have the benefit of operating under uniform standards of liability, damage definitions, insurance requirements, and claims settlement procedures.

This legislation also provides for the coordination of the Federal and State governmental approaches to the problem of oilspill liability. Unlike previous versions of this legislation, the bill only prescribes pollution liability rules for vessels and offshore facilities. All vessels are included because of the interstate nature of the waterborne petroleum transportation trade, and because spills into the navigable waters may likely cause damage in more than one State. In addition, facilities which operate beyond State jurisdiction, on the Outer Continental Shelf, or pursuant to a license issued under the Deepwater Port Act, are also clearly a Federal responsibility. Facilities located wholly on land or in State water are not included within the scope of this bill.

This legislation will prohibit State governments from imposing financial responsibility requirements or liability limits which exceed those spelled out in the bill, for those vessels and facilities covered by the bill. In addition, State governments will be prohibited from requiring any person to contribute to a fund whose purpose is to compensate for an economic loss described in the bill, subject to a 3½-year grace period for those States with existing tax or fee mechanisms of this type. In addition, State and local courts would no longer have jurisdiction over lawsuits for an economic loss compensable under the bill. Beyond these limitations, however, State governments will be permitted to establish whatever mechanisms and procedures they wish to protect themselves from oil pollution damage, such as a State cleanup and compensation fund financed by appropriations from the State general treasury.

In return for yielding a measure of their regulatory and taxing authority, States will receive a guarantee of greater Federal cooperation in responding to many oilspills, and an enormously increased level of protection for themselves and for their citizens from pollution incidents which are either catastrophic in scope, or for which existing legal remedies are inadequate.

This legislation is predicated on the assumption that oilspills will continue to occur. Inevitably, some of those spills will result in significant damage to personal property or natural resources, and expenses to those charged with the responsibility for removing or containing the oil.

No witness who has testified before our committee over the past 10 years has questioned the fundamental equity of adopting a standard of strict pollution liability for those who produce, and transport oil. The inadequacy of present law and the need for legislation of this type has been recognized by a broad range of groups, including the administration, the oil industry, the shipping and barge industries, fishermen, most State governments, environmentalists, and the insurance industry. Disagreements persist about the precise scope and language of certain provisions in the bill, but the text of this legislation reflects compromises and understandings worked out not just this year, but over the course of the last decade by those convinced of the need for this type of bill. Members of the Committee on Merchant Marine and Fisheries will remain willing to work with other congressional committees, with the administration, and with the public to guarantee the enactment of a broadly acceptable and effective comprehensive oil pollution liability bill.●

A PROPOSAL TO PROMOTE PEACE AND PROGRESS IN CENTRAL AMERICA

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Texas [Mr. GONZALEZ] is recognized for 60 minutes.

Mr. GONZALEZ. Mr. Speaker, it is clear that the Reagan administration is following a policy that is likely to lead to U.S. involvement in a direct way in Central America. Indeed, in fact, it has already as I have been trying to say for over 1 year.

It is also clear that this is a unilateral policy, one that lacks any real support from our traditional allies or even from the countries that are the supposed beneficiaries of this policy. It is also clear that this is a time to stop, to think, and to consider what our alternatives may be.

I am offering today a resolution that calls for a new approach in Central America; an approach based on international cooperation, an approach that recognizes the fact that no amount of military force can solve the longstanding social and economic problems of Central America, and an approach that is worthy of our own revolutionary heritage.

I have earlier called for the unilateral withdrawal of the United States from its unilateral armed intervention in Central America with our military forces. I renew that call today, but I recognize that the United States had genuine security interests in the region, and I recognize that political and economic stability in Central America are essential, not just for our own interests, but for those of the entire hemisphere.

I am proposing an approach that will promote and protect those interests, an approach that reflects our Nation's values, and an approach that the people of this country can surely support.

It is amply abundantly clear to me that our people do not wish to engage in a war in Central America, either overt or clandestine.

It is clear that our people understand the desperate problems of the region, and that our people want those problems addressed. That is what my proposal is all about.

I propose in the first instance, as I have said, that we should abandon our present unilateral military actions in Central America. Moreover, I believe that whatever we can hope to accomplish in the region can only be achieved through genuine international cooperation. There is simply no way that raw military power can overcome the stresses, the injustices, the poverty and the hopeless despair that lies behind the unrest that we see today in El Salvador, the increasing instability of Honduras, the desperation in Guatemala, and the revolution in Nicaragua. Those are problems that can only be addressed through positive means. If a revolutionary change is needed in any place, it inevitably will take place; and what is needed in Central America is no less than revolutionary change. Such change need not be violent; it need not come in forms that are unacceptable to us; and it need not always be resisted.

If there is any lesson for us in the long and sad history of Vietnam, it is that President Franklin D. Roosevelt was right when he resisted the idea that in the postwar period, French colonialism should be restored. President Roosevelt knew that what was then known as Indochina could never be returned to its colonial status; he knew that the colonial empires of the world had ended. His intention that Indochina should become free and self-governing was aborted, and that led directly to the decades of disaster and war that have left the old Indochina a series of battered, shattered states. The revolutionary change that we could have assisted, could not be stopped by the French and it could not be stopped by us, and it could not be stopped by our proxies. It took place without us, and with tragic con-

sequences for our interests and for the people of the area. We are looking at a somewhat similar situation and case in Central America.

The countries of Central America face tremendous problems. They are short of economic resources. They lack basic resources like oil, and the export products that they must rely on to pay for oil and other essentials are in general oversupply. Thus, the area is trapped between vastly rising prices for what must be imported, and falling markets for what must be sold to buy the imports. The economic consequences of this are almost impossible for us here in the United States to imagine, but suffice it to say that the Great Depression would look like the good old days to most people in Central America.

Added to the economic crisis of the region is the fact that levels of corruption have sometimes reached intolerable levels. In the case of Nicaragua, for example, the absolute rottenness of the whole government structure meant that the demise of the Somozas was not only inevitable, it was welcomed by one and all. We ignore corruption in the area at our own risk; we cannot hope to achieve much if the governments we support have forfeited the loyalty of their own people. We cannot tolerate in other countries practices that we find intolerable ourselves.

Third, there is the fact that change in the area all too often takes place not through the peaceful means that we understand, but through struggle. The political process of the area is one in which power is traded against power, not one in which negotiation takes place easily. Negotiation takes place when it is necessary, not when the need is merely evident. And in a region where life is at best precarious, those who have power are not willing to share it without a struggle that becomes increasingly bitter as the stakes become higher. The pressures of the economic situation, in other words, tend to make a bad situation absolutely intolerable.

Fourth, the people of the region have greater expectations. And this is the critical element, the most critical indeed, in fact, of all. The people of the region know that a better life is possible. They know that things can be changed. They know that life need not always be a blind acceptance of fate. Unless our policy is one that accepts the reality of those higher and perfectly legitimate expectations, unless it is one that can help translate those expectations into actual hope, then we cannot hope to win the confidence of the people of the region, let alone their support.

□ 1540

Likewise, unless the governments of the area can and will respond to those rising expectations, they cannot long themselves survive.

The resolution I am offering calls for negotiation, and it calls for efforts to meet the genuine needs of the people in the five Central American counties. It recognizes the reality that Justice cannot be denied, that progress must take place, and that change in the region is not only desperately needed, it is inevitable.

My proposal is based on the idea of international cooperation. It is obvious that our hopes and aims cannot be achieved through unilateral action, let alone unilateral military action. If, for example, we hope to promote economic development in the region, that will necessitate the cooperation and assistance of many countries—to provide aid, to open markets, to help with security problems, and to facilitate negotiations. If we hope to meet the economic needs of the area, peace is indispensable. Likewise, if we become involved in a unilateral military action, the cost would be vastly greater than any form of economic and political cooperation, as we should be very much aware of by now after 4 years of unilateral intervention and the expenditure in El Salvador alone of $2 billion. What is worse, a unilateral military involvement would endanger commitments that we already have made in various parts of the world.

And let me say here now that the course the President seems to be inexorably and irretrievably following will necessitate American direct intervention militarily with our servicemen. And if we do and when we do, no military competent of professional military expertise will tell us what it will require less than 100,000. When that happens, we will have to pull in not only the Ready Reserve, such as it is, but we will have to pull in from our commitments in the Middle East, in Korea where we have 45,000 troops, in Germany where we have 300,000, and in the meanwhile those are flash points, and continue to be. And I have warned time after time about the different world, even in Middle Europe, and the false premise upon which our tremendously exponentially increased military budget is predicated on with what we call the defense of Europe, because we fail to perceive the world as it is, not as it was in 1945.

Our leaders perceived Latin and Central America as a world that might have existed, maybe, in 1929, but even in the last 10 years, that part of our Hemisphere has changed radically.

We must perceive that world, as we must every other part of the world, in the realistic sense that that world is presented to us, not as we would like it to be, but as it is, and deal that way, for the sake of our long-range and short-range national interests.

Now, what is worse, a unilateral military involvement would endanger commitments that we already have made, I repeat, in other parts of the world. No policy can work if it does not have the support of the international community. Our present policy lacks international support. There is not a country in the Western Hemisphere that supports our policy. Canada and every country south of the border does not go along with us, with whatever it is this administration calls its policy. Our present policy lacks international support and that alone makes it unlikely to succeed.

My resolution calls for the creation of a regional organization to deal with the problems of Central America, America taking the leadership. But for that we must rise, where we have not in our past history, to the realization of the concept of the greater America. We are self-contained, and have been. Our whole history is self-contained. And we do not realize that in this turning process of centuries of history we have shared only, and that now, when the population south of us exceeds our own by over 60 million—and this has been true only in the last decade or decade and a half—that it is imperative that we recall and read history accurately, first, and then understand the world as it is today, accurately, also. And the fact that in this concept of greater America, which we should have achieved decades ago, as such great historians as Herbert E. Bolton long had written about, one of the most brillant historians in North America's history, was long ago bringing out this failure to recognize what it was that we were sharing and destiny had fated us to share and what the price would be for the failure to recognize that and approach it from the standpoint of the concept of greater America. And for us, as the most powerful Nation in every way, we forget that culturally there is not much we can teach, we are talking about countries like Mexico, where a university and a printing press were in existence almost 200 years before the Pilgrims landed at Plymouth Rock. We are talking about countries that inherit and are inheritors of great bodies and streams of culture and traditions. And, therefore, we must realize that it is not the simplistic self-contained concepts that thus far in the past have sowed the dragon seeds that now are sprouting the crop.

In Central America, in Nicaragua, for instance, we have invaded and occupied that country six times since the turn of the century. And it was us who occupied Nicaragua for a good space of almost 10 years, imposed the Somoza regime, trained and formed the national guard that then kept the Somoza in power by raw force, one of the most corrupt, inhumane, authoritarian, totalitarian entities in the whole history of the world.

We are identified with those forces. We continue to be. We cannot win if we do not even have the congeniality and the harmony of support from even our next and northernmost neighbor, Canada.

The first task of the international group, I propose, would be to facilitate negotiations, to end the violence in the area. Its effort would be consistent with the Contadora process and its whole basis would be the recognition that nothing positive can take place until there is some reasonable prospect for peace and for stability. Such a condition cannot be imposed by us alone. It can only take place through the help and encouragement of an international process.

Second, I call for the establishment of a basic development fund for Central America. This would provide desperately needed financing for such basic necessities as elementary education, basic public health services, immunization, clean water supply, elementary sanitation, and the like. This is precisely where the so-called Cuban presence has been called for, received and is there in substantial proportion, in the teaching area, in the medical area, in the general care area, and this is where we have got to come in and challenge.

We will never be able to bomb communism out of existence. We should know that by now. The only way is through social justice. That is the only way. And then there would not be any such thing as communism as a last resort for people desperately imposed upon for centuries and who know continued imposition will keep them down now.

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This international fund would help lay the indispensable basis for translating human yearnings into concrete realities. The greatest problem in Central America is human misery, not Marxism. If we do not address and seek to alleviate that misery, if we do not attack it, then our policies cannot hope to win the support of the people we say we want to help.

Why should they be grateful for a helicopter gunship when what they really need is simple clean water? Why should they be grateful for bombs when what they need and want is shelter or jobs or simple safety from marauding bandits or relief from corrupt local officials?

Why should they be appreciative of machineguns when what they need is food or a decent school or a supply of seeds and fertilizers? Why should they see any hope in a military airplane when what they must have for survival is a bus or a truck to get to market or a decent road to get from one place to the next?

I also envision an international cooperative effort, a kind of Peace Corps, with America as the exponent of this Greater America, a thing that we could equate with a long-expressed hope in the Spanish-speaking world or the Latin American world south of us in which the dreamers like the great poet, Ruben Dario, visualize La Patria Grande, the Greater Country, the Greater Homeland, thinking in terms of a brotherhood.

But how were they speaking? They were speaking as an antidote to what they called Yankee imperialism and the crudeness and materialism of that Yankee civilization which the cultured poets and singers of that world looked upon as a danger and as a dangerous invasion that would deteriorate the standards of culture in their civilization which, as I said, is the inheritor of centuries of tradition. This is a context in which I think the United States can assert the leadership, where we can take the leadership in a Greater America. This is the Greater America.

That is what I visualize. Of course, that may sound farfetched, but the immediate concrete steps that are feasible are these that I am outlining. These efforts and these steps cannot be undertaken by ourselves alone. They need the help of other countries, and they need a long-term commitment as well.

There is no way that we can hope to bomb Central America into prosperity. The only way I can see that we could attempt to do it is what I have often thought and said, that we could have done better than what we did do in Vietnam. I have said that if we had just loaded our C-5A's with about 30 billion dollars' worth of dollar bills and just gone over and bombed them over the country land, we would have done a lot more good than what we ended up with. And I do not think that any American living at the time, surviving that era, can deny that there is no way we are going to bomb people into prosperity.

There is no way to shoot our way into the hearts of the people who are looking to us for help and leadership—mostly moral. Human yearnings cannot be erased by soldiers or obliterated by shot and shell.

I am offering an approach that is positive, an approach that can work. And indeed, it is the only approach that has any chance of success, because it recognizes and accepts the realities of the region and deals with the fact that unrest in Central America is caused by poverty and degradation and hopelessness and despair. In the final analysis, we must stand with the people of Central America or against them, and if we stand against them, surely we will fail, and we cannot afford failure in an area that is so vital to our basic national interests and to the future well-being of our children, our grandchildren, and our great-grandchildren.

Mr. Speaker, under my unanimous-consent request, I include a copy of the resolution that I submitted earlier today, as follows:

H. RES. 67

Whereas present United States policy clearly inclines toward unilateral military action to combat unrest in Central America;

Whereas any such unilateral United States military action would be ineffective, costly in life, and destructive to the interests of peace in Central America;

Whereas a military commitment in Central America would endanger the viability of other United States commitments around the world;

Whereas military action cannot address the economic and social injustices which are undeniably the primary causes of instability in Central America;

Whereas peace and stabilization in Central America is vital to the interests of all nations in the Western hemisphere;

Whereas stabilization of Central America requires that long-standing economic and social injustices be resolved: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that

(1) The United States should call for negotiations under the auspices of the Organization of American States consistent with the Contadora process for the peaceful settlement of conflicts in and among the five countries of Central America.

(2) The United States should seek the establishment of a multilateral agency to provide comprehensive economic, developmental, and humanitarian support for the basic reform of the economy of Central America.

(3) The United States should initiate the establishment of a multinational development fund to provide basic education, skills training, health care, nutrition, public sanitation, transportation and shelter for the citizens of Central America.

(4) The United States should recognize the need for international cooperation, disband unilateral military and nonmilitary efforts in Central America, and seek stabilization and development of the region following the principles of existing agreements such as the Rio Treaty, with the assistance of the OAS, the Contadora group, and other multinational organizations.

OLDER AMERICANS ALTERNATIVE CARE ACT OF 1985

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. PANETTA] is recognized for 5 minutes.

● Mr. PANETTA. Mr. Speaker, I am today reintroducing legislation to expand and encourage the use of home health care as an alternative form of care for the elderly. This legislation recognizes the growing elderly population and the fact that our current system fails to adequately care for the elderly who suffer from chronic illnesses.

Institutional care, while expensive, is clearly appropriate and necessary for many of our older citizens; however, it makes no sense at all to emphasize or encourage institutional care for all el-

derly Americans. It has been clearly demonstrated that we have resources available to provide cost-effective, compassionate alternatives through a range of services, including the utilization of healthy seniors in helping their peers remain independent as long as possible.

At present, it is estimated that Americans age 65 and older are growing at twice the rate of the general population and currently make up more than 11 percent of our Nation's population. As this group continues to grow, meeting their long-term health needs will be a challenge for our present system. Just as this group must not be left without adequate health care, they also should not be forced into one setting. Rather, they should have options as to the type of treatment and environment they wish to receive and live in.

The legislation I am introducing today seeks to address this current dilemma and encourage the use of a cost-effective and humane form of health care. My bill would expand and liberalize the home health care benefit under medicare, strengthen and expand the Senior Companion Program, and offer a $250 refundable tax credit to individuals who care for their parents in their home.

Studies have shown that if adequate home health care services were available through medicare, approximately 2.5 million elderly persons could be kept out of institutions. With the cost pressures currently facing the Medicare Program, the cost-effectiveness of home care certainly should be further utilized. It has also been reported that whereas the cost of care in a nursing home may cost $20,000 and more annually, home care may cost one-third of the nursing home charge. This being the reality, we must take advantage of such opportunities.

Our country faces a major challenge in seeking to care for the elderly in our Nation. We must begin to put together necessary reforms to ensure that health will be available and affordable for the growing elderly population. As we consider proposals in this area, the utilization of cost-effective and compassionate alternatives must be a part of future health care reform efforts. We must take actions to make sure that old age is something which is looked forward to, rather than dreaded. I urge the support of this proposal by my colleagues.

Following is the text of this legislation:

H.R. 1192

A bill to amend title XVIII of the Social Security Act to remove the homebound requirement for home health services and to include additional types of services as home health services, to amend the Domestic Volunteer Service Act of 1973 to clarify the purposes, goals, and administration of the senior companion program, and to amend the Internal Revenue Code of 1954 to establish an income tax credit for maintaining a household for dependents who are sixty-five years of age or older

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Older Americans Alternative Care Act of 1985".

TITLE I—MEDICARE AMENDMENTS

REMOVAL OF HOMEBOUND REQUIREMENT FOR HOME HEALTH SERVICES

SEC. 101. (a) Section 1814(a)(2)(D) of the Social Security Act is amended by striking out "is or was confined to his home (except when receiving items and services referred to in section 1861(m)(7)) and".

(b) Section 1835(a)(2)(A)(i) of such Act is amended by striking out "is or was confined to his home (except when receiving items and services referred to in section 1861(m)(7)) and".

(c) The amendments made by this section shall apply with respect to items and services furnished on or after the first day of the month following the month in which this Act is enacted.

INCLUSION OF ADDITIONAL ITEMS AND SERVICES AS HOME HEALTH CARE

SEC. 102. (a) Section 1861(m) of the Social Security Act is amended by adding at the end thereof the following new paragraph:

"Notwithstanding any other provision of this title, such term also includes periodic chore services (as defined in subsection (dd)) in the case of any individual with respect to whom there is in effect a plan for furnishing such services (to that individual) which has been established and is periodically reviewed by the appropriate health professional under regulations, and respite care services (as defined in subsection (ee)) for not more than 52 days in any calendar year as determined by the Secretary taking into consideration the need for such services with respect to the individual for whom they are provided and the person who normally cares for the individual.".

(b) Section 1861 of such Act is further amended by adding at the end thereof the following new subsections:

"Periodic Chore Services

"(dd) For purposes of the last paragraph of subsection (m), the term 'periodic chore services' means services which are performed in the home of an aged, blind, or disabled adult individual to help such individual remain in or return to such home, maintain or strengthen his capacity for self-care, and maintain or raise his level of functioning in the areas of personal care and household management, when such individual is unable to perform such services by or for himself, whether or not such individual also requires the services of a home health aide or other specialist. Such term includes the performance for an individual of household tasks, transportation for medical visits, and essential shopping and transportation to and from multipurpose senior centers (as defined in title III of the Older Americans Act of 1965, as amended) and nutrition projects (such as those funded under part C of title III of such Act), essential shopping and simple household repairs, assistance in outdoor walking, and other services furnished to an individual which are reasonably necessary (as determined under regulations) to maintain him outside of a hospital, skilled nursing facility, or intermediate care facility.

"Respite Care Services

"(ee) For purposes of the last paragraph of subsection (m), the term 'respite care services' means services for an individual who is unable to care for himself or herself on a full-time basis, which are provided on a temporary basis to such individual because of the absence of the person who normally cares for such individual, but only if such individual is a dependent of such other person for purposes of the Internal Revenue Code of 1954. Such services must be provided by persons who have been trained to provide homemaker-home health aide services, and such services must be provided in the home of the dependent individual under the supervision of a registered nurse who is employed by a certified home health agency, homemaker-home health aide agency, or local public health department. Such services shall, when necessary and appropriate, be provided in addition to other services under this title to ensure that such individual receives a coordinated system of services designed to help the individual reach his or her maximum level of independence.".

(c) Section 1861(m) of the Social Security Act is amended by inserting after "individual's home", in the material which precedes paragraph (1), the following: "or in an adult day care center which is a nonprofit center eligible for funds under title XX of this Act and which meets standards prescribed by the Secretary and applicable State and local health and safety requirements".

(d) The amendments made by this section shall apply to items and services furnished on or after the first day of the month following the month in which this Act is enacted.

TITLE II—SENIOR COMPANIONS PROGRAM

ADMINISTRATION OF PROGRAM

SEC. 201. (a) Part B of title II of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5011 et seq.) is amended by redesignating section 212 as section 213, and by inserting after section 211 the following new section:

SENIOR COMPANION PROGRAM

"SEC. 212. (a) The Director is authorized to make grants or contracts to carry out the purpose described in section 211(a) through the establishment of senior companion programs. Each senior companion program—

"(1) shall be designed to encourage older persons receiving assistance under such program to participate actively in the affairs of their communities, to help themselves to the extent possible in order to lead independent lives outside of institutional settings, to take advantage of services and activities available to older persons under the senior companion program, and to reach out to their peers for companionship and assistance to the extent possible; and

"(2) shall be administered by a public or private nonprofit community-based organization of proven ability in providing services and assistance to older persons, except that such program may be administered under the auspices of a hospital in the community involved in any case in which administration

by a public or private nonprofit community-based organization is not feasible or appropriate in such community.

"(b) Each organization responsible for the administration of a senior companion program—

"(1) shall take such action as may be necessary to minimize costs associated with the administration of such program;

"(2) shall train senior companions through the use of available community resources, to the extent practicable, in order to minimize administrative costs and in order to coordinate the operation of such program with the activities of other community agencies and organizations; and

"(3) shall organize personnel participating in such program in the manner specified in subsection (c).

"(c)(1) The personnel administering each senior companion program shall consist of individuals serving as directors, supervising senior companions, and senior companions. Each director shall be responsible for overall administration of such program and for the supervision of approximately 10 supervising senior companions participating in such program.

"(2) Each supervising senior companion—

"(A) shall be responsible for the supervision of approximately 15 senior companions;

"(B) may participate in such program for not more than 40 hours during any workweek; and

"(C) shall devote 50 percent of such work period to the provision of services and assistance to older persons as a senior companion, and shall devote the balance of such work period to coordinating the activities of individuals serving as senior companions in such program.

"(3) Each individual serving as a senior companion—

"(A) shall participate in the senior companion program as a part-time volunteer for not more than 20 hours during any workweek; and

"(B) shall be responsible for the provision of services and assistance to approximately 20 older persons.

The number of older persons which may be served by a senior companion shall be based upon the needs of such older persons, distances which the senior companion is required to travel in order to serve such older persons, and other factors present in the community involved (such as the provision of services and assistance in congregate housing programs and in ethnic communities). The director of any such program, in determining the number of older persons which may be served by each senior companion participating in such program, shall ensure that the nature and quality of service provided by each senior companion is not adversely affected by the number of older persons for whom such senior companion is responsible.

"(d) Each individual serving as a senior companion—

"(1) shall work primarily with homebound older persons, except that such senior companion may enter into cooperative agreements with nursing home officials for the purpose of identifying older persons who are able to return to their homes if support services are made available to them in their homes;

"(2) shall make an initial assessment of the needs of each older person to whom such senior companion is assigned, including an evaluation of—

"(A) the availability and quality of food at the home of such older person;

"(B) whether such home is safe, clean, and sufficiently heated or cooled;

"(C) the ability of such older person to care for personal hygiene needs with appropriate assistance and encouragement from such senior companion;

"(D) the availability of needed medical and rehabilitative supplies;

"(E) the ability of such older person to manage financial resources and affairs; and

"(F) whether such older person requires any immediate professional assistance, as the result of despondency, drug dependence, or other similar factors; and

"(3) shall provide such older person with a variety of personal care services, nutritional services, social and recreational services, home management services, and information and advocacy services, which may include (A) shopping assistance; (B) transportation for medical or other appointments; (C) letter writing; (D) maintaining contacts with family members and friends; (E) bill payments and other financial matters; (F) meal preparation assistance; (G) minor housekeeping chores, sewing, minor home repairs and personal hygiene services and other personal care services; (H) companionship and socialization; and (I) initiating contacts with social service providers, including providers of (i) mobile meal services; (ii) chore or homemaker services; (iii) nursing services; (iv) income assistance services; (v) transportation; (vi) social and recreational programs; (vii) medical services; and (viii) income tax assistance.

"(e) Not more than 10 percent of any funds received by any public or private nonprofit organization under this section may be expended for administrative services which are not directly related to the provision of services or assistance to older persons.".

(b) Section 211(b) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5011 (b)) is amended by striking out ", and as" and all that follows through "companionship".

AUTHORIZATION OF APPROPRIATIONS

SEC. 202. Section 502(b)(2) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5082(b)(2)) is amended by adding at the end thereof the following new sentence: "There is further authorized to be appropriated $100,000,000 for the fiscal year ending September 30, 1985, for the purpose of carrying out programs under section 212.".

TITLE III—INCOME TAX CREDIT FOR MAINTAINING HOUSEHOLDS WHICH INCLUDE DEPENDENTS WHO HAVE ATTAINED AGE 65

SEC. 301. REFUNDABLE CREDIT FOR MAINTAINING HOUSEHOLDS WHICH INCLUDE DEPENDENTS WHO HAVE ATTAINED AGE 65.

(a) IN GENERAL.—Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits allowable) is amended by inserting before section 45 the following new section:

"SEC. 441 MAINTAINING HOUSEHOLDS WHICH INCLUDE DEPENDENTS WHO HAVE ATTAINED AGE 65.

"(a) $250 CREDIT ALLOWED.—A $250 credit against the tax imposed by this subtitle for the taxable year shall be allowed to a taxpayer who has 1 or more qualified dependents for the taxable year.

"(b) DEFINITION AND SPECIAL RULES.—For purposes of this section—

"(1) QUALIFIED DEPENDENT DEFINED.—The term 'qualified dependent' means any individual who—

"(A) has as his principal place of abode the principal residence of the taxpayer, and is a member of the taxpayer's household, for more than 270 days of the calendar year during which the taxable year of the taxpayer begins,

"(B) is a dependent of the taxpayer (within the meaning of section 152) for such calendar year, and

"(C) has attained the age of 65 before the close of such calendar year.

"(2) SPECIAL RULES.—

"(A) MAINTAINING A HOUSEHOLD.—An individual shall be treated as maintaining a household for any period only if half the cost of maintaining the household for such period is furnished by such individual (or, if the individual is married, by the individual and his spouse).

"(B) MARRIED COUPLES MUST FILE JOINT RETURNS.—If the taxpayer is married at the close of the taxable year, the credit shall be allowed under subsection (a) only if the taxpayer and his spouse file a joint return under section 6013 for the taxable year.

"(C) MARITAL STATUS.—The marital status of a taxpayer shall be determined in the manner provided in section 143(a).

"(D) CERTAIN MARRIED INDIVIDUALS LIVING APART.—If—

"(i) an individual who is married and who files a separate return maintains a household which includes a qualified dependent,

"(ii) over half the cost of maintaining such household is furnished by such individual, and

"(iii) during the last 6 months of the taxable year, the spouse of such individual is not a member of such household,

such individual shall not be considered as married.

"(E) MULTIPLE SUPPORT AGREEMENTS.—In making any determination of the amount furnished by the taxpayer for maintaining a household, such amount shall include any amount contributed under a multiple support agreement for the support of any qualified dependent to the extent the amount contributed is treated as received from the taxpayer under section 152(c)."

(b) CREDIT MADE REFUNDABLE.—Subsection (b) of section 6401 of such Code (relating to excess credits treated as overpayments) is amended—

(1) by striking out "and 43 (relating to earned income credit)" and inserting in lieu thereof "43 (relating to earned income credit), and 44I (relating to credit for maintaining households which include dependents who have attained age 65)", and

(2) by striking out "39 and 43" and inserting in lieu thereof "39, 43, and 44I".

(c) TECHNICAL AND CONFORMING AMENDMENT.—Section 55 of such Code (relating to alternative minimum tax for taxpayers other than corporations) is amended by striking out "and 43" and inserting in lieu thereof "43, and 44I".

(d) CLERICAL AMENDMENT.—The table of sections for subpart A of part IV of subchapter A of chapter 1 of such Code is amended by inserting before the item relating to section 45 the following new item:

"Sec. 44I. Maintaining households which include dependents who have attained age 65."

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1985.●

JOBLESS BENEFITS FOR LONG-TERM UNEMPLOYED MUST BE PRESERVED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. COYNE] is recognized for 5 minutes.

● Mr. COYNE. Mr. Speaker, thousands of Americans out of work for the long term face a cutoff of benefits March 31 if the Congress does not act promptly to renew the Federal Supplemental Compensation Program.

The official national rate of unemployment is now 7.4 percent. This figure is, in my view, unacceptably high. In many regions of the country, especially those hard hit by industrial dislocation, the number is far higher. A close look at the figures shows that 17 percent of the 8.1 million listed by the Department of Labor as unemployed in December, or nearly 1 out of 5 jobless, were out of work 27 weeks or longer. These are the people who will be cut off from benefits in just about every State if FSC is allowed to expire.

The House Ways and Means Public Assistance and Unemployment Compensation Subcommittee is aware of this increasingly dire situation. The subcommittee began hearings yesterday on an extension of the FSC Program and reform of the Extended Benefits Program. At this point, I include in the RECORD a copy of my testimony at that hearing as follows:

TESTIMONY OF WILLIAM J. COYNE BEFORE THE SUBCOMMITTEE ON PUBLIC ASSISTANCE AND UNEMPLOYMENT COMPENSATION, FEBRUARY 20, 1985

Thank you for allowing me to testify today on an issue of direct concern to thousands of unemployed Pennsylvanians—the extension of the Federal Supplemental Compensation Program.

The FSC program, originally enacted as part of the Tax Equity and Fiscal Responsibility Act of 1982, provides additional weeks of unemployment compensation to those who have exhausted their regular state benefits and any extended benefits to which they are entitled. The Federal Supplemental Compensation Amendments of 1983 extended the program through March 31, less than 6 weeks from now.

Congress now faces a choice: should we extend the FSC program one more time? In my view, there is not much of a debate. Without a FSC extension, workers unemployed after March 31 will not be eligible for up to 40 weeks of assistance, as they now are in Pennsylvania, but will find themselves cut off after 26 weeks. We are talking here about more than a handful of hard luck cases. In December, 1984, it is worth remembering, 1.4 million Americans were listed by the Labor Department as being unemployed 27 weeks or longer. They made up 17.2 percent of the 8.1 million listed that month as jobless. For many of them, the FSC program meant the difference between making a house payment and defaulting, between having enough to feed a family and going on public assistance, between dignity and dejection.

One big reason Congress now faces a choice between extending FSC or cutting people off after 26 weeks is the sorry state of the Extended Benefits program. In theory, a jobless worker should receive extended benefits after the regular benefits run out. Anyone who counts on the Extended Benefits program to serve as a stopgap just is not aware of what is going on in the States. Thanks to the damage done by the Gramm-Latta budget resolution of 1981, damage the Congress has yet to repair, only one state—Alaska—now qualifies for 13 weeks of extended benefits. This makes the FSC program the only extended aid available to the thousands of long-term unemployed in Pennsylvania and elsewhere.

FSC is a lifeline which we cannot allow to expire. If Congress fails to renew the program, and if the Extended Benefits program is allowed to continue as the sham it has become, jobless workers in 1985 may be faced with an unemployment compensation system which extends only 26 weeks of assistance. Only ten years, ago, an unemployed worker could receive up to 65 weeks of assistance—more than double what we may mandate after March 31.

To address this situation, we must act both for the short term and the long term. Ultimately, of course, Congress has to repair the Extended Benefits Program. I want to commend here the efforts of Don Pease, Fortney Stark and others who have offered legislation toward this end. I have introduced legislation, which I will describe later, which is designed to reform the Extended Benefits Program. But first, we must act to extend Federal Supplemental Compensation. Our failure to act will be felt many times over by thousands of people now looking to Congress for relief.

I know there are those, including the decisionmakers at the Office of Management and Budget, who feel that if we are to have an unemployment compensation system it should be limited to a minimal amount of weeks. FSC should be opposed, according to this type of reasoning, because it is unneeded federal assistance.

This argument ignores actual conditions in certain regions of the country. In industrial areas especially, long term unemployment remains all too persistent.

In October 1984, the official unemployment rate in Wheeling, West Virginia was 15.2 percent. In Gary, Indiana, 14 percent. In Johnstown, Pa., 12.5 percent. In my city of Pittsburgh, 10.2 percent.

These figures reflect what is known as the official unemployment rate. They do not count "discouraged" workers or those who work part time not by choice but because the economy gives them no option. Using data on discouraged and underemployed people supplied by the Department of Labor, the Full Employment Action Council has come up with what it calls the "real" unemployment rate. Here's what the Council found for October 1984 in the cities I just mentioned.

For Wheeling, West Virginia, the "real" unemployment rate was 27.4 percent. In Gary, Indiana, the factoring in of discouraged and underemployed workers netted a real unemployment rate of 25.2 percent. In Johnstown, the rate was 22.5 percent. In Pittsburgh, 18.5 percent.

The discrepancy between the official unemployment rate and the Council's "real" rate is due in part to the large number of discouraged workers. In the 4th quarter of 1984, the Labor Department classified 935,000 Americans as discouraged workers due to job market factors. These workers have become so dispirited about their prospects in the labor market that they have given up looking for work. As a result, they are not counted as unemployed in the official rate. The continuing presence of large numbers of discouraged workers belies continuing reports of a soaring economy. For some, the economy does indeed seem to move ever upward. For others, the downward slide never seems to end.

What the sheer number of long term unemployed should tell us is that we are entering a new type of economy, one in which the ground rules are far different than they were only a decade ago.

John H. Beck, of the Pennsylvania Legislative Committee of the United Steel Workers of America, described the situation we now face in a recent letter to me. He said:

"The changing nature of our mature industry structure has created a 'new' class of unemployed. Unlike the old cyclical unemployment, which could rise and fall with the business climate and was usually short term in duration, what we now have is the aftermath of a cyclical downturn coupled with severe changes in the old industrial sector, the combination of which has produced a group of workers now permanently dislocated."

Until we can devise initiatives which deal with the broad questions raised by such massive dislocation, we have to continue programs such as Federal Supplemental Compensation. H.R. 890, a measure introduced by Don Pease and others, would provide a simple extension of the FSC program for 18 months.

I support this approach. We should include a reachback provision to make eligible the thousands of recipients whose FSC benefits have expired in the last few months. Those who go into the FSC program after March 31 may benefit, but thousands will fall through the cracks.

At this point, I think it would be useful to take a look at the people who exhaust their Federal Supplemental Compensation benefits. In 1983, roughly two out of three were men, about half of whom had finished high school. Twenty-nine percent of exhaustees had less than a high school diploma. While about 40 percent of them were married with a working spouse, the median family income was $17,300. More than half of FSC exhaustees came from the manufacturing sector, compared to 39.4 percent of those receiving regular benefits.

Any extension of FSC should include a reachback provision to cover those who have exhausted their benefits. I have introduced legislation which would, like H.R. 890, extend the FSC program for 18 months. It differs from that legislation in that it would allow FSC benefits of up to 27 weeks in a period of high unemployment. Those who have exhausted FSC benefits since September 1984 would be eligible for benefits in addition to those already collected, up to a total of 27 weeks. This reachback provision would reach those workers who are truly at the end of their economic ropes.

Once we have brought about a FSC extension, preferably one with a reachback provision, we have to achieve some reforms in the Extended Benefits program. I have also introduced a separate piece of legislation which makes several necessary changes in this area.

To understand why these changes are needed, we need to recall for a moment the effect of the 1981 Gramm-Latta bill.

First, Gramm-Latta raised the mandatory insured unemployment rate which determines qualification for extended benefits. This admittedly complicated but seemingly

technical change has had a profound personal effect on thousands of Americans.

Here is why. Unemployment specialists measure the insured unemployment rate by dividing the number of unemployed receiving regular state benefits by the number of individuals covered by unemployment compensation within the state.

Before 1981, the mandatory IUR trigger was 4 percent. Gramm-Latta raised that requirement to 5 percent, while raising the optional trigger from 5 percent to 6 percent. These changes meant some states did not "trigger on" to the program because their IUR rate never reached these increased levels.

My legislation would restore the trigger to what it was in 1981. In addition, it would eliminate the requirement that unemployment must surge to 120 percent of the average for the previous two years in order for a State to be eligible. Those states which have not been able to meet this surge requirement have been forced off the extended benefit program before long-term unemployed workers could receive their full benefits.

Second, Gramm-Latta instructed the Department of Labor not to count workers receiving extended benefits when it determines the all important insured unemployment rate. This has contributed to some very strange situations. In September 1983 the national unemployment rate was 9.5 percent. Twenty-eight states had unemployment rates of 9 percent or higher. Yet at this point, only two states were eligible for Extended Benefits.

My legislation would instruct the Department of Labor to make a more accurate count of actual unemployment by requiring the inclusion of those receiving benefits in the calculation of the insured unemployment rate.

Third, Gramm-Latta eliminated the national trigger for extended benefits. Prior to the passage of this unwise legislation, a high national unemployment rate activated the extended benefits program in every state. A 4.5 percent insured unemployment rate enabled all American workers to become eligible for benefits. With the elimination of the national trigger, states with pockets of unemployment, but with statewide averages below the cutoff, were eliminated from the extended benefits program. While this approach may make sense to some in Washington, it makes little sense to an unemployed worker denied benefits because he lives in the wrong part of the country. Being unemployed in Kansas, for example, can be just as debilitating as being unemployed in Pennsylvania. Benefits from the government should be structured more to need and less toward restrictive formulas.

Fourth, the Gramm-Latta bill required workers to have 20 weeks of unemployment in their base period to qualify for the extended benefits program. Some workers who might otherwise qualify for state benefits lost their eligibility.

In my legislation, the base period is determined, as it was before Gramm-Latta, by each state.

Another key provision of my legislation would allow workers receiving extended benefits to enroll in an accredited training program. Some workers in my district have chosen to participate in a retraining program. We should not penalize those who seek to better themselves. Jobless workers on extended benefits should be allowed to continue receiving those benefits while they continue to be retrained, as they can now do in the Federal Supplemental Compensation program.

This legislation would also make important structural changes in the existing extended benefits program. It would, for example, establish a federally funded, 26 week extended benefits program for workers whose regular state benefits have been exhausted.

Finally this legislation would require the Department of Labor to study the feasibility of sub-state triggers on unemployment. This would address the anomaly of workers within a pocket of unemployment being denied benefits because their state fails to meet specified criteria.

I would hope that the Subcommittee would adopt the changes proposed in both these bills. At the minimum, I would urge that prompt action be taken to ensure that the Federal Supplemental Program not be allowed to expire.●

A TRIBUTE TO VOLUNTEERS OF AMERICA

(Mr. WRIGHT asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WRIGHT. Mr. Speaker, March 8 marks the anniversary of the founding of the Volunteers of America, one of this Nation's largest human services organizations, which has been helping others since 1896.

In that year, Ballington and Maude Booth established a Bowery Mission in New York's lower East Side that was dedicated to serve the needy. Newly arrived in this country themselves, the Booths liked the new Republic that lacked the rigid class distinctions of 19th-century England and quickly became naturalized citizens. But as so many people fled their homelands to seek sanctuary in this new land, cities soon became crowded, and living and working conditions became deplorable.

Vowing to improve the lot of both the newcomers and their established neighbors, the Booths faced an exuberant crowd in New York's Cooper Union and announced the birth of Volunteers of America on March 8, 1896.

Volunteers of America soon spread and prospered with the help of many volunteer supporters dedicated to the service of their country. In less than 9 months from the date of the first meeting, "posts" were operating throughout the United States.

By the turn of the century, Volunteers of America was well established as a human service agency that effectively combined religion and social work. As their anniversary approaches, they are providing social services tailored to the unique needs of over 100 American communities serving as effective and useful auxiliaries to established churches.

This year, Volunteers of America has scheduled the week of March 3 through the 10th to observe the founding of this great American service organization. During that week and throughout our lives, we should all consider and applaud the Volunteers of America's hope and actions that awaken in all Americans a renewed enthusiasm and confidence in the philanthropic consciousness of this Nation that is so much a part of the American spirit.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. TORRICELLI (at the request of Mr. WRIGHT), for the week of February 25, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. COBLE) to revise and extend their remarks and include extraneous material:)

Mr. ROTH, for 30 minutes, today.

Mr. FRENZEL, for 10 minutes, today.

(The following Members (at the request of Mr. TAUZIN) to revise and extend their remarks and include extraneous material:)

Mr. TAUZIN, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. NELSON of Florida, for 5 minutes, today.

Mr. COYNE, for 5 minutes, today.

Mr. STUDDS, for 10 minutes, today.

Mr. GONZALEZ, for 60 minutes, today.

Mr. WEAVER, for 60 minutes, February 25.

Mr. WEAVER, for 60 minutes, February 26.

Mr. WEAVER, for 60 minutes, February 27.

Mr. WEAVER, for 60 minutes, February 28.

(The following Member (at the request of Mr. FISH) to revise and extend his remarks and include extraneous material:)

Mr. MOLINARI, for 60 minutes, February 26.

(The following Members (at the request of Mr. GONZALEZ) to revise and extend their remarks and include extraneous material:)

Mr. PANETTA, for 5 minutes, today.

Mr. VISCLOSKY, for 5 minutes, February 25.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. COBLE) and to include extraneous matter:)

Mr. GRADISON.

Mr. LEWIS of California.

Mr. FISH.

Mr. CLINGER.

Mrs. JOHNSON.

Mr. SHUMWAY.
Mr. GEKAS.
Mr. PARRIS in two instances.
(The following Members (at the request of Mr. TAUZIN) and to include extraneous matter:)
Mr. MAVROULES.
Mr. BORSKI.
Mr. MINETA.
Mr. HUGHES.
Mr. WIRTH.
Mr. BARNES.
Mr. AUCOIN.
Mr. KOLTER.
Mr. HEFTEL of Hawaii.
Mr. BERMAN.
Mr. LELAND.
Mr. PEPPER in two instances.
Mr. FRANK.
Mr. FASCELL.
Mr. HAMILTON.
Mr. EDWARDS of California.
Mr. ORTIZ.
Mr. HOYER.
Mr. LEHMAN of Florida.
Mr. RANGEL.
Ms. MIKULSKI.
Mr. LANTOS in three instances.

ADJOURNMENT

Mr. GONZALEZ. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 55 minutes p.m.), under its previous order, the House adjourned until Monday, February 25, 1985, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

586. A letter from the Auditor, District of Columbia, transmitting a report entitled: "Annual Report on Advisory Neighborhood Commissions," pursuant to Public Law 93-198, section 455(d); to the Committee on the District of Columbia.

587. A letter from the Vice President for Government Affairs, National Railroad Passenger Corporation, transmitting the annual report of activities for 1984, and Amtrak's legislative recommendations, pursuant to Public Law 91-518, sections 308(b) and 805(1)(B); to the Committee on Energy and Commerce.

588. A letter from the Acting Assistant Secretary of State for Legislative and Intergovernmental Affairs, transmitting the 1985 international narcotics control strategy report, including the impact of U.S. economic and military assistance on narcotics control, pursuant to FAA, section 481(e)(1) (97 Stat. 1053); to the Committee on Foreign Affairs.

589. A letter from the Clerk of the U.S. House of Representatives, transmitting his quarterly report of receipts and expenditures of appropriations and other funds for the period October 1, 1984 to December 31, 1984, pursuant to 2 U.S.C. 104a (H. Doc. No. 99-31); to the Committee on House Administration and ordered to be printed.

590. A letter from the Acting Assistant Secretary of the Army (Civil Works), transmitting a draft of proposed legislation to authorize the U.S. Army Corps of Engineers to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; to the Committee on Pubic Works and Transportation.

591. A letter from the Administrator, U.S. Small Business Administration, transmitting a draft of proposed legislation to abolish the Small Business Administration, to terminate certain functions of the Administration, to transfer certain functions of the Administration to the Secretaries of Commerce and Treasury, and for other purposes; to the Committee on Small Business.

592. A letter from the Chairman, Board of Governors, Federal Reserve System, transmitting the monetary policy report, pursuant to the act of September 21, 1950, Chapter 967, section 2 (7(j)(14)) (92 Stat. 3683); jointly, to the Committees on Banking, Finance and Urban Affairs and Education and Labor.

593. A letter from the Acting Assistant Secretary of the Army (Civil Works), transmitting a draft of proposed legislation to authorize the improvement of and funding for the inland and intracoastal waterways of the United States, and for other purposes; jointly, to the Committees on Public Works and Transportation and Ways and Means.

594. A letter from the Secretary of Energy, transmitting a report of the current status of the comprehensive management plan for nuclear safety research, development, and demonstration, pursuant to Public Law 96-567, section 8(c); jointly, to the Committees on Energy and Commerce, Interior and Insular Affairs, and Science and Technology.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WHITTEN: Committee on Appropriations. H.R. 1189. A bill to provide additional emergency credit to farm producers; to provide funds to forego foreclosure and defer payment of indebtedness; and to determine damages caused by embargoes on the sale and delivery of agricultural commodities, either through direct embargo or failure to sell competitively; and for other purposes (Rept. No. 99-1). Referred to the Committee of the Whole House on the State of the Union.

Mr. WHITTEN: Committee on Appropriations. H.R. 1239. A bill making urgent supplemental appropriations for the fiscal year ending September 30, 1985, for emergency famine relief and recovery in Africa, and for other purposes (Rept. No. 99-2). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. PICKLE (for himself, Mr. FRENZEL, Mr. MATSUI, Mr. DOWNEY of New York, Mr. DUNCAN, Mr. ARCHER, Mr. GUARINI, Mr. JACOBS, Mr. JENKINS, Mr. HEFTEL of Hawaii, Mr. FOWLER, Mr. ANTHONY, Mr. FLIPPO, Mrs. KENNELLY, Mr. VANDER JAGT, Mr. CRANE, Mr. CAMPBELL, Mr. THOMAS of California, Mr. GREGG, Mr. MINETA, Mr. AUCOIN, Mr. LANTOS, Mr. ZSCHAU, Mr. BONKER, Mr. LUNGREN, and Mr. LAGOMARSINO):

H.R. 1188. A bill to amend the Internal Revenue Code of 1954 to increase research activities, to foster university research and scientific training, and to encourage the contribution of scientific equipment to institutions of higher education; to the Committee on Ways and Means.

By Mr. WHITTEN:

H.R. 1189. A bill to provide additional emergency credit to farm producers; to provide funds to forego foreclosure and defer payment of indebtedness; and to determine damages caused by embargoes on the sale and delivery of agricultural commodities, either through direct embargo or failure to sell competitively; and for other purposes; to the Committee on Appropriations.

By Mr. TAUZIN (for himself, Mr. RAHALL, Mr. ROGERS, Mr. STENHOLM, Mr. MURTHA, Mr. BEVILL, Mr. BOSCO, Mr. BOUCHER Mr. PICKLE, Mr. JACOBS, Mr. KINDNESS, and Mr. ECKART of Ohio):

H.R. 1190. A bill to enhance rail competition and to ensure reasonable rail rates where there is an absence of effective competition; to the Committee on Energy and Commerce.

By Mr. BEDELL:

H.R. 1191. A bill to provide emergency financial assistance to farm banks; to the Committee on Banking, Finance and Urban Affairs.

By Mr. PANETTA:

H.R. 1192. A bill to amend title XVIII of the Social Security Act to remove the homebound requirement for home health services and to include additional types of services as home health services, to amend the Domestic Volunteer Service Act of 1973 to clarify the purposes, goals, and administration of the Senior Companion Program, and to amend the Internal Revenue Code of 1954 to establish an income tax credit for maintaining a household for dependents who are 65 years of age or older; jointly, to the Committees on Ways and Means, Energy and Commerce, and Education and Labor.

By Mr. ADDABBO:

H.R. 1193. A bill to amend section 524 of title 28, United States Code, to provide amounts from the Department of Justice assets forfeiture fund for drug abuse prevention, treatment, and rehabilitation programs; jointly, to the Committees on the Judiciary and Energy and Commerce.

By Mr. BEILENSON:

H.R. 1194. A bill to provide for an income-based premium under Medicare part B; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. BEILENSON (for himself, Mr. FROST, Mr. BONIOR of Michigan, Mr. HALL of Ohio, Mr. PANETTA, Mr. GEPHARDT, Mr. ASPIN, Mr. MURTHA, Mr. DICKS, Mr. PENNY, Mr. MINETA, and Mr. MORRISON of Washington):

H.R. 1195. A bill to amend the Congressional Budget Act of 1974 to improve the congressional budget process, and for other purposes; jointly, to the Committees on Rules and Government Operations.

By Mr. BIAGGI:

H.R. 1196. A bill to amend the Food Stamp Act of 1977 to exclude from the financial resources of households certain funds set aside for burial expenses of elderly

and disabled members and their spouses; to the Committee on Agriculture.

H.R. 1197. A bill to amend the Truth in Lending Act to limit the rate of interest which may be charged on credit card accounts; to the Committee on Banking, Finance and Urban Affairs.

H.R. 1198. A bill to amend the Higher Education Act of 1965 to permit deferrals in the repayment of student loans for active duty members of the National Oceanic and Atmospheric Administration Corps; to the Committee on Education and Labor.

H.R. 1199. A bill to amend title XVIII of the Social Security Act respecting the use of certain toxic materials in new nursing home construction; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. BOEHLERT:

H.R. 1200. A bill to eliminate the reduction in the tax on cigarettes; to the Committee on Ways and Means.

By Mrs. BOXER (for herself, Mr. LEVINE of California, Mr. PORTER, Mr. MITCHELL, Mr. BEDELL, Mr. OWENS, Mr. BERMAN, and Mr. CROCKETT):

H.R. 1201. A bill entitled: "The Revolving Door Reform Act of 1985"; to the Committee on Government Operations.

By Mr. BREAUX:

H.R. 1202. A bill to authorize appropriations to carry out conservation programs on military reservations and public lands during the fiscal years 1986, 1987, and 1988; to the Committee on Merchant Marine and Fisheries.

By Mr. BREAUX (for himself, Mr. JONES of North Carolina, Mr. LENT, and Mr. YOUNG of Alaska):

H.R. 1203. A bill to promote the conservation of migratory waterfowl and to offset or prevent the serious loss of wetlands by the acquisition of wetlands and other essential habitat, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DARDEN:

H.R. 1204. A bill to amend title 28 of the United States Code to reform habeas corpus procedures, and for other purposes; to the Committee on the Judiciary.

By Mr. DIOGUARDI:

H.R. 1205. A bill to amend the Child Abuse Amendments of 1984 to encourage States to enact child protection reforms which are designed to improve legal and administrative proceedings regarding the investigation and prosecution of sexual child abuse cases; to the Committee on Education and Labor.

By Mr. DORGAN of North Dakota:

H.R. 1206. A bill to amend the U.S. Grain Standards Act to improve the quality of export grain by eliminating dockage and foreign material from grain shipped from an export elevator at an export port location; to the Committee on Agriculture.

By Mr. DORGAN of North Dakota (for himself, Mr. DOWNEY of New York, Mr. JEFFORDS, and Mr. MRAZEK):

H.R. 1207. A bill to award a special gold medal to the family of Harry Chapin; to the Committee on Banking, Finance and Urban Affairs.

By Mr. ERDREICH:

H.R. 1208. A bill to amend chapter 7 of title 31, United States Code, to abolish the Commission on Executive, Legislative, and Judicial Salaries and transfer its functions to the Comptroller General, and to provide that any legislation increasing the rate of pay for Members of Congress is considered separately from other legislation, is adopted only by a recorded vote, and does not take effect until the start of the Congress following the Congress in which approved, and to eliminate the automatic annual pay adjustment for Members of Congress; jointly, to the Committees on Post Office and Civil Service and Rules.

By Mr. FORD of Tennessee:

H.R. 1209. A bill to amend the Internal Revenue Code of 1954 to make permanent the deduction for charitable contributions by nonitemizers; to the Committee on Ways and Means.

By Mr. FUQUA (by request):

H.R. 1210. A bill to authorize appropriations to the National Science Foundation for the fiscal years 1986 and 1987, and for related purposes; to the Committee on Science and Technology.

By Mr. GAYDOS:

H.R. 1211. A bill to extinguish Federal court jurisdiction to require attendance at a particular school of any student because of race, color, creed, or sex; to the Committee on the Judiciary.

H.R. 1212. A bill to amend the Fair Labor Standards Act of 1938 to require prenotification to affected employees and communities of dislocation of business concerns, to provide assistance (including retraining) to employees who suffer employment loss through the dislocation of business concerns, to business concerns threatened with dislocation, and to affected communities, to prevent Federal support for unjustified dislocation, and for other purposes; jointly, to the Committees on Education and Labor and Banking, Finance and Urban Affairs.

By Mr. GLICKMAN (for himself, Mr. FISH, Mr. SEIBERLING, Mr. HUGHES, Mr. BERMAN, Mr. MOORHEAD, Mr. BOUCHER, and Mr. FRANK):

H.R. 1213. A bill to establish a specialized corps of judges necessary for certain Federal proceedings required to be conducted, and for other purposes; to the Committee on the Judiciary.

By Mr. GOODLING:

H.R. 1214. A bill to eliminate cost-of-living adjustments under the civil service retirement system for former Members of Congress until 1988; to the Committee on Post Office and Civil Service.

H.R. 1215. A bill to amend title XVIII of the Social Security Act to provide for coverage of antibiotics administered intravenously at home to patients with a chronic infectious disease requiring long-term intravenous antibiotic therapy; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. GRADISON (for himself, Mr. BROWN of Colorado, Mr. HENRY, Mr. SENSENBRENNER, Mr. HUGHES, Mr. IRELAND, and Mr. FISH):

H.R. 1216. A bill to amend the Federal Financing Bank Act of 1973 to assure the proper budgetary treatment of credit transactions of Federal agencies; jointly, to the Committees on Banking, Finance and Urban Affairs and Ways and Means.

By Mr. SAM B. HALL, JR. (for himself, Mr. WILSON, Mr. LOEFFLER, and Mr. RALPH M. HALL):

H.R. 1217. A bill to amend the Farm Credit Act of 1971 to achieve greater efficiency and fiscal responsibility by providing that the boards of directors of Federal land banks, of Federal intermediate credit banks, and of district banks for cooperatives shall be elected separately; to increase the independence of such banks in exercising their respective powers; and for other purposes; to the Committee on Agriculture.

By Mr. HEFTEL of Hawaii:

H.R. 1218. A bill regarding the admission of certain fish into foreign trade zones in Hawaii; to the Committee on Ways and Means.

By Mrs. JOHNSON (for herself, Mr. CLINGER, Ms. KAPTUR, Mr. FORD of Tennessee, Mr. BEREUTER, Mr. BLAZ, Mrs. COLLINS, Mr. CONTE, Mr. COUGHLIN, Mr. DEWINE, Mr. EMERSON, Mr. FAUNTROY, Mr. FIELDS, Mr. FISH, Mr. GARCIA, Mr. HORTON, Mr. LAGOMARSINO, Mr. LEACH of Iowa, Mr. MCDADE, Mrs. MARTIN of Illinois, Mr. MCKERNAN, Mr. MCKINNEY, Mr. MICHEL, Mr. MOODY, Mr. MORRISON of Washington, Mr. NIELSON of Utah, Ms. OAKAR, Mr. RIDGE, Mr. ROSE, Mr. ROWLAND of Connecticut, Ms. SNOWE, Mr. STOKES, and Mr. WEBER):

H.R. 1219. A bill to provide incentives for worker training through both employer and individual initiative and to require the Secretary of Labor to study the feasibility and cost of a national job bank; jointly, to the Committees on Education and Labor and Ways and Means.

By Mr. LEHMAN of Florida:

H.R. 1220. A bill to confer U.S. citizenship posthumously upon Annita Nelken; to the Committee on the Judiciary.

By Mr. MOAKLEY:

H.R. 1221. A bill to amend the Nuclear Waste Policy Act of 1982 to modify the procedures of the House of Repesentatives and the Senate for consideration of fee adjustment proposed by the Secretary of Energy, and to establish an Advisory Commission on Nuclear Waste Financing; jointly, to the Committees on Energy and Commerce, Interior and Insular Affairs, and Rules.

By Mr. MOLLOHAN (for himself, Mr. RAHALL, Mr. WISE, and Mr. PEASE):

H.R. 1222. A bill to require the Department of Labor to employ additional administrative law judges to hear cases under the Black Lung Benefits Act; to the Committee on Education and Labor.

By Mr. PEPPER:

H.R. 1223. A bill to authorize the Secretary of Health and Human Services to conduct a clinical trial to determine the efficiency and economic feasibility of providing Medicare coverage for personal emergency response systems; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. RANGEL (for himself and Mr. MITCHELL):

H.R. 1224. A bill to amend the Internal Revenue Code of 1954 to provide for the nonrecognition of gain on sales and exchanges of capital assets when the proceeds are reinvested in certain minority investment funds; to the Committee on Ways and Means.

BY Mr. RUSSO (for himself, Mr. MILLER of California, Mr. SCHUMER, Mr. STARK, Mr. DOWNEY of New York, Mr. GEPHARDT, Mr. DORGAN of North Dakota, Mr. GUARINI, Mr. RANGEL, Mrs. KENNELLY, Mr. MATSUI, Mr. JENKINS, Mr. FLIPPO, Mr. JACOBS, Mr. ANTHONY, Mr. FORD of Tennessee, and Mr. DONNELLY):

H.R. 1225. A bill to prohibit the issuance in bearer form of Treasury obligations or of securities which are interests in Treasury obligations, and for other purposes; to the Committee on Ways and Means.

By Mr. SHUMWAY:

H.R. 1226. A bill to amend the Act entitled "An Act to authorize the Secretary of the

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Interior to construct, operate, and maintain the Auburn-Folsom South unit, American River Division, Central Valley project, California, under Federal reclamation laws", enacted September 2, 1965, and the Flood Control Act of 1970; to the Committee on Interior and Insular Affairs.

By Mr. SKELTON (for himself and Mr. FORD of Michigan):

H.R. 1227. A bill to amend the Harry S Truman Memorial Scholarship Act to remove the dollar limitation on stipends paid under such act and to authorize the Harry S Truman Scholarship Foundation to prescribe regulations governing the amounts of such stipends; to the Committee on Education and Labor.

By Mr. STARK:

H.R. 1228. A bill to amend the Internal Revenue Code of 1954 to deny any deduction for the expenses of attending foreign conventions or seminars on methods of tax evasion through foreign investments; to the Committee on Ways and Means.

By Mr. STARK (for himself, Mr. GEJDENSON, Mr. KILDEE, Mr. KASTENMEIER, Mr. GARCIA, Mr. HAYES, Mr. DWYER of New Jersey, Mr. EDWARDS of California, Mr. CROCKETT, Mr. WHEAT, Mr. MAVROULES, Mr. KOSTMAYER, Mr. FRANK, Mr. ROE, Mr. OLIN, Mr. ROYBAL, Mr. BATES, Mr. MITCHELL, Mr. BEDELL, Ms. KAPTUR, Mr. FLORIO, Mr. BOUCHER, Mr. VOLKMER, Mr. JEFFORDS, Mr. SEIBERLING, Mr. FISH, Mr. MRAZEK, Mr. GUARINI, Mr. OBERSTAR, Mr. FAZIO, Mr. CARPER, Mr. ST GERMAIN, Mr. MORRISON of Connecticut, Mr. SNYDER, Mr. DURBIN, Mr. LEVINE of California, Mr. DELLUMS, Mrs. BOXER, and Mr. BOSCO):

H.R. 1229. A bill to amend the Federal Power Act to limit the recovery by public utilities of certain costs of construction work in progress through rate increases; to the Committee on Energy and Commerce.

By Mr. STENHOLM (for himself and Mr. BOULTER):

H.R. 1230. A bill to provide that a Federal agency may not require any person to maintain records for a period in excess of 4 years, and a Federal agency may not commence an action for enforcement of a law or regulation or for collection of a civil fine after 4 years from the date of the act which is the subject of the enforcement action or fine, and for other purposes; to the Committee on Government Operations.

By Mr. STUDDS:

H.R. 1231. A bill to encourage international training in maritime skills; to the Committee on Foreign Affairs.

By Mr. STUDDS (for himself, Mr. JONES of North Carolina, Mr. LENT, Mr. DAVIS, Mr. BIAGGI, Mr. LOWRY of Washington, Mr. HUGHES, Ms. MIKULSKI, and Mr. YOUNG of Alaska):

H.R. 1232. A bill to provide a comprehensive system of liability and compensation for oilspill damage and removal costs, and for other purposes; jointly, to the Committees on Merchant Marine and Fisheries and Public Works and Transportation.

By Mr. TALLON:

H.R. 1233. A bill to recognize the organization known as "Wildlife Action, Inc."; to the Committee on the Judiciary.

By Mr. TAUZIN:

H.R. 1234. A bill to provide for the reauthorization of the Coastal Zone Management Act of 1972, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. WOLPE (for himself, Mr. DORGAN of North Dakota, and Mr. GEPHARDT):

H.R. 1235. A bill to amend the Internal Revenue Code of 1954 with respect to the limitations on the investment tax credit for public utility property; to the Committee on Ways and Means.

By Mr. YOUNG of Florida:

H.R. 1236. A bill to improve the provisions of law relating to former Presidents, and for other purposes; jointly, to the Committees on Government Operations, House Administration, the Judiciary, and Post Office and Civil Service.

By Mr. TAUZIN (for himself, Mr. BEVILL, Mr. FLIPPO, Mr. SHELBY, Mr. YOUNG of Missouri, Mr. MCCAIN, Mr. UDALL, Mr. STUMP, Mr. RUDD, Mr. ANTHONY, Mr. FAZIO, Mr. ZSCHAU, Mr. MINETA, Mr. COELHO, Mr. PANETTA, Mr. LAGOMARSINO, Mr. THOMAS of California, Mr. WAXMAN, Mr. LEVINE of California, Mr. DIXON, Mr. MARTINEZ, Mr. DYMALLY, Mr. DANNEMEYER, Mr. LUNGREN, Mr. STRANG, Mr. GEJDENSON, Mr. MORRISON of Connecticut, Mr. MCKINNEY, Mrs. JOHNSON, Mr. HUTTO, Mr. FUQUA, Mr. BILIRAKIS, Mr. LEWIS of Florida, Mr. PEPPER, Mr. DARDEN, Mr. HEFTEL of Hawaii, Mr. AKAKA, Mr. HAYES, Mr. SAVAGE, Mr. HYDE, Mr. MADIGAN, Mr. DURBIN, Mr. TAUKE, Mr. EVANS of Iowa, Mr. BEDELL, Mr. HUBBARD, Mr. LIVINGSTON, Mr. ROEMER, Mr. MOORE, Mr. BREAUX, Mr. CONTE, Mr. BOLAND, Mr. MAVROULES, Mr. MOAKLEY, Mr. CONYERS, Mr. HENRY, Mr. KILDEE, Mr. TRAXLER, Mr. DAVIS, Mr. BONIOR of Michigan, Mr. CROCKETT, Mr. LEVIN of Michigan, Mr. VENTO, Mr. FRANKLIN, Mr. MONTGOMERY, Mr. DOWDY of Mississippi, Mr. YOUNG of Alaska, Mr. DAUB, Mrs. SMITH of Nebraska, Mr. REID, Mrs. VUCANOVICH, Mr. FLORIO, Mr. HUGHES, Mr. SMITH of New Jersey, Mr. DWYER of New Jersey, Mr. ROE, Mr. TORRICELLI, Mr. GUARINI, Mr. LUJAN, Mr. RICHARDSON, Mr. CARNEY, Mr. MRAZEK, Mr. LENT, Mr. MCGRATH, Mr. ADDABBO, Mr. ACKERMAN, Mr. SCHEUER, Mr. MANTON, Mr. TOWNS, Mr. OWENS, Mr. BIAGGI, Mr. DIOGUARDI, Mr. FISH, Mr. SOLOMON, Mr. BOEHLERT, Mr. WORTLEY, Mr. HORTON, Mr. VALENTINE, Mr. ROSE, Mr. HEFNER, Mr. DORGAN of North Dakota, Mr. LUKEN, Mr. KINDNESS, Ms. KAPTUR, Mr. MILLER of Ohio, Mr. WYLIE, Mr. APPLEGATE, Ms. OAKAR, Mr. SYNAR, Mr. WYDEN, Mr. DENNY SMITH, Mr. BORSKI, Mr. KOLTER, Mr. EDGAR, Mr. KOSTMAYER, Mr. MURTHA, Mr. WALGREN, Mr. MURPHY, Mr. ST GERMAIN, Mr. CAMPBELL, Mr. SPRATT, Mr. TALLON, Mr. QUILLEN, Mrs. LLOYD, Mr. BONER of Tennessee, Mr. GORDON, Mr. SUNDQUIST, Mr. SAM B. HALL, JR., Mr. WILSON, Mr. RALPH M. HALL, Mr. BRYANT, Mr. ARCHER, Mr. FIELDS, Mr. BROOKS, Mr. PICKLE, Mr. WRIGHT, Mr. DE LA GARZA, Mr. STENHOLM, Mr. LELAND, Mr. GONZALEZ, Mr. LOEFFLER, Mr. FROST, Mr. ANDREWS, Mr. HANSEN, Mr. JEFFORDS, Mr. SISISKY, Mr. DANIEL, Mr. SLAUGHTER, Mr. BOUCHER, Mr. WOLF, Mr. MORRISON of Washington, Mr. MOLLOHAN, Mr. RAHALL, Mr. FAUNTROY, Mr. SUNIA, Mrs. COLLINS, Mr. HOYER, Mr. KASICH, Mr. LATTA, Mr. BROYHILL, Mr. HALL of Ohio, Mr. RODINO, Mr. LUNDINE, Mr. JONES of North Carolina, Mr. DASCHLE, Mr. RITTER, and Mr. RINALDO):

H.J. Res. 160. Joint resolution designating March 22, 1985, as "National Energy Education Day"; to the Committee on Post Office and Civil Service.

By Mr. FUQUA (for himself, Mr. WALGREN, Mr. LUJAN, Mr. BOEHLERT, Mr. TORRICELLI, Mr. PACKARD, Mr. LUNDINE, Mr. HENRY, Mr. SKEEN, Mr. GREGG, Mr. LEWIS of Florida, Mr. STALLINGS, Mr. BOUCHER, Mr. MONSON, Mr. YOUNG of Missouri, Mr. ROE, Mr. CARNEY, Mr. CHANDLER, Mr. BATEMAN, Mr. SMITH of New Hampshire, and Mr. SLAUGHTER):

H.J. Res. 161. Joint resolution designating the week of May 12-18, 1985, as "National Science Week"; to the Committee on Post Office and Civil Service.

By Mr. GUARINI (for himself and Mr. BONIOR of Michigan):

H.J. Res. 162. Joint resolution designating the month of May 1985 as "Better Hearing and Speech Month"; to the Committee on Post Office and Civil Service.

By Mr. HILER (for himself, Mr. AKAKA, Mr. BLAZ, Mr. BOLAND, Mr. CONTE, Mr. DAUB, Mr. FRANK, Mr. HOYER, Mr. JEFFORDS, Mr. KEMP, Mr. MCGRATH, Mr. ROBINSON, Mr. VENTO, and Mr. WILLIAMS):

H.J. Res. 163. Joint resolution recognizing the importance of the Bureau of Apprenticeship and Training; to the Committee on Education and Labor.

By Mr. LANTOS, (for himself, Mr. VANDER JAGT, Mr. ACKERMAN, Mr. ANDREWS, Mr. ANTHONY, Mr. BATEMAN, Mr. BERMAN, Mr. BONER of Tennessee, Mr. BONIOR of Michigan, Mr. BORSKI, Mrs. BOXER, Mr. BROWN of California, Mr. BRYANT, Mrs. COLLINS, Mr. COOPER, Mr. DAUB, Mr. DEWINE, Mr. DE LA GARZA, Mr. DELLUMS, Mr. DIOGUARDI, Mr. DORNAN of California, Mr. DYMALLY, Mr. EDWARDS of Oklahoma, Mr. FAUNTROY, Mr. FAZIO, Mr. FISH, Mr. FRANK, Mr. FRENZEL, Mr. FROST, Mr. FUQUA, Mr. GALLO, Mr. GREEN, Mr. HORTON, Mr. HOWARD, Mr. HUGHES, Mr. JEFFORDS, Mr. JONES of North Carolina, Mr. KOLBE, Mr. KOLTER, Mr. LAFALCE, Mr. LAGOMARSINO, Mr. LEVIN of Michigan, Mr. LIGHTFOOT, Mr. MANTON, Mr. MARKEY, Mr. MARTINEZ, Mr. MATSUI, Mr. MCGRATH, Mr. MITCHELL, Mr. MURPHY, Mr. O'BRIEN, Mr. OWENS, Mr. PASHAYAN, Mr. PORTER, Mr. QUILLEN, Mr. RAHALL, Mr. REID, Mr. RICHARDSON, Mr. RODINO, Mr. ROE, Mr. ROGERS, Mr. SKEEN, Mr. SKELTON, Mr. SMITH of Florida, Mr. SOLARZ, Mr. STENHOLM, Mr. TALLON, Mr. TORRICELLI, Mr. TRAXLER, Mr. VENTO, Mr. VOLKMER, Mr. WALGREN, Mr. WAXMAN, Mr. WEAVER, Mr. WEISS, Mr. WORTLEY, Mr. WYDEN, Mr. YATRON, and Mr. YOUNG of Alaska):

H.J. Res. 164. Joint resolution to designate August 4, 1985, as "Freedom of the Press Day"; to the Committee on Post Office and Civil Service.

By Mr. RUSSO:

H.J. Res. 165. Joint resolution proposing an amendment to the Constitution of the United States for the protection of unborn children and other persons; to the Committee on the Judiciary.

By Mr. SCHULZE (for himself and Mr. FLIPPO):

H.J. Res. 166. Joint resolution proposing an amendment to the Constitution relating to Federal budget procedures; to the Committee on the Judiciary.

By Mr. MRAZEK:

H. Con. Res. 64. Concurrent resolution expressing the sense of the Congress that the policy of separate development and the forced relocation of South African blacks to designated "homelands" is inconsistent with fundamental American values and internationally recognized principles of human rights and should be discontinued; to the Committee on Foreign Affairs.

By Mr. YOUNG of Florida:

H. Con. Res. 65. Concurrent resolution calling for full freedom and independence for the Baltic States; to the Committee on Foreign Affairs.

H. Con. Res. 66. Concurrent resolution expressing the sense of the Congress that the United States should seek, through diplomatic channels, the withdrawal of certain personnel of the Soviet Union from Estonia, Latvia, and Lithuania and the release by the Soviet Union of political prisoners of Estonian, Latvian, or Lithuanian descent; to the Committee on Foreign Affairs.

By Mr. DELLUMS:

H. Res. 66. Resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Committee on the District of Columbia in the 1st session of the 99th Congress; to the Committee on House Administration.

By Mr. GONZALEZ:

H. Res. 67. Resolution calling for peace in Central America; to the Committee on Foreign Affairs.

By Mr. GREEN:

H. Res. 68. Resolution expressing the sense of the House of Representatives that the NASA Distinguished Service Medal should be taken away from Arthur Rudolph; to the Committee on Science and Technology.

By Mr. HOWARD (for himself and Mr. SNYDER):

H. Res. 69. Resolution providing amounts from the contingent fund of the House for the expenses of investigations and studies by the Committee on Public Works and Transportation in the 1st session of the 99th Congress; to the Committee on House Administration.

By Mr. JONES of North Carolina (for himself and Mr. LENT):

H. Res. 70. Resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Committee on Merchant Marine and Fisheries in the 1st session of the 99th Congress; to the Committee on House Administration.

By Mr. LELAND (for himself, Mr. ANDREWS, and Mr. FIELDS):

H. Res. 71. Resolution expressing the sense of the House of Representatives that the President should award the Presidential Medal of Freedom to David Phillip Vetter, of Spring, TX, to be presented to his family in his memory; to the Committee on Post Office and Civil Service.

By Mr. MARTINEZ (for himself, Mr. HAWKINS, Mr. GAYDOS, Mr. CLAY, Mr. BIAGGI, Mr. MURPHY, Mr. KILDEE, Mr. WILLIAMS, Mr. OWENS, Mr. BOUCHER, Mr. HAYES, Mr. PERKINS, Mr. BRUCE, Mr. SOLARZ, Mr. DYMALLY, and Mr. GOODLING):

H. Res. 72. Resolution to reaffirm the House's commitment to the Job Corps Program; to the Committee on Education and Labor.

By Mr. PEPPER (for himself and Mr. QUILLEN):

H. Res. 73. Resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Committee on Rules in the 1st session of the 99th Congress; to the Committee on House Administration.

By Mr. SMITH of New Jersey:

H. Res. 74. Resolution calling upon the Union of Soviet Socialist Republics to cease its concentrated and systematic persecution of Hebrew teachers and cultural activists, and for other purposes; to the Committee on Foreign Affairs.

By Mr. UDALL:

H. Res. 75. Resolution providing amounts from the contingent fund to the House for expenses of investigations and studies by the Committee on Interior and Insular Affairs in the 1st session of the 99th Congress; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII,

15. The SPEAKER presented a memorial of the Legislature of the State of North Dakota, relative to taxes as pertinent to wildlife preservation; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. MAVROULES:

H.R. 1237. A bill for the relief of Gloria Cabrera and Marcelo Cabrera; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.R. 1238. A bill for the relief of Calvin L. Graham; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 12: Mr. EMERSON, Mr. SMITH of New Jersey, Mr. JONES of North Carolina, Mr. PANETTA, Mr. LEHMAN of California, Mr. PARRIS, Mr. YOUNG of Florida, Mrs. LLOYD, Mr. LAFALCE, Mr. GEKAS, Mr. ROYBAL, Mr. MRAZEK, Mr. VENTO, Mr. MITCHELL, Mr. DAVIS, Mr. MCKERNAN, Mr. REID, Mr. GRAY of Illinois, Mr. COOPER, Mr. YATRON, Mr. DASCHLE, Mr. LUNDINE, Mrs. BYRON, Mr. RITTER, and Mr. LEHMAN of Florida.

H.R. 73: Mr. ARMEY.

H.R. 77: Mr. BEDELL, Mr. EDWARDS of Oklahoma, Mr. DORNAN of California, Mr. FLIPPO, Mr. BLILEY, Mrs. HOLT, Mr. ANTHONY, Ms. FIEDLER, Mr. SPRATT, Mr. SWEENEY, Mrs. SCHNEIDER, Mr. BYRON, Mrs. VUCANOVICH, and Mr. EMERSON.

H.R. 79: Mr. FIELDS.

H.R. 83: Mr. ARMEY.

H.R. 93: Mr. DELAY.

H.R. 147: Mr. BEREUTER, Mr. TORRES, Mr. HUBBARD, and Mr. MORRISON of Washington.

H.R. 151: Mr. SOLARZ, Mr. SEIBERLING, Mr. TORRES, Mr. MRAZEK, and Mr. RAHALL.

H.R. 208: Mr. GILMAN.

H.R. 343: Mr. KASICH, Mr. KINDNESS, and Mr. HENDON.

H.R. 347: Mr. EVANS of Illinois, Mr. LEWIS of Florida, Mr. FUSTER, Mr. SOLARZ, Mr. HOYER, Mr. MITCHELL, Mr. BLAZ, Mr. MRAZEK, Mr. SCHUMER, Mr. MARKEY, Mr. MATSUI, Mr. GARCIA, Ms. KAPTUR, Mr. SCHEUER, Mr. LAFALCE, Mr. STARK, Mr. WORTLEY, and Mr. LEHMAN of Florida.

H.R. 356: Mr. WISE, Mr. KOLTER, Mr. MARTINEZ, and Mr. VENTO.

H.R. 357: Mr. MOAKLEY, Mr. DOWNEY of New York, Mr. BEILENSON, Mr. ACKERMAN, Mr. KILDEE, Mr. FORD of Michigan, Mr. MCKERNAN, Mr. FRANK, Mr. HENRY, Mr. STUDDS, Ms. SNOWE, Mr. MRAZEK, Mr. ZSCHAU, Mr. TAUKE, and Mr. BONIOR of Michigan.

H.R. 385: Mr. WHITEHURST, Mr. TOWNS, Mr. KOLTER, Mr. DORNAN of California, Mr. FAZIO, Mr. DREIER of California, Mr. CONTE, Mr. DAVIS, Mr. FROST, Mr. ENGLISH, Mrs. BOXER, Mr. WISE, Mr. STRATTON, Mr. CRAIG, Mr. HENDON, Mr. HUBBARD, Mr. FISH, and Mr. MITCHELL.

H.R. 472: Mr. MONTGOMERY, Mr. BLILEY, Mr. HUTTO, Mr. RUDD, Mr. JONES of North Carolina, Mr. DREIER of California, Mr. WHITLEY, Mr. WALKER, Mr. HUCKABY, Mr. EDWARDS of Oklahoma, Mr. ARMEY, Mr. YOUNG of Florida, Mr. VANDER JAGT, and Mr. DELAY.

H.R. 507: Mr. RANGEL and Mrs. COLLINS.

H.R. 508: Mr. LOWRY of Washington, Mr. BERMAN, Mr. HERTEL of Michigan, Mr. RANGEL, Mr. LEVIN of Michigan, Mr. OWENS, Mr. GALLO, Mr. HAWKINS, Mr. HENRY, Mr. CROCKETT, Mr. LAFALCE, Mr. WEAVER, Mr. ROSE, Mrs. BOGGS, Mr. WILLIAMS, Mr. MARTINEZ, Mr. VENTO, Mr. MCKERNAN, Mr. FAZIO, Mr. FISH, and Mr. WIRTH.

H.R. 512: Mr. FORD of Tennessee.

H.R. 532: Mr. RANGEL, Mr. BLAZ, and Mr. SENSENBRENNER.

H.R. 539: Mr. WHEAT, Mr. FAWELL, Mrs. BYRON, Mr. BARNARD, Mr. DIXON, Mr. NIELSON of Utah, Mr. MRAZEK, Mr. HUBBARD, Mr. QUILLEN, Mr. HOYER, and Mr. BRUCE.

H.R. 556: Mr. ROYBAL and Ms. OAKAR.

H.R. 557: Mr. ROYBAL and Ms. OAKAR.

H.R. 558: Mr. ROYBAL and Ms. OAKAR.

H.R. 559: Mr. ROYBAL and Ms. OAKAR.

H.R. 560: Mr. ROYBAL and Ms. OAKAR.

H.R. 561: Mr. ROYBAL and Ms. OAKAR.

H.R. 562: Mr. ROYBAL and Ms. OAKAR.

H.R. 563: Mr. ROYBAL and Ms. OAKAR.

H.R. 564: Mr. ROYBAL and Ms. OAKAR.

H.R. 585: Mr. SUNIA, Mr. FORD of Tennessee, and Mr. BROWN of California.

H.R. 644: Mrs. MARTIN of Illinois, Mr. SCHEUER, Ms. SNOWE, Mr. ROSE, Mr. HEFTEL of Hawaii, Mr. MCKERNAN, Mr. GRAY of Illinois, and Ms. MIKULSKI.

H.R. 646: Mr. BOLAND, Mr. EVANS of Iowa, Mr. ECKART of Ohio, Mr. RANGEL, and Mr. DAVIS.

H.R. 665: Mr. YOUNG of Florida, Mr. EDWARDS of Oklahoma, Mr. DIOGUARDI, Mr. WIRTH, Mr. FISH, Mr. MATSUI, and, Mr. FORD of Tennessee.

H.R. 667: Mr. WEISS, Mr. BERMAN, Mr. MARKEY, Mr. LAFALCE, Mr. HEFTEL of Hawaii, Mr. ENGLISH, Mr. RANGEL, Mr. BEDELL and, Mr. JEFFORDS.

H.R. 689: Mr. RAHALL.

H.R. 690: Mr. STANGELAND, Mr. BREAUX, Mr. LAGOMARSINO, Mr. HEFTEL of Hawaii, Mr. ROSE and, Mr. SWIFT.

H.R. 691: Mr. BERMAN, Mr. FROST, Mr. SOLOMON, Mr. DARDEN, and Mr. MATSUI.

H.R. 693: Mr. LUJAN, Mr. WALKER, and Mr. SKEEN.

H.R. 708: Mr. HARTNETT.

H.R. 709: Mr. HARTNETT.

H.R. 748: Mr. FUQUA, Mr. CARNEY, Mr. CALLAHAN, Mr. SKELTON, Mr. PENNY, Mr. DEWINE, Mr. BARNARD, Mr. RINALDO, Mr. FIELDS, Mr. NEAL, Mr. WEBER, Mr. JONES of

North Carolina, Mr. DARDEN, Mr. OXLEY, Mr. LAFALCE, and Mr. KINDNESS.

H.R. 769: Ms. KAPTUR, Mr. LELAND, Mr. MCKINNEY, Mr. RANGEL, Mr. RODINO, Mr. SOLARZ, Mr. TOWNS, and Mr. MARTINEZ.

H.R. 770: Mr. ACKERMAN, Mr. BERMAN, Mr. CROCKETT, Mr. FAZIO, Mr. FRANK, Mr. GRAY of Illinois, Mr. HAWKINS, Mr. KANJORSKI, Mr. LELAND, Mr. MARKEY, Mr. MOODY, Mr. NEAL, Mr. OWENS, Mr. RANGEL, Mr. RODINO, Mr. WEISS, Mr. WORTLEY, Mr. SABO, and Mr. SEIBERLING.

H.R. 771: Mr. AKERMAN, Mr. CROCKETT, Mr. DWYER of New Jersey, Mr. FAZIO, Mr. FRANK, Mr. GREEN, Mr. HERTEL of Michigan, Mr. MCGRATH, Mr. RANGEL, Mr. RICHARDSON, Mr. ROBINSON, Mr. SMITH of Florida, Mr. WORTLEY, and Mr. RAHALL.

H.R. 772: Mr. CROCKETT, Mr. DONNELLY, Mr. GARCIA, Mr. GEKAS, Mr. HAYES, Mr. KANJORSKI, and Mr. RANGEL.

H.R. 776: Mr. GALLO, Mr. DURBIN, Mrs. LLOYD, Mr. DREIER of California, Mr. REID, Mr. LAFALCE, Mr. LEHMAN of Florida, Mr. VENTO, Mr. LEVIN of Michigan, Mr. FAZIO, and Mr. BERMAN.

H.R. 777: Mr. MCKERNAN, Mr. COATS, Mr. KINDNESS, Mr. WHITEHURST, Mr. DEWINE, Mr. HARTNETT, and Mr. HILER.

H.R. 782: Mr. MOAKLEY, Mr. STOKES, Mr. ANNUNZIO, Mr. BOLAND, Mr. HAYES, Ms. KAPTUR, Mr. SABO, Mr. JEFFORDS, and Mr. DWYER of New Jersey.

H.R. 808: Mr. SUNDQUIST, Mr. QUILLEN, and Mr. ANNUNZIO.

H.R. 814: Mr. SUNIA, Mr. MARTINEZ, Mr. YOUNG of Missouri, and Mr. NIELSON of Utah.

H.R. 816: Mr. DORNAN of California, Mr. BLILEY, Mr. LAGOMARSINO, Mr. WHEAT, Mr. SHUMWAY, Mr. WEBER, Mr. FISH, and Mr. DYMALLY.

H.R. 820: Mr. ROEMER, Mr. CROCKETT, Mr. SIKORSKI, Mr. FLORIO, Mrs. COLLINS, Mr. MINETA, Mr. GUARINI, Mr. WEISS, Mr. FRANK, Mr. ROYBAL, Mr. FROST, Mr. SAVAGE, Mr. BEDELL, Mr. SEIBERLING, Mr. VENTO, Mr. GEJDENSON, and Mr. MATSUI.

H.R. 821: Mr. ROEMER, Mr. CROCKETT, Mr. VENTO, Mrs. COLLINS, Mr. MINETA, Mr. FAZIO, Mr. FRANK, Mr. FROST, Mr. BEDELL, Mr. SEIBERLING, Mr. WAXMAN, and Mr. GEJDENSON.

H.R. 871: Mr. BARNARD, Mr. HUGHES, and Mr. HYDE.

H.R. 877: Mr. FISH and Mr. HYDE.

H.R. 883: Mr. CRANE and Mr. DREIER of California.

H.R. 888: Mr. TOWNS, Mr. FAUNTROY, Mr. OWENS, Mr. FUSTER, Mr. HEFTEL of Hawaii, Mr. FAZIO, Mr. WILLIAMS of Montana, Mr. BLAZ, Mr. RANGEL, Mr. MOODY, Mr. STOKES, Mr. VENTO, Mr. HUGHES, Mr. ROSE, Mr. MATSUI, and Mr. EDWARDS of California.

H.R. 918: Mr. WHITEHURST, Mr. KOSTMAYER, and Mr. BENNETT.

H.R. 963: Mr. LAFALCE.

H.R. 964: Mr. NELSON of Florida and Mr. DWYER of New Jersey.

H.R. 965: Mr. LAFALCE.

H.R. 966: Mr. LAFALCE.

H.R. 967: Mr. LAFALCE.

H.R. 975: Mr. FIELDS, Mr. THOMAS of Georgia, Mr. YOUNG of Alaska, Mr. HUGHES, Mr. ROSE, Mr. STUDDS, and Mr. STANGELAND.

H.R. 976: Ms. OAKAR, Mr. DEWINE, Mr. BOEHLERT, and Ms. KAPTUR.

H.R. 998: Mr. CALLAHAN, Mr. SPENCE, Mr. ROGERS, Mr. TALLON, Mr. EARLY, Mr. MAVROULES, Mrs. MEYERS of Kansas, Mr. BURTON of Indiana, Mr. FRANKLIN, Mr. SILJANDER, Mr. SMITH of New Jersey, Mr. RAHALL, Mr. MCEWEN, Mr. ROSE, Mr. DONNELLY, Mr. JEFFORDS, Mr. BOLAND, Mr. SKEEN, Mr. PURSELL, Mr. ENGLISH, Mr. YATES, Mr. IRELAND, and Mr. HUCKABY.

H.R. 1046: Mr. MOORE and Mr. ALEXANDER.

H.R. 1059: Mr. GROTBERG and Mr. MITCHELL.

H.R. 1070: Mr. GEJDENSON and Mr. WEISS.

H.R. 1074: Mr. FISH.

H.R. 1142: Mr. BERMAN.

H.J. Res. 10: Mr. STENHOLM, Mr. HUGHES, Mr. HORTON, Mr. REGULA, Mr. ADDABBO, Mr. FRENZEL, Mr. BIAGGI, Mr. RANGEL, Mrs. BURTON of California, Mr. BERMAN, and Mr. FAZIO.

H.J. Res. 76: Mr. LAGOMARSINO, Mr. GUNDERSON, Mr. RUSSO, Mr. SAM B. HALL JR., Mr. DONNELLY, Mr. HAMMERSCHMIDT, Mr. STOKES, Mr. ALEXANDER, Mr. BARNARD, Mr. ROWLAND of Georgia, Mr. YOUNG of Alaska, Mr. BEVILL, Mr. ACKERMAN, Mr. CHAPPIE, Mr. TRAXLER, Mr. STUDDS, Mr. BOSCO, Mr. MORRISON of Connecticut, Mr. YOUNG of Missouri, Mr. SPENCE, Mr. DASCHLE, Mr. DELLUMS, Mr. COBEY, Mr. SYNAR, Mr. ANTHONY, Mr. FLIPPO, Mr. LELAND, Mr. FAZIO, Mr. HERTEL of Michigan, Mr. SNYDER, Mr. SKEEN, Mr. ROBINSON, Mr. PURSELL, Mr. ROBERTS, Mr. MCCOLLUM, Mr. LUNDINE, and Mr. CLINGER.

H.J. Res. 79: Mr. CONYERS, Mr. DELLUMS, Mr. DERRICK, Mr. DOWDY of Mississippi, Mr. DYMALLY, Mr. EDGAR, Mr. ERDREICH, Mr. FOLEY, Mr. FAZIO, Mr. UDALL, Mr. WIRTH, Mr. FUSTER, Mr. CARNEY, Mr. WOLF, Mr. SAVAGE, Mr. DEWINE, Mr. FORD of Tennessee, Mr. COATS, Mr. KASICH, Mr. KEMP, Mr. MATSUI, Mr. LOWRY of Washington, Mr. LEHMAN of Florida, Mr. SABO, Mr. NIELSON of Utah, Mr. DURBIN, Mr. FUQUA, Mr. VOLKMER, and Mr. MRAZEK.

H.J. Res. 112: Mr. MANTON, Mr. SCHUMER, Mr. YOUNG of Missouri, Mr. ROE, Mr. GRADISON, Mr. DURBIN, Mr. LAGOMARSINO, Mr. WYLIE, Ms. MIKULSKI, and Mr. DAUB.

H.J. Res. 124: Mr. NIELSON of Utah.

H. Con. Res. 13: Mr. BEVILL, Mr. CHAPPIE, Mr. HANSEN of Utah, Mr. KOLTER, Mr. ROBERTS, Mr. RUDD, Mr. SILJANDER, Mr. SOLOMON, Mr. STANGELAND, and Mr. TRAXLER.

H. Con. Res. 19: Mr. BONIOR of Michigan, Mr. BEDELL, Mr. FAZIO, and Mr. MARTINEZ.

H. Con. Res. 24: Mr. NOWAK, Mr. DAUB, Mr. HEFTEL of Hawaii, Mr. ATKINS, Mr. MATSUI, Mr. LUKEN, and Mr. SPRATT.

H. Con. Res. 26: Mr. LUKEN and Mr. HALL of Ohio.

H. Con. Res. 32: Mr. KOLBE.

H. Con. Res. 60: Mrs. COLLINS, Mr. DWYER of New Jersey, Mr. HAYES, Mr. JACOBS, Ms. KAPTUR, Mr. KLECZKA, Mr. KOSTMAYER, Mr. LELAND, Mr. LUNDINE, Mr. MINETA, Mr. MURPHY, Mr. OWENS, Mr. RANGEL, Mr. ROSE, Mr. SAVAGE, Mr. SOLARZ, and Mr. WALGREN.

H. Res. 12: Mr. FORD of Michigan, Mr. LENT, Mr. DWYER of New Jersey, Mr. GARCIA, Mr. ROE, Mr. VENTO, Ms. SNOWE, Mr. ADDABBO, Mr. FRANK, Mr. STOKES, and Mr. MAVROULES.

H. Res. 22: Mr. IRELAND, Mr. SOLARZ, Mr. ACKERMAN, Mr. ADDABBO, Mr. HAWKINS, Mr. DORNAN of California, Mr. ATKINS, Mr. MARTINEZ, Mr. STOKES, Mr. FISH, Mr. DIXON, Mr. MANTON, Mr. COATS, Mr. SHAW, Mr. DURBIN, Mr. FAZIO, Mr. MINETA, and Mr. SPRATT.

H. Res. 25: Mr. YOUNG of Florida, Mr. MONSON, Mr. PACKARD, Mr. MOAKLEY, and Mr. WYLIE.

H. Res. 36: Mr. ATKINS, Mr. AUCOIN, Mr. BEDELL, Mr. BONIOR of Michigan, Mrs. BOXER, Mr. BRYANT, Mr. COOPER, Mr. DORGAN of North Dakota, Mr. DOWNEY of New York, Mr. DYMALLY, Mr. ECKART of Ohio, Mr. EDWARDS of California, Mr. FAUNTROY, Mr. FORD of Michigan, Mr. FRANK, Mr. FROST, Mr. GEJDENSON, Mr. GREEN, Mr. HOWARD, Ms. KAPTUR, Mr. KASTENMEIER, Mr. LELAND, Mr. MCGRATH, Mr. MATSUI, Mr. MINETA, Mr. MOAKLEY, Mr. MORRISON of Connecticut, Ms. OAKAR, Mr. OWENS, Mr. PENNY, Mr. RANGEL, Mr. RODINO, Mr. ROE, Mr. SABO, Mr. SAVAGE, Mr. SCHEUER, Mr. TORRES, Mr. TOWNS, Mr. VENTO, Mr. WAXMAN, Mr. WEAVER, Mr. WEISS, Mr. WIRTH, Mr. LEVINE of California, Mr. RICHARDSON, Mr. DURBIN, Mr. OBERSTAR, Mr. MARTINEZ, Mr. CARPER, Mr. LUKEN, and Mr. WISE.

H. Res. 55: Mr. FAUNTROY, Mrs. COLLINS, Mr. CROCKETT, Mr. MARKEY, Mr. LELAND, Mr. STOKES, Mr. OWENS, Mr. TOWNS, Mr. SMITH of Florida, Mr. FLORIO, Mr. WOLPE, Mr. RANGEL, Mr. MANTON, Mr. ADDABBO, Ms. OAKAR, Mr. STARK, and Ms. KAPTUR.