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

The House met at 11 a.m.

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

I will give thanks to the Lord with my whole heart; will tell of all Thy wonderful deeds,

I will be glad and exalt in Thee, will sing praise to Thy name, O Most High.

The Lord is a stronghold for the oppressed, a stronghold in times of trouble.

And those who know Thy name put their trust in Thee, for Thou, O Lord, hast not forsaken those who seek Thee.—Psalms 9:1, 2, and 9, 10.

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.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 1239. An act 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 message also announced that the Senate insists upon its amendments to the bill (H.R. 1239) entitled "An act making urgent supplemental appropriations for the fiscal year ending September 30, 1985, for emergency famine relief and recovery in Africa, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HATFIELD, Mr. STEVENS, Mr. COCHRAN, Mr. KASTEN, Mr. STENNIS, Mr. INOUYE, and Mr. BURDICK to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S.J. Res. 91. Joint resolution to designate March 21, 1985, as "Afghanistan Day."

The message also announced that Senate Joint Resolution 75, entitled "Joint resolution to further approve the obligation of funds made available by Public Law 98-473 for the procurement of MX missiles," passed the Senate.

COMMENDING LT. GEN. LINCOLN D. FAURER FOR DISTINGUISHED SERVICE

Mr. HAMILTON. Mr. Speaker, I offer a concurrent resolution (H. Con. Res. 92) to commend Lt. Gen. Lincoln D. Faurer for exceptionally distinguished service to the United States of America, and I ask unanimous consent for its immediate consideration.

The Clerk read the title of the concurrent resolution.

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

Mr. STUMP. Mr. Speaker, I reserve the right to object, and I do so only to allow the chairman of the Intelligence Committee to explain briefly this resolution to the House.

I yield to the gentleman from Indiana.

Mr. HAMILTON. Mr. Speaker, this resolution would express the appreciation of the House and Senate for the able and distinguished service of Lt. Gen. Lincoln D. Faurer as Director of the National Security Agency the past 4 years. It would urge the President to award him the Nation's highest intelligence honor, the National Security Medal.

Mr. Speaker, General Faurer has had a distinguished career in the Air Force. He is an intelligence professional who has also commanded reconnaissance squadrons and missile operations. He has served as the chief intelligence officer to the U.S. European and Southern Commands. He has been a high official of the Defense Intelligence Agency.

These are significant accomplishments, but General Faurer has been brought to the attention of the Permanent Select Committee on Intelligence for his service as Director of the National Security Agency. Those 4 years at the National Security Agency have been critical to the development of U.S. signals intelligence operations. They have been years of great accomplishment, both for General Faurer, for NSA, and for the intelligence community at large. It is difficult to praise General Faurer fully for his accomplishments because of the highly sensitive nature of the National Security Agency's work.

Further, the job of Director, NSA, is a difficult and complex job. Perhaps more than any other high-ranking intelligence officer in the U.S. intelligence community, his was and is an unsung and, in some respects, thankless job. The country will never know fully the contributions that General Faurer has made in the national security, to the safety of our citizens. Nor will the public ever learn about the sometimes courageous stance he has taken in the national interest that have run up against the opposition of his superiors or the conventional wisdom. I believe he has suffered as a result of these stands, but they are ones for which we should all be thankful.

Under General Faurer's leadership at NSA, a number of accomplishments stand out. In his 4 years, there has been an enhanced and greatly increased provision of intelligence collected by national systems to the military commander in the field. Because of this improvement, our military forces are better able to fight and more likely to prevail in a whole range of military conflicts.

General Faurer has taken a leading role within the intelligence community in the critical examination, realistic evaluation and forward-looking search for the most essential areas of new intelligence collection. In this process, he has insisted upon a rationale view of intelligence requirements. The result of these thorough reviews have been prudent requests for the funding of high-priority intelligence collection activities.

General Faurer has been ahead of his time in foreseeing the technological development to which the U.S. signals intelligence system must adapt. He has been in the forefront of those insisting on an ordered approach to these ever increasing challenges. In particular, he has brought to the attention of this Nation's highest leadership the serious nature of the communications security and computer security threats and has developed innovative and important approaches to meet the challenges in an area that has been long neglected.

Mr. Speaker, I know I am joined by past and present members of the Permanent Select Committee on Intelligence in wishing that General Faurer would stay on in his job. We regret his loss to the intelligence community and to the Department of Defense, particularly at a time when his talents and experience are sorely needed.

Mr. Speaker, I want also to end by noting that perhaps the most appreciated of General Faurer's many traits has been his unvarnished, honest, and accurate testimony before the committee over the years. He has permitted us to make clear assessments of the need for intelligence programs and has

made the oversight of this committee easier and, I believe, more effective.

Mr. Speaker, the House, the Congress, the Nation, owe a great debt of gratitude to General Faurer. The Nation is losing a national asset in his departure from NSA. We wish him the best for the future. He retires with great honor and with the thanks of the Congress of the United States. He richly deserves the highest decoration that can be awarded for distinguished intelligence service.

Mr. STUMP. Further reserving the right to object, Mr. Speaker, I wish to strongly associate myself with the remarks of the distinguished chairman of the House Intelligence Committee and avail myself of this opportunity to honor the dedicated and distinguished service of Gen. "Link" Faurer who for the last 4 years has served as Director of the National Security Agency.

General Faurer has the reputation within the intelligence community and certainly in the House Intelligence Committee as a person of uncompromising integrity. As one of the senior intelligence officials within our Government, General Faurer has done much to improve and revitalize our intelligence capabilities while instilling confidence and respect here in Congress for the difficulty that the intelligence community faces in keeping our Nation strong and free.

I make note that the former ranking member of this committee, Kenneth Robinson, held General Faurer in the highest regard as do the other former members of the committee and were they here, I know they would second my accolades of respect and admiration for the outstanding performance at the National Security Agency under General Faurer's direction.

General Faurer is a man of uncommon virtues who has used his sound judgment and unique understanding of the intricacies of sophisticated intelligence systems to make significant contributions to the improvement of national security.

General Faurer will leave a void not easily filled, he will be missed by his friends, his colleagues, the Congress and the Nation which he has so diligently served for over 35 years.

Mr. Speaker, I request that my colleagues strongly support the House concurrent resolution introduced by Chairman HAMILTON.

(Mr. STUMP asked and was given permission to revise and extend his remarks.)

● Mr. BOLAND. Mr. Speaker, I want to add a few words of praise to those of Mr. HAMILTON and Mr. STUMP.

General Faurer appeared before the Permanent Select Committee many times while I had the honor to be chairman.

In all those appearances and in every other view that I obtained of his service at NSA, I found him to be highly competent, honest, farsighted, and extremely candid with the Congress.

His departure represents a loss to the Nation and, particularly, to the congressional oversight of intelligence.

We relied heavily on General Faurer not only for his judgment and honest assessment but for his conscious and continuing efforts to rationalize and coordinate diverse national and tactical intelligence requirements.

His performance in the frequent review of intelligence programs to guard against unnecessary duplication in the national and tactical arenas made the job of the Permanent Select Committee on Intelligence much easier.

Mr. Speaker, General Faurer performed a difficult job.

He did it with great care and considerable success—sometimes against, rather than with, the support of all in the national security community.

Throughout, he did it with grace, great confidence, and with the respect of all.

I wish to be placed well in the forefront of his many admirers.

I wish General Faurer and his family all the best in the future and I wholeheartedly support this resolution.

It does not adequately thank this distinguished officer for his great service to the Nation.●

Mr. STUMP. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 92

Whereas, Lieutenant General Lincoln D. Faurer, United States Air Force, has served his nation with dedication, honor and distinction for 35 years since his graduation from the United States Military Academy in 1950;

Whereas, General Faurer's career has been one of outstanding accomplishment and devotion to duty, culminating with four years of service as Director of the National Security Agency, where he has directed some of the nation's most complex and technologically sophisticated intelligence collection systems;

Whereas, General Faurer's many commendations and awards testify to his extraordinary skill and outstanding innovative leadership;

Whereas, during a period of rapid technological change and accelerated demand for timely, accurate Signals Intelligence information to support both national and defense intelligence requirements, General Faurer has guided the National Security Agency to unprecedented levels of achievement and has thus made a major contribution to the national security of the United States;

Whereas, General Faurer has made significant contribution to the successful furthering of National Security Agency missions involving communications and computer security through his energetic and effective management of complex, rapidly involving programs;

Whereas, General Faurer has earned the respect, admiration and trust of the highest officials in the executive and legislative branches of our Government, and particularly of the present and former Members of the Intelligence Committee of the Senate and House of Representatives for his integrity and positive approach to Congressional oversight of our nation's intelligence activities: Now, therefore, be it

Resolved, That on the occasion of his retirement from active duty the Senate and House of Representatives of the United States of America express and record their deep appreciation to Lieutenant General Lincoln D. Faurer for his exceptionally distinguished service to the United States Air Force, the national and defense intelligence communities, and the national security of the United States.

Resolved further, That in recognition of such exceptionally distinguished service and high achievement the Senate and House of Representatives of the United States of America strongly urge the President to award the National Security Medal to Lieutenant General Lincoln D. Faurer.

The SPEAKER. The question is on the concurrent resolution.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HAMILTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the concurrent resolution just agreed to.

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

There was no objection.

MAKE SENSE, NOT "OUR DAY"

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

Mr. WRIGHT. Mr. Speaker, President Reagan insists on ever more expensive weaponry, but he stubbornly refuses to approve any plan to pay for this weaponry.

As a result, he has doubled the national debt in just 4 years and it continues to grow at a runaway pace.

When responsible Members of Congress suggest a reasonable means of raising revenues to help pay for this extravagant Pentagon spending, President Reagan strikes the pose of "Dirty Harry," brandishes the veto pen like a pistol, and boasts in macho bravado: "Go ahead, make my day."

Well, that may be show biz, but it is darn sure not statesmanship. That was the conclusion of the attached editorial, which I offer from the Fort Worth Star Telegram of last Sunday.

Maybe it is time for responsible Members of Congress to say, "Mr. President, if you want still more costly weapons, then tell us what your plan is to pay for them, and we'll consider it at that time."

Mr. Speaker, the editorial follows:

MAKE SENSE, NOT "OUR DAY"

Dirty Harry Callahan may be a folk hero in some circles, but nobody voted for him for president.

And President Reagan's use of Clint Eastwood's catchy line from Sudden Impact may come back to haunt the entire budget-making process.

"Go ahead, make my day," sounds great in the movies, but it has no place being used as a taunt to senators who already were sufficiently nervous about the president's budgetary and deficit-fighting proposals that they have largely ignored them.

The movie script taunt merely makes a bad situation worse.

Even as Reagan was delivering his Dirty Harry line to business executives, the Senate Budget Committee was giving tentative approval to a budget that denies much of the president's program—calling for a freeze in Social Security benefits, fewer domestic spending cuts than Reagan requested and a sizable cut from the Reagan defense buildup.

The senators provided for no tax increases, but they must reserve final judgment on that until later in the budget and deficit-cutting process.

Reagan is right to seek the domestic spending limits, and Congress needs to realize this.

Congress—including Republican leaders like Sen. Pete V. Domenici of the budget panel—is right to feel that defense spending could absorb some of the needed trimming in federal outlays. And the president must eventually realize that.

And both must realize that when all the cutting is done, and the best estimates are counted, that some attention must be given to the next step in deficit reduction. And that, unfortunately, will probably mean some "revenue enhancement" in the form of higher taxes.

The president has made himself clear, time and again. He doesn't want any tax hikes. Ever.

Nor do the American people. Nor does Congress.

But the time may come, even this year, when the maximum cuts have been made and the next decision is between some tax increases and continued mammoth deficit spending.

And when that time comes, it will not serve anyone's interest for the president to be painted into a corner where he has to use his veto pen like Dirty Harry's eager .44 magnum.

The veto, like the magnum, is a powerful handgun. Like the magnum, if it is used long enough as a threat, it eventually has to be used. And when it is used, it can leave a big wound.

□ 1110

ABORTION IS INFANTICIDE

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

Mr. SMITH of New Jersey. Mr. Speaker, I urge my colleagues to read a very thoughtful column in yesterday's Washington Post by William Raspberry entitled "Abortion or Infanticide."

Mr. Raspberry relates the not uncommon story of a baby who survived an abortion, in this case, in a hospital in Miami. The victim in this case received, however, only marginal care and died after 9 hours.

Mr. Speaker, the liberal columnist raises all the right questions when he asks:

Is there really any clear moral distinction between abortion and infanticide?

By what moral/legal alchemy is an undelivered, disposable fetus transformed into a person with full fledged rights simply by passing through the birth canal?

Mr. Raspberry further asks:

How can it be correct, medically and morally, to use the prostiglanden suppository method which is supposed to induce violent contractions and, in effect, choke an unborn baby to death, and wrong, medically and morally to choke the same baby to death manually, or give her a lethal injection or smash her tiny skull, if she manages to survive the original attempt on her life?

Finally he writes:

The pro-choice advocates make much of the distinction between fetus and baby. But does a fetus marked for death become a baby if the abortion fails. • • • Are babies and fetuses really so different? • • •

Mr. Speaker, the time for intellectual honesty and candor is now. The contention that an unborn baby is anything but human and alive is ludicrous. I commend the article to my colleagues.

[From the Washington Post, Mar. 20, 1985]

ABORTION OR INFANTICIDE?

(By William Raspberry)

The legal issues Sandy Tosti raises will be settled when the case comes to court. It's the moral questions that I find more troubling.

Tosti, a nurse, lost her job at Plantation (Fla.) General Hospital after she talked to a friend (who talked to a friend, who talked . . .) about a newborn baby girl who had survived an attempted abortion.

The nurse, according to Cal Thomas, in whose syndicated column I first saw the details, believed that care for the baby had been shifted, by doctor's order, from "life-saving treatment" to "conditional care," the care given the dying, and she had called a friend to enlist her prayers that the infant might survive.

The physician, speaking anonymously to a Miami television station, said he did all he could to save the baby, who lived for some nine hours before dying on a respirator, but contended that it was medically impossible for a 22-week-old fetus to survive.

The hospital says it fired Tosti because she caused it to receive "bad publicity," presumably including 800 to 1,000 phone calls the day after the baby died.

Tosti has sued for more than $100,000, claiming her rights under equal-employment-opportunity statutes were violated.

Presumably the courts will sort out those issues. Some things will remain muddled and murky.

For instance, why should a doctor who had tried unsuccessfully to kill the baby be required (morally or legally) to turn his attention to saving her life after the abortion attempt?

By what moral/legal alchemy is an undelivered, disposable "fetus" transformed into a person with full-fledged rights simply by passing through the birth canal?

How can it be correct, medically and morally, to use the prostaglandin suppository method (which is supposed to induce violent contractions and, in effect, choke an unborn baby to death) and wrong, medically and morally, to choke the same baby to death manually, or give her a lethal injection or smash her tiny skull, if she manages to survive the original attempt on her life?

The raging debate between the right-to-lifers and the pro-choice advocates covers a range of moral, constitutional and metaphysical issues: When does life begin? What is viability? At what point does the question of a woman's right to control her own body become a question of the rights of the unborn infant in her womb? Should the whole subject be off-limits for men, since only women can become pregnant? Some observers, including this one, have contended that the questions are essentially unanswerable and that the decision finally is one to be made between the woman and her physician.

But the Florida case raises a question that simply will not go away: Is there really any clear moral distinction between abortion and infanticide? And does the morality change as medical science learns to save ever-younger fetuses?

According to Cal Thomas, another 22-week-old "preemie," born that same night in the same neonatal unit, is healthy and facing a normal life. The key difference, he says, is that someone decided that one infant should die, and that the other one should live.

Would it have mattered (and on what morally defensible ground?) if the "other one" had been the product of rape or incest? Would it constitute a different moral situation if, in the first case, the doctor had been able to forestall delivery until he was able to try a second abortion technique?

The pro-choice advocates make much of the distinction between a "fetus" and a "baby." But does a "fetus" marked for death become a "baby" if the abortion fails? Is it wrong to kill a failed abortion, say by injection, but right simply to withhold life-saving treatment?

Are babies and fetuses really so different?

It's all so terribly complicated. Or else terribly simple.

U.S. TRAVEL AND TOURISM ADMINISTRATION AUTHORIZATION BILL

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

Mr. GEJDENSON. Mr. Speaker, today I am introducing legislation to reauthorize the U.S. Travel and Tourism Administration of the Department of Commerce, at a level of $15 million for the 1986 fiscal year. I do this in spite of recommendations by the President, and the Senate Budget

Committee, that the agency be eliminated next fiscal year.

I believe that eliminating the USTTA at this time would be extremely shortsighted and would ultimately cost this Nation much more than the small savings that will be realized from abandoning the agency. The continued strength of the dollar abroad is causing more and more Americans to spend their vacation dollars overseas, and we need to concentrate more effort on both attracting tourists from abroad, and encouraging our own citizens to vacation in this country.

We have seen how organized tourism promotions have helped individual States—New York, for example, has benefited greatly from the "I Love New York" Program. More and more on television we are seeing advertising for foreign vacation spots such as Jamaica and Australia. I have no problems with these efforts, in fact I encourage them. I simply believe that we in the United States, with all our wonderful resources and beautiful and interesting vacation spots, should be doing the same thing.

Tourism is a $2.2 billion industry in the State of Connecticut, alone. Certainly an industry that brings in money at that magnitude is worthy of 15 million dollars' worth of promotional support from the U.S. Government. If we are to stay competitive in the tourism business, and keep this valuable source of revenue, it is imperative that we keep the U.S. Trade and Tourism Administration alive.

EFFORTS TO LOCATE POW'S LAG EFFORTS TO RUN DOWN NAZI WAR CRIMINAL

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

Mr. HENDON. Mr. Speaker, I was pleased to read in yesterday's Washington Post that at least half a dozen additional Federal agencies have joined the U.S. Justice Department in searching worldwide for fugitive Nazi war criminal Josef Mengele.

According to the Post article, the FBI, the State Department, the U.S. Army, the Drug Enforcement Administration, the U.S. Marshal's Office, and the entire U.S. intelligence community are helping find this one man.

Mr. Speaker, I applaud and support our Government's effort to bring this beast, Mengele, to the bar of justice. But why not a similar effort for our POW's in Southeast Asia, who, according to the former Director of Military Intelligence in the Pentagon, are still alive and being held prisoner against their will.

Only when we become as concerned about our POW's as we have correctly become concerned about Mengele—only then, Mr. Speaker, will these brave men come home.

HOUSE MEMBERS ARE NOT GETTING ALL THE FACTS ON THE MX

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

Mr. TRAFICANT. Mr. Speaker, we are not getting all the facts on the MX—it's a destabilizing, first strike weapon that will escalate the nuclear arms race.

Before we waste more money Congress should read a report by Newsweek that compares American and Soviet military strength.

Of the 28 major weapon systems, America is superior in 9, is equal to or has the edge in 15 others, and trails the Soviets in only 4 categories.

It would be a crime to allow this administration to cut $40 billion from people programs and put $34 billion more into military spending, for such weapons as the MX.

Think about it.

America's greatest threat is our national debt—not a foreign missile. Let's tell it like it is.

The MX is a sitting duck—it's obsolete.

It's not a bargaining chip nor will it ever be.

We are entering a new time when more weapons do not necessarily mean greater security.

Whether or not we have the wisdom and courage to stop such a weapon will be determined next week when the House votes to stop or continue MX production.

FRED HARTMAN: BAYTOWN'S "MAN OF THE LAST HALF CENTURY"

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

Mr. FIELDS. Mr. Speaker, one of my constituents is to be honored Thursday evening in his adopted hometown of Baytown, TX. Fred Hartman will be recognized as Baytown's "Man of the Last Half Century" by the local chamber of commerce.

It will be a richly deserved honor.

From headlines to highways, from public service to protecting the people's right to breathe clean air, Fred Hartman's exemplary record over the last half century stands as a monument to the term "giving of one-self."

No one man has made more of an impact on the dynamic growth of Baytown and east Harris County over the last 50 years than has this son of deep central Texas. He came to Baytown by way of Marlin, TX, and Baylor University, and his service to his community, county, and State has touched thousands of lives.

Fred Hartman is recognized throughout the State of Texas as a newspaperman with few peers. A delightful wordsmith, Hartman served as editor and publisher of the Baytown Sun for 25 years and only recently stepped down as chairman of the board of Southern Newspapers, Inc., an organization that owns and operates newspapers in a number of States.

Fred Hartman has always believed that a newspaper should be an integral part of its community, a partner in progress rather than a standoffish overseer—and he often used the pages of his beloved Baytown Sun to promote and sell the many virtues of Baytown and east Harris County. More often than not, his voice was heard.

But newspapering was only one way Fred Hartman touched so many lives. Public service was another. And the record shows that he gave, and continues to give, a full measure of devotion to those efforts. From serving on the board of directors of San Jacinto Methodist Hospital in Baytown to serving on the Texas Air Control Board, Fred Hartman has put community and State before self, giving of his time and efforts to make Baytown and the State of Texas a better place in which to live. His work with the Baytown Chamber of Commerce and the Baytown Rotary Club also have improved the lives and well-being of thousands of men and women.

All the while, he has found time to advise, counsel and serve the last six Governors of Texas in a variety of capacities, and has long been recognized as a leader in pushing for highway improvements. In fact, there are those who believe that Fred Hartman enjoys the challenge of securing highway funds for east Harris County almost as much as he enjoys baseball. His 30 years of service as chairman of the Baytown Chamber of Commerce's highways committee attest to that fact.

A family man and a Christian, Fred Hartman is the kind of person that younger generations should look up to. Older generations already do.

Simply put, if Fred Hartman had chosen to be a baseball player rather than a newspaperman and servant for community good, he would have been a lifetime .300 hitter and a member of the Hall of Fame.

Perhaps the most appropriate way to sum up this fine gentleman is to use Hartman-like lexicon and borrow one of his own favorite phrases: Fred, you are without question one of the finest persons ever to "slide into third base" in east Harris County. And we all are the better for it.

LEGISLATIVE PROGRAM

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

Mr. MICHEL. Mr. Speaker, I ask for this time for the purpose of inquiring of the distinguished majority leader the program for the balance of this week and next week.

I yield to the gentleman.

Mr. WRIGHT. I thank the distinguished minority leader for yielding, and I ask that all Members pay some attention; there have been some changes in the earlier scheduled program for next week.

The plan is that when we adjourn today, we will adjourn to meet on Monday, and we will meet at noon on Monday; we will take up two suspensions, but we will postpone any votes until Tuesday. Votes on those two suspensions will be taken Tuesday, but we will begin general debate on House Joint Resolution 180 to authorize the release of funds for the MX missile.

Now, under the provisions voted on last year, it is required that 10 hours be allowed for debate. We propose, because of the plans of the Republican Members and the White House to have a meeting on the following morning at 9:30, not to go in at 10, but to go in at 11 o'clock on Tuesday.

We would convene at 11 a.m. on Tuesday, take votes if they were required on the suspensions debated on the day before, consider House Resolution 100, to authorize funding for the House committees.

□ 1120

I understand that was reported unanimously, without a single dissent from the House Administration Committee, and therefore it ought not to take any time in debate. We will go into the concluding debate, which will have 4 hours remaining, on House Joint Resolution 180, authorizing the MX missile funds, complete consideration, and vote on Tuesday.

By this arrangement, it seems logical that we should reach a vote at a reasonable hour, in any event, before 6 p.m., unless there are dilatory motions of one kind and another that we cannot anticipate.

Mr. MICHEL. The gentleman will recall that yesterday, when the Speaker and the majority leader and the gentleman from Illinois were counseling on this and other matters, we talked about 7 hours on Monday and 3 hours on Tuesday and going in at the regular hour. It is my understanding that on the gentleman's side, at his caucus or meeting this morning, there was a desire that we meet earlier on Tuesday and break down the time, in keeping with his original proposal. That did cause us some hurt on our side, and so if the gentleman needs to be covered, from his point of view, it is in accommodation to our side to split that difference between 10 and 12 and at 11, and to also split the difference on the 4- to 6-hour division of time, and that will accommodate our side. I think I can assure the gentleman, too, that on the funding resolutions, while, yes, there will be the usual kinds of opposition from some Members, and possibly a motion to recommit, that that ought to move along rather expeditiously.

Mr. WRIGHT. The gentleman from Illinois is quite correct in pointing out that there has had to be some accommodation on both sides, and he has demonstrated his willingness to accommodate the desires of the majority, and we therefore certainly have every reasonable right to try to accommodate the wishes of the minority and its scheduled meeting at the White House at 9:30 that morning.

Additionally, the gentleman from Illinois has indicated to me that there will be no attempts to have votes on Monday. I think that is agreed all the way around; and, further, that there would be no votes prior to April 2, in any event, on the question of the contested seat in Indiana. So the Members may have that general reasonable gentleman's agreement on both sides of the aisle.

Now, on Wednesday, assuming that we have completed the authorizing action on Tuesday and assuming that it has been approved, then we would meet at noon on Wednesday and take up House Joint Resolution 181, the appropriation for the MX missile. That, too, under our general agreement, is entitled to 10 hours of general debate, unless we should at that time determine that a lesser amount of time would suffice. If there were a mutual agreement on the House floor to a shorter time for debate on the appropriations bill, I know that would be accommodated by the leadership.

But then we do not anticipate being in session on Friday. It is just remotely possible that we might conclude that appropriation on Wednesday, but Members should be advised not to expect that. It is probably more likely that we will have to finish that appropriation debate and vote on Thursday, in which event we will try to come in at 11 o'clock in the morning Thursday to finish that business. We would have no session, therefore, on Friday.

Any further program would be announced later.

Mr. MICHEL. I thank the gentleman.

ADJOURNMENT TO MONDAY, MARCH 25, 1985

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 12 o'clock noon on Monday next.

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

There was no objection.

HOUR OF MEETING ON TUESDAY, MARCH 26, 1985

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that when the House adjourns on Monday, it adjourn to meet at 11 a.m. on Tuesday next.

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

There was no objection.

HOUR OF MEETING ON WEDNESDAY NEXT, MARCH 27, 1985

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that when the House adjourns on Tuesday, it adjourn to meet at 12 noon on Wednesday next.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

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

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

There was no objection.

ADJOURNMENT FROM THURSDAY NEXT UNTIL MONDAY, APRIL 1, 1985

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that when the House adjourns on Thursday next, it adjourn to meet at noon on Monday, April 1, 1985.

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

There was no objection.

LET BUSINESS DO BUSINESS—NOT PAPERWORK

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

Mr. ERDREICH. Mr. Speaker, one of the best ways to make American business more productive and efficient is to remove from them the burden of government overregulation and reporting. As paperwork and regulation increase, business has less time to devote to the production of goods and services and to creating the jobs necessary to sustain economic growth.

Two years ago the Congress passed much-needed legislation to repeal the onerous law on withholding of interest and dividend payments. Unfortunately, in that action of repeal, a new burden was added to businesses which pay interest and dividends, the requirement that this annual mailing of the 1099 form be done in a separate mailing.

The intent of this provision was, I am told, to keep us taxpayers from throwing these notices away, thinking they were unimportant. I wonder who made this determination, and if they considered the cost of this new paperwork requirement to our economy.

The separate mailing of 1099 forms creates an enormous cost to American business. These mailings duplicate effort and lead to tremendous new costs of a nonproductive nature.

The IRS reports that over 495 million (individuals, corporations, and so forth) received interest and dividend payments in 1983. Most fall under the separate mailing requirement. As a very conservative estimate of $1 per mailing, Congress has added a new cost to business in the range of $400–$500 million per year. The cost to one large corporation alone will be $500,000 this year.

Unlike many issues, this one has a simple solution. I am introducing legislation to allow payors of dividends and interest to include this statement in a regular, timely, first-class mailing, marking the statement as "Important Taxpayer Information—Retain for Records."

By reducing unnecessary paperwork and unproductive costs to American business we help our economy grow, aiding the creation of jobs across America. Let business do business—not paperwork. I ask for my colleagues support in this effort.

MISSING CHILDREN

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

Mr. LEWIS of Florida. Mr. Speaker, over 1 million children were reported as missing in 1984, up to 50,000 of these children are still missing. In my own State of Florida approximately 3,000 children have been listed in the Florida crime information computer as missing.

These grim statistics demand our action. You can held protect children from this tragic fate!

Join me and 160 of our colleagues in cosponsoring House Joint Resolution 33, which designates the week of September 8 through 14 as National Child Safety Week.

Then, actively participate in planning a child safety day in your district.

Community organizations, law enforcement, and you, can increase awareness of how we can keep our children safe. Work as a team to compile vital statistics for parents of their children.

Law enforcement will then be armed with information critical to their search should one of these children later be reported missing.

This all can start by cosponsoring National Child Safety Week. I ask my colleagues won't you join me?

AFRICAN FAMINE RELIEF AND RECOVERY ACT OF 1985

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 689) to authorize appropriations for famine relief and recovery in Africa, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

Mr. BROOMFIELD. Mr. Speaker, reserving the right to object, I do so to afford the chairman of our committee an opportunity to explain the bill.

Mr. FASCELL. Mr. Speaker, if the gentleman will yield, this bill is very similar to the Africa emergency relief authorization which the House passed before and therefore I will not take much of the Members' time in detailing it.

In essence, S. 689, the African Famine Relief and Recovery Act of 1985, is the same as H.R. 1096 as it passed the House last month by a vote of 391 to 25.

The bill authorizes supplemental appropriations of $175 million for emergency relief assistance in Africa in fiscal 1985; $137.5 million of this is for nonfood disaster assistance such as medicines, tents, seeds, transportation costs for the relief material, and so forth. The other $37.5 million is for refugees in Africa, who of course are also victims of this famine tragedy.

The Senate bill differs slightly from the original House version in that it does not contain several of the specific earmarks which were in that bill. But the money amounts are the same and the policy language is virtually identical throughout.

The reason this bill is here today, of course, is because what the Senate sent us before had a farm credit amendment on it which caused a Presidential veto. However the President said he did not veto because of the Africa relief provision, and there is no administration objection to this bill now.

Late Tuesday, the Senate brought the bill up under unanimous-consent procedures and passed it by voice vote. It does not have the farm amendment in it. It is a clean, straight Africa emergency relief bill, and it is urgently needed.

There are millions of people at risk of starvation in Africa. The important thing is to get this aid to them as fast as possible. We want to send this bill on to the White House today.

The appropriations for the nonfood disaster assistance authorized in this bill, and the appropriations for emergency food assistance, have already been passed by the House and are awaiting final Senate action.

In conclusion, I want to note that this is a completely bipartisan bill which represents a lot of hard and cooperative work by distinguished Members on both sides of the aisle. I particularly want to commend the gentleman from New York [Mr. WEISS], who sponsored the original bill, and the gentleman from Michigan [Mr. WOLPE] who worked with him as chairman of the Africa Subcommittee; the gentleman from Michigan [Mr. BROOMFIELD], the distinguished ranking minority member of the Foreign Affairs Committee; the gentleman from Massachusetts [Mr. CONTE], and the gentlelady from New Jersey [Mrs. ROUKEMA], the ranking minority members of the Appropriations and Hunger Committees, who joined in offered Africa relief legislation; the gentleman from Texas [Mr. LELAND], distinguished chairman of the Select Committee on Hunger; and of course the chairman and the ranking member of the Foreign Relations Committee, Senator LUGAR and Senator PELL, who secured passage of the bill in the other body.

I urge passage of this bill.

GENERAL LEAVE

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and that other Members may have an opportunity to extend their remarks, on the Senate bill presently under consideration.

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

There was no objection.

Mr. BROOMFIELD. Mr. Speaker, I thank the gentleman for his explanation.

Mr. Speaker, I support S. 689, which provides for African famine assistance in fiscal year 1985.

I am glad that this legislation stands alone, so that it can be considered without regard to other unrelated issues.

Obviously the need in Africa is great. I would only hope that other nations will also recognize the need and fully meet their responsibilities as we work together.

We should do all that we can to help the countries in Africa help themselves. While emergency food aid is desperately needed at this moment, our country must give Africa real independence in the food area. That continent fought for political independ-

ence. Why not try to give it independence from handouts? In many African countries, the socialist approach to economic planning has badly hurt food production. In general, collectivized farms are failures.

While the Soviets are supporters of many of the governments in Africa, they have done little to remedy the food problem. That country provides arms, but does little to feed the hungry.

Although I will not oppose this bill, I strongly urge my colleagues to look long and hard at future authorizations of this nature. We should keep these problems in perspective. We must try to develop real solutions to Africa's problems. We must encourage changes in government agricultural policies. Why not use the private sector? I believe my colleagues will join me in saying that we must teach Africa to feed itself.

● Mr. WOLPE. Mr. Speaker, I rise to again express my strong support for this bill but also to emphasize the need to use $7 million of the $12.5 million authorized for migration and refugee assistance in Africa as a contribution to the U.N. Development Program [UNDP] ICARA II trust fund. The House agreed to drop the earmark for this amount on the understanding that a contribution to ICARA II projects would be recommended by the Senate and that we would all emphasize to the administration the need for such a contribution. The second International Conference on Assistance to Refugees in Africa—known as ICARA II—was held in Geneva in July 1984. At the Conference, some 112 host and donor nations participated in starting a process to help integrate refugee and development aid, to address the immediate development needs created by refugees and displaced persons in Africa. UNDP was given a specific mandate at the Conference to provide refugee assistance in Africa and to maintain a clearinghouse for project formulation and coordination to meet the needs of refugees in Africa. The U.S. Government was instrumental in encouraging UNDP leadership in coordination and assistance for African refugees and therefore the Congress should allocate resources to complete this important policy direction.

ICARA II projects are aimed at addressing the underlying causes of the ongoing—and currently exacerbated—refugee crisis in Africa, and to help establish a level of self-sufficiency and productivity among the refugee communities throughout Africa. The United States has offered a strong commitment to this approach which would not only improve the welfare of refugees, but also assist local population development by helping reduce relief assistance costs and undue drains on the host government's economies. Unfortunately this U.S. commitment on the principle has yet to translate into significant funding for ICARA II projects.

Mr. Bradford Morse, appointed by the Secretary General of the United Nations to be the coordinator for emergency assistance to Africa, is embarking on a major undertaking to raise funds from donor nations to meet the needs of Africa. The ICARA II trust fund was established by Mr. Morse as part of his fundraising effort. An American contribution to this fund would greatly assist his efforts to meet this critical need. Projects will be funded on the basis of merit and need.●

Mr. BROOMFIELD. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 689

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "African Famine Relief and Recovery Act of 1985".

SEC. 2. INTERNATIONAL DISASTER ASSISTANCE.

Chapter 9 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2292-2292p) is amended by adding at the end thereof the following new section:

"SEC. 495K. AFRICAN FAMINE ASSISTANCE.

"(a) AUTHORIZATION OF ASSISTANCE.—The President is authorized to provide assistance for famine relief, rehabilitation, and recovery in Africa. Assistance under this section shall be provided for humanitarian purposes and shall be provided on a grant basis. Such assistance shall include—

"(1) relief, rehabilitation, and recovery projects to benefit the poorest people, including the furnishing of seeds for planting, fertilizer, pesticides, farm implements, farm animals, and vaccine and veterinary services to protect livestock upon which people depend, blankets, clothing, and shelter, disease prevention and health care projects, water projects (including water purification and well drilling), small-scale agricultural projects, and food protection and preservation projects; and

"(2) projects to meet emergency health needs, including vaccinations.

"(b) USES OF FUNDS.—

"(1) PRIVATE AND VOLUNTARY ORGANIZATIONS AND INTERNATIONAL ORGANIZATIONS.—Funds authorized to be appropriated by this section shall be used primarily for grants to private and voluntary organizations and international organizations.

"(2) EMERGENCY HEALTH PROJECTS.—A significant portion of the funds authorized to be appropriated by this section shall be used for emergency health project pursuant to subsection (a)(2).

"(3) MANAGEMENT SUPPORT ACTIVITIES.—Of the amount authorized to be appropriated by this section, $2,500,000 shall be transferrred to the 'Operating Expenses of the Agency for International Development' account. These funds shall be used for management support activities associated with the planning, monitoring, and supervision of emergency food and disaster assistance provided in those countries in Africa described in section 5(a) of the African Famine Relief and Recovery Act of 1985.

"(c) AUTHORIZATION OF APPROPRIATIONS.—In addition to the amounts otherwise available for such purpose, there are authorized to be appropriated $137,500,000 for the fiscal year 1985 for use in providing assistance under this section.

"(d) POLICIES AND AUTHORITIES TO BE APPLIED.—Assistance under this section shall be furnished in accordance with the policies and general authorities contained in section 491.".

SEC. 3. MIGRATION AND REFUGEE ASSISTANCE.

(a) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise available for such purpose, there are authorized to be appropriated to the Department of State for "Migration and Refugee Assistance" for the fiscal year 1985, $37,500,000 for assisting refugees and displaced persons in Africa.

(b) USE OF FUNDS.—

(1) PROJECTS FOR IMMEDIATE DEVELOPMENT NEEDS.—Up to 54 percent of the funds authorized to be appropriated by this section may be made available to the United Nations Office of Emergency Operations in Africa for projects such as those proposed at the second International Conference on Assistance to Refugees in Africa (ICARA II) to address the immediate development needs created by refugees and displaced persons in Africa.

(2) EMERGENCY RELIEF AND RECOVERY EFFORTS.—The remaining funds authorized to be appropriated by this section shall be used by the Bureau for Refugee Programs of the Department of State for emergency relief and recovery efforts in Africa.

SEC. 4. DEPARTMENT OF DEFENSE ASSISTANCE.

(a) SPECIAL RULE ON REIMBURSEMENT.—If the Department of Defense furnished goods or services for African supplemental famine assistance activities, the Department of Defense shall be reimbursed for not more than the costs which it incurs in providing those goods or services. These costs do not include military pay and allowances, amortization and depreciation, and fixed facility costs.

(b) DEFINITION OF AFRICAN SUPPLEMENTAL FAMINE ASSISTANCE ACTIVITIES.—For purposes of this section, the term "African supplemental famine assistance activities" means the provision of the following fiscal year 1985 supplemental assistance for Africa:

(1) Famine assistance pursuant to section 2 of this Act.

(2) Migration and refugee assistance pursuant to section 3 of this Act.

(3) Assistance pursuant to supplemental appropriations for title II of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1721-1726).

(4) Assistance with funds appropriated during fiscal year 1985 for the Emergency Refugee and Migration Assistance Fund (22 U.S.C. 2601(c)).

SEC. 5. GENERAL PROVISIONS RELATING TO ASSISTANCE.

(a) COUNTRIES TO BE ASSISTED.—Amounts authorized to be appropriated by this Act shall be available only for assistance in those countries in Africa which have suffered during calendar years 1984 and 1985 from exceptional food supply problems due to drought and other calamities.

(b) "Hickenlooper Amendment".—Assistance may be provided with funds authorized to be appropriated by this Act without

regard to section 620(e)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2370(e)(1)).

(c) ENSURING THAT ASSISTANCE REACHES INTENDED RECIPIENTS.—The President shall ensure that adequate procedures have been established so that assistance pursuant to this Act is provided to the famine victims for whom it is intended.

SEC. 6. REPORTS ON AFRICAN FAMINE ASSISTANCE.

(a) REPORT ON UNITED STATES CONTRIBUTION TO MEET EMERGENCY NEEDS.—

(1) REQUIREMENT FOR REPORT.—Not later than June 30, 1985, the President shall report to the Congress with respect to the United States contribution to meet emergency needs, including food needs, for African famine assistance.

(2) INFORMATION TO BE INCLUDED IN REPORT.—The report required by this subsection shall describe—

(A) the emergency needs, including food needs, for African famine assistance that are identified by the President's Interagency Task Force on the African Food Emergency, private voluntary and organizations active in famine relief, the United Nations Office for Emergency Operations in Africa, the United Nations Food and Agriculture Organization, the World Food Program, and such other organizations as the President considers appropriate; and

(B) the projected fiscal year 1985 contribution by the United States Government to meet an appropriate share of those needs referred to in subparagraph (A).

(b) REPORT ON ASSISTANCE PROVIDED PURSUANT TO THIS ACT.—

(1) REQUIREMENT FOR REPORT.—Not later than September 30, 1985, the President shall report to the Congress on the assistance provided pursuant to this Act.

(2) INFORMATION TO BE INCLUDED IN REPORT.—

(A) USE OF FUNDS.—The report pursuant to this subsection shall describe the uses, by the Agency for International Development and by the Department of State, of the funds authorized to be appropriated by this Act, including—

(i) a description of each project or program supported with any of those funds, and the amount allocated to it;

(ii) the identity of each private and voluntary organization or international organization receiving any of those funds, and the amount of funds each received;

(iii) the amount of those funds used for assistance to each country;

(iv) the amount of those funds, if any, which will not have been obligated as of September 30, 1985; and

(v) a list of any projects or programs supported with those funds which are not expected to be completed as of December 31, 1985.

(B) DOD ASSISTANCE.—The report pursuant to this subsection shall describe any goods or services provided by the Department of Defense with respect to which the special rule set forth in section 4 of this Act was applied.

(C) NEED FOR ADDITIONAL ASSISTANCE.—The report pursuant to this subsection shall assess the need for additional assistance to meet the short-term emergency resulting from the food supply problem in Africa.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

□ 1130

THE MX MISSILE IS THE MAGINOT LINE OF THE 1980'S

(Mr. WEISS asked and was given permission to address the House and to revise and extend his remarks.)

Mr. WEISS. Mr. Speaker, we have been asked to release funds for the MX missile. Its proponents claim that when placed in a hardened silo it will be able to withstand a nuclear attack. This is not the first time in history that security has been sought in concrete; in the 1930's, the French expended huge sums of money to construct an elaborate series of fortifications called the maginot line along the German frontier. The result was a costly, ineffective system of defenses that contributed little to military security and diverted attention from more important threats to the Nation's safety.

The MX missile is the Maginot Line of the 1980's. Although the past cannot be undone, we can refuse to repeat it. This unnecessary, expensive and destabilizing weapon must be defeated.

THE ALAMANCE CHORALE SHOULD COME TO THE FLOOR AND SHOW US HOW IT IS DONE

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

Mr. COBLE. Mr. Speaker, during a recent visit to the Sixth District of North Carolina, I had the pleasure of attending a musical performance which featured the Alamance Chorale of Alamance County, NC. The musical presentation was entitled "Dinner a la Mouse" and starred the inimitable Mickey Mouse. Members of the chorale cooked the evening meal, served the meal, provided the entertainment, and when it was over, cleaned up the place. Because of an all-volunteer effort, no expenses were incurred that night and the money raised was put back into the group to further its efforts. The Alamance Chorale demonstrated to me that government handouts are far less desirable than when a group of individuals comes together to contribute its time and talents for the good of all. Perhaps one day—Mr. Speaker—we could extend an invitation to the Alamance Chorale to come to the House floor and hold school to show us how it's done.

WE MUST HAVE FAIR TRADE

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

Mr. MOLLOHAN. Mr. Speaker, last December, the President announced that steel imports will be limited to 18.5 percent of the American market through voluntary restraint agreements. Well, now there are reliable predictions that steel imports will increase again in spite of the President's program.

A leading analyst said: The voluntary restraint effort cannot derail the trend toward greater imports. But, Mr. Speaker, steel quotas can derail the import express that now runs over America's basic industry.

A newspaper editor in my West Virginia district wrote that there is a big bad wolf at the front gate of our steel plants. I would carry that analogy one step further and say the administration is trying to scare the wolf away with polite suggestion instead of decisive action.

And while the administration politely asks some foreign nations to stop sending America its cheap steel, other nations are opening the flood gates upon the American market.

Turkey, for example, imported 1,000 tons of steel to the United States in 1983, but sent 44,000 tons in 1984. Turkey is not even one of the nations currently negotiating with the United States.

Mr. Speaker, again I ask the administration, on behalf of America's basic industry, to wake up and take action before it is too late. We must have fair trade.

TRADE EXPANSION AND INTERNATIONAL COMPETITIVENESS

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

Mr. REGULA. Mr. Speaker, in his State of the Union Address, President Reagan said, "We need a stronger and simpler approach to the process of making and implementing trade policy."

Last year the United States recorded the largest trade deficit in its history, $123 billion. The 1985 shortfall promises to be even higher.

This trend must be stopped if we are to sustain economic recovery and create jobs. To do this we must expand trade.

Today I am introducing legislation which would promote trade expansion and international competitiveness by consolidating trade responsibility into one Cabinet-level agency.

Presently there is no single, strong advocate for trade. Traditionally whenever trade objectives are pitted against other policy goals, trade comes up short. In fact, our present organizational structure encourages a divide-and-conquer strategy from our trading partners who quickly learn to shop among the agencies to find the group most sympathetic to their views.

My bill would consolidate the Office of U.S. Trade Representative with the international trade and economic affairs functions of the Department of Commerce, and the Export-Import Bank.

By consolidating our nonagricultural trade functions into a single department we can begin to develop a consistent coordinated and effective trade policy.

Last year's enormous trade deficit is fostering cries for import relief throughout the economy. No one wants to see a return to the days of Smoot-Hawley. U.S. industries do not need protectionism, but they do need fairness in trade.

A consolidated Department of Trade would send a signal to our trading partners that we are serious about trade, serious about stopping unfair trading practices, and serious about increasing our export market.

WASTEFUL, BILLION-DOLLAR MX MISSILES

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

Mr. DURBIN. Mr. Speaker, why does Congress get so incensed over a $7,000 coffee pot and a plastic cap that cost the Pentagon $1,100, and then turn its back on the most wasteful weapons system in the Defense budget, the MX missile. It is nothing short of hypocritical to beat the drum against Pentagon waste over thousand-dollar items and then spend $1.5 billion on a missile system which is vulnerable and destabilizing.

History will record that facing a $220 billion deficit, Congress borrowed more money for the MX; a weapons system which is clearly the runt in the Pentagon's litter. It is no wonder that the American people are skeptical of our resolve to make our defense forces lean and efficient when, in the name of national security, we continue to bless bloated and wasteful weapons like the MX.

Congress has great resolve when it comes to cutting out $7,000 coffee pots, but we lose our fervor when we are asking to cut out wasteful billion-dollar MX missiles.

THE SOVIET CONCLUSION WILL BE UNMISTAKABLE

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

Mr. COURTER. Mr. Speaker, the MX debate will be starting in the House this coming Monday; a vote will be on Tuesday. The Soviet Union well knows that it is our most effective and most capable weapon. It knows it is the most effective strategic system that we can deploy in the 1980's. They know it is the only strategic system that puts at risk their hardened military targets as they put at risk our targets with over 600 MX-style, capable missiles. If we give away, free of charge, without extracting one concession from the Soviet Union at the bargaining table, give away our most effective weapon, I believe, the conclusion the Soviets will draw about the seriousness of our approach in Geneva will be unmistakable.

PRIME MINISTER TOM ADAMS OF BARBADOS

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

Mr. DE LUGO. Mr. Speaker, the tragic and untimely death last week of Mr. Tom Adams, the Prime Minister of Barbados, was a tremendous blow to the people of Barbados and, indeed, the people of the eastern Caribbean in general. We in the U.S. Virgin Islands were stunned by his loss, and the many more who simply admired and respected him sent letters of condolence to the Government and the people of Barbados.

I was privileged to have met Prime Minister Adams when I traveled with certain colleagues on the Speaker's bipartisan leadership delegation to the island of Grenada. It was an honor to serve on that delegation and that honor was heightened by the opportunity to meet and discuss the Grenada situation with Prime Minister Adams. His was always the voice of calm and well-reasoned logic, and he consistently demonstrated those qualities of concerned and compassionate leadership that inspired confidence throughout the eastern Caribbean.

The people of the U.S. Virgin Islands join with our brothers and sisters in the eastern Caribbean in mourning his loss. Our newspaper, the Virgin Islands Daily News, expressed that feeling of loss most appropriately, and I would like to share that editorial with my colleagues.

[From the Daily News of the Virgin Islands, Mar. 14, 1985]

TOM ADAMS MOURNED

The death this week of Barbados Prime Minister Tom Adams is a blow not only to the people of his country but to all the people of the Caribbean. That it came at the relatively young age of 53 makes his death all the more tragic.

Adams stood tall among his countrymen and fellow West Indians. For more than a decade, he remained one of the region's most articulate spokesmen for freedom, democracy, unity and moderation.

Adams stepped into the international spotlight in October 1983 during the U.S.-led invasion of Grenada. Along with Dominica Prime Minister Eugenia Charles, he served as an intelligent, persuasive defender of the decision by six neighboring island nations to seek U.S. help for Grenada. In doing so, he made his fellow West Indians stand tall too.

Though Barbados has other intelligents articulate, dedicated public servants, Tom Adams will be hard to replace in terms of regional and international stature.

We join others in the Virgin Islands in offering condolences to the people of Barbados and in letting them know their loss is shared.

LEGISLATION INTRODUCED TO GRANT FEDERAL CHARTER TO FRANCO-AMERICAN WAR VETERANS

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

Mrs. JOHNSON. Mr. Speaker, today I am introducing legislation, along with seven of my colleagues from both sides of the aisle, to recognize and grant a Federal charter to the Franco-American War Veterans.

Founded over 50 years ago, the Franco-American War Veterans organization performs a variety of volunteer services for VA hospitals, local senior citizen centers, and other nursing and hospice care programs. The group is especially active in support of rehabilitation centers for the blind, raising funds, and providing clinical assistance. Their national commander, Henry Raymond of Bristol, CT, is an able and hard-working community leader and a personal friend who has done much for veterans and their families.

In order to enable these veterans to expand their membership and voluntary services, which are provided without charge to the public, we are introducing legislation to recognize the Franco-American War Veterans and grant this distinguished organization a Federal charter.

Our bill is virtually identical to a series of bills signed into law during the 97th and 98th Congresses recognizing the Italian-American War Veterans, the Polish Legion of American Veterans, and the Catholic War Veterans, and which also overwhelmingly approved and signed into law legislation recognizing the Jewish War Veterans organization.

Mr. Speaker, we should all bear in mind that this measure would incur no cost to the Federal Government, no additional burden on the taxpayer, and no upward pressure on the deficit.

I encourage you to continue your support for these types of volunteer organizations and add your name as a cosponsor to this well-deserved recognition bill.

□ 1140

THE PUBLIC'S RESPONSIBILITY IN THE FIGHT AGAINST ILLEGAL DRUGS

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

Mr. TORRICELLI. Mr. Speaker, we have all been saddened by the death of a brave American, Enrique Salazar. His death has focused attention again in America on the fight against illegal drugs. Congress is told to pass tougher laws, judges are told to pass tougher sentences, and the administration is pressured to pressure our foreign allies. And this is as it should be.

But as Americans consider Mr. Salazar's death in the war on drugs, they need to consider, too, their own role, because those responsible for Mr. Salazar's death are not only those who pulled the trigger. Just as certainly as the couple who buys numbers from organized crime or those who would pay extortion to the mob are responsible, too, for its activities, not as victims but as its allies, so, too, those who buy drugs, those who use drugs, children or their parents, are responsible. They have not just watched Mr. Salazar's death; they have played a role in it.

We can put more drug abusers in jail, we can put more drugsellers in jail, but as long as there are billions to be earned, others will take their place. The Government must lead the fight on drug abuse and on the billions that are made, but citizens must do their part, too.

THE MILITARY FAMILY ACT OF 1985

(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, today I am introducing a comprehensive legislative package aimed at strengthening and enhancing the well-bing of the military family. The guns and butter argument will florish within the defense budget as well as outside of it. Over 3.7 million people are members of U.S. military families. In fact, there are 1.5 family members for every one of our uniformed military personnel.

The retention of highly trained technicians and specialized professionals is critical to the success of the all-volunteer service especially in an era of sophisticated weaponry. Family concerns are the most important factor people give for retention.

The well-being of military families also contributes to readiness, the ability of our military services to be mobilized and deployed in a moment's notice. Qualified, trained, and motivated people are the heart and soul of a ready force.

The Military Family Act of 1985 is designed to improve retention and readiness in the armed services. I hope my colleagues will join me in pushing for its passage.

A LIBERAL IN THE WHITE HOUSE

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

Mr. DORGAN of North Dakota. Mr. Speaker, we have a liberal in the White House these days who says he is conservative. He is a liberal because when it comes to spending, he wants to spend more than any President has ever spent in the history of America. He wants a bigger defense than anybody has ever counseled in the history of America, and when it comes to the military, he says no amount of money is too much.

I have a message for him: "If you want to save $14 billion at a time of the highest deficits in the history of this country, then let's not build the MX missile."

He wants to spend money that we do not have for a missile we do not need.

Some Member down on the floor recently said that what we need to do is put the Soviets' missiles at risk with our MX. That means that this person is saying, "Let's have a first-strike capability."

Who on Earth in this country would counsel that we ought to have a first-strike capability? Who would ever suggest that we ought to launch the first nuclear strike? No one that I know of.

No, the MX missile is a colossal foul-up that we do not need. It costs money we should not spend and do not have, and I say to this President, this liberal who wants to spend more and more money each year on defense and increase the Federal deficit, who would spend a dollar from this Government and take in 75 cents in revenue, I say to him: "Let's save $14 billion. Let's not build the MX missile, a missile we don't need and a missile we can't afford."

GIVING SERVICE FOR THREE-QUARTERS OF A CENTURY

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

Mrs. BENTLEY. Mr. Speaker, today I want to congratulate the National Camp Fire Youth on its 75th anniversary. For 75 years this volunteer organization has been working in communities throughout America guiding our young people toward responsible adulthood.

Camp Fire's slogan "Give Service" is incorporated into its programs. This year its members are working to save the Statute of Liberty; starting a project known as "Friendship Across the Ages" which aims at creating activity opportunities with senior citizens; making valentines for hospitalized veterans; and learning art skills to be able to take part in a national art competition built around a friendship theme.

Self-development, skill development, and social development summarize the goals of this organization which runs programs for young people from preschool through grade 12. Young adults who have graduated frequently return to Camp Fire as youth members working with younger children and as camp counselors.

It is my pleasure to be entertaining a group of Camp Fire members from Havre de Grace, MD, tomorrow. They are among my youngest constituents, but I feel certain, that under the leadership of Camp Fire, they will grow up to take their place as some of my most responsible, active constituents.

GENERAL LEAVE

Mr. McKERNAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise an extend their remarks and to include therein extraneous material on the subject of the special order today by the gentleman from Illinois [Mr. MADIGAN].

The SPEAKER pro tempore (Mr. GONZALEZ). Is there objection to the request of the gentleman from Maine?

There was no objection.

□ 1150

UPDATE OF REPORT OF TASK FORCE ON EIGHTH DISTRICT OF INDIANA ELECTION

The SPEAKER pro tempore (Mr. GONZALEZ). Under a previous order of the House, the gentleman from California [Mr. PANETTA] is recognized for 5 minutes.

Mr. PANETTA. Mr. Speaker, I would like to take these few minutes to provide on behalf of the Task Force on the Eighth District of Indiana Election an update on the actions taken by the task force to date. As Members know, pursuant to House Resolution 1, the task force was established by the House Administration Committee. We have provided information to my colleagues with a "Dear Colleague" letter that was circulated this week summarizing some of the details that I will present now.

In brief, the following actions have been taken:

First of all, we have secured the ballots in Indiana from that election. That was the first initial action taken by the task force was to secure those ballots in cooperation with the clerks

in the various counties in the Indiana Eighth District.

Second, we have adopted internal operating rules and procedures to guide us in approaching a count of the ballots from this district.

Third, we have conducted an analysis of the instructions on a county by county basis of the instructions that were provided to the election officials in Indiana.

Fourth, we have adopted rules for counting. While the majority of those rules were agreed upon, some were enacted by a 2 to 1 vote within the task force.

Fifth, we have agreed to a full recount of all the ballots in the Eighth District. It was our view that once adopting rules for counting that those rules ought to be applied to a count of all the ballots from that district.

Sixth, we have now selected an experienced election official who will guide the GAO auditors in a recount in the Eighth District. His name is Mr. Jim Shumway of Arizona. He is a State elections officer in the State of Arizona. His selection was done on a bipartisan basis and with the unanimous agreement of all members of the task force. We have suggested procedures for the recount to Mr. Shumway. He is now reviewing those procedures and hopefully will work with the staff of the majority and the minority side to finalize those procedures. It is our hope that he will be able to brief the GAO auditors by late Friday or first thing Saturday and our hope is that the actual recount itself can commence sometime either late Saturday or on the beginning of Monday of next week. Our hope is that the recount itself will take something like 10 days to accomplish. It depends, obviously, on the difficulties that are incurred in the process of the recount, but our hope is that we can complete that within a 10-day period and at that time we will be able to then report back to the House as to who the winner of that election was.

Let me state along those lines that it was the indication by the chairman of the full committee and by myself that we would make every effort to try to complete this within a 45-day period, which brings us to sometime like the latter part of March or the first week of April. It is our intention to try to do everything possible to meet that deadline. It is, obviously, always dependent on ensuring that the count itself is credible and it remains our hope that, indeed, everything is in place for the count to be completed and that it can be completed within that timeframe; but I do want to advise the Members that the first priority of the task force is to ensure that the count itself is credible and that it is done carefully.

The last thing I want to mention is that I want to indicate to the Members of the House what I view the role of the task force to be. I recognize the controversy surrounding this issue and the strong feelings that exist on both sides of the aisle with regard to this specific issue. I think the task force should use its role not as the agent of one party or the other party. We view our role not as the agent of one candidate or the other candidate. We are the agent of the House of Representatives. It is our responsibility under the Constitution, article I, section 5, that we determine what the intent of the voters was in the election in the Eighth District, regardless of who wins.

I also want to take this opportunity to thank the members of the task force and members of the staff on both the majority and the minority side for the cooperation they have provided. We have not always agreed; yet we have continued on together in a spirit of cooperation and I hope we can continue to do so for the benefit of the Members of the House.

It is my hope that ultimately once we have counted all the ballots, we can present to the House the winner of that election and do it in a way that all of us can support, that is in the best spirit of the Constitution and is in the best interests of the House. It certainly is in the best interests of the people of the Eighth District of Indiana.

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

Mr. PANETTA. I am pleased to yield to the gentleman.

ORDER OF BUSINESS

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent that my 5 minutes previously granted under a special order might be taken at this time in order that I might continue the dialog with the gentleman from California.

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

There was no objection.

CONGRATULATIONS TO TASK FORCE ON EIGHTH DISTRICT OF INDIANA ELECTION

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

Mr. ALEXANDER. Mr. Speaker, I wish to congratulate the gentleman from California and the members of the special task force from the Committee on House Administration, which has done a commendable job in rushing to settle the disputed election in the Eighth District of Indiana. The gentleman has worked tirelessly over the last several weeks, together with other members of the committee, in order to see that justice is done, that all the votes are counted in the Eighth District of Indiana and that the person receiving a majority of those votes is recognized and ultimately seated.

All Americans believe that all votes in every election should be counted. Democrats have resolved that all votes should be counted in the Eighth District of Indiana. While some members of the Republican Party on the opposite side continue to attack Members for maintaining this position, my party intends to stick with it just as we have previously on three separate occasions during votes in this House.

Indiana historically counts all ballots in every national, State, and local election. There is no logical reason why Indiana should selectively exclude any legitimate ballots in the McCloskey-McIntyre case, as some members of the Republican Party wish to do, as they have expressed publicly during debate in this body.

Mr. Speaker, at this time I think it is relevant for me to bring attention to the Members of the House of a letter to the editor of the New York Times from our friend and colleague, the gentleman from Texas [Mr. LELAND], which was published today expressing his outrage over the summary disallowance and disenfranchisement of some 5,000 voters in Indiana in the McCloskey-McIntyre election. Mr. LELAND is supporting the American way by taking the position that all votes should be counted. That is the position of this House. It should be continued.

Mr. Speaker, I submit the letter from the gentleman from Texas [Mr. LELAND] as follows:

[From the New York Times, Mar. 21, 1985]

5,000 INDIANA VOTERS WERE DISENFRANCHISED

To the Editor:

"Seat Richard McIntyre" (editorial, March 12) makes me wonder what kind of staunch advocate of voting rights you are.

Granted, the disputed House seat in Indiana's Eighth District involves confusing election laws and partisan maneuvering on both sides. But this case boils down to whether citizens have the right to vote and have their votes counted.

You assert that an "admitted error in one county" was corrected, giving Mr. McIntyre a lead of 34 votes. Nonsense! That's the Republican public-relations line, which they have been peddling with apparent success to editorial boards across America. As Federal Judge Gene Brooks of Evansville ruled Feb. 7, Mr. McIntyre's 34-vote "victory" was the result of an irregular, inconsistent and suspicious recount—not "admitted error."

What concerned Judge Brooks and concerns the House of Representatives is that 5,000 legitimate ballots were thrown out. Voter intent was not in question. There were no allegations of fraud. They were thrown out because of mistakes by poll clerks, not voters. Reasons for disallowing ballots in one county did not apply in others. In some predominantly black precincts, every single vote—over 1,000 in all—

was disallowed. (In a district only 2.8 percent black, 20 percent of all invalidated ballots were in black precincts).

Some of these ballots were thrown out by local Democratic election officials, as you note in casually dismissing the issue. Since when is improper behavior by Democrats any more noble than the same by Republicans? Doesn't this obvious infringement of franchise concern you?

It concerns the N.A.A.C.P., which has filed suit in Federal court. It also concerns the House. As Judge Brooks affirmed, and a second Federal judge reaffirmed, the House has the right and obligation to determine who won this seat and insure that voting rights are upheld before seating anyone, as House task force is nearing completion of its investigation.

Finally, the Democratic majority in the House is hardly trying to "steal" this election, as the Republicans charge. While we understand the frustration of Indiana voters, no one knows who really won. When we do, the winner will be seated, Democratic or Republican.

But, it would be a crime to reward systematic disenfranchisement of 5,000 Americans by seating Mr. McIntyre now.

(Rep.) MICKEY LELAND,
Washington, March 13, 1985.

(The writer, who represents the 18th District of Texas, is chairman of the Congressional Black Caucus.)

A CERTIFIED CONGRESSMAN DESERVES TO BE SEATED

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

Mr. COBEY. Mr. Speaker, I rise to read another editorial from North Carolina, this one from a paper in Chapel Hill, NC, on the McIntyre situation. It is dated Monday, March 4, 1985, titled, "A certified Congressman Deserves To Be Seated."

A CERTIFIED CONGRESSMAN DESERVES TO BE SEATED

We have read and heard about several political races that were decided while the votes were being counted. However, the recent snafu in Indiana about the seating of Congressman Richard McIntyre is the first time that we have heard of a candidate being certified by his secretary of state to serve and then not being allowed to take his seat in Congress. If it were possible, House Speaker Thomas P. "Tip" O'Neill's hair should turn a little grayer and the smile be removed from his honest face for what Congress has done to McIntyre. The fact that McIntyre happens to be a Republican has nothing to do with the delay, the Democrats will tell you. The Republicans admit, though, to having to fight an uphill battle in the House, and a vote is a vote is a vote. The Democrats appear to be perfectly willing to wait until doomsday to take any action. In the meantime, a half million citizens in Indiana's 8th Congressional District have no representation.

We'll just present the facts and allow you to draw your own conclusions. When the election was held in November and the votes were first counted, it was reported that incumbent Democrat Frank McCloskey appeared to be the victor by a margin of 72 votes. Shortly thereafter, a correction was made in the count of one county, and Republican challenger McIntyre came out ahead by 34 votes. The Democrats rightfully demanded a recount, which was not completed until the first week in February. That in itself smells of something odd, taking from November until February to recount the votes.

When Congress convened, it was decided that neither candidate would be seated, but that both candidates would be on the payroll temporarily. That sounded like a logical decision.

When a recount of all the counties in the 8th District was completed in February, the final figures favored McIntyre by 418 votes. It should also be noted that thousands of ballots were disqualified during the recount by election commissions controlled by Democrats. It turned out to be a clear-cut victory for McIntyre, but the Committee on House Administration has decided to delay the seating of McIntyre by another month or so, and those half-million people in Indiana still have no representation.

There is no precedent for what the Democrats are trying to do. McIntyre has been certified twice by Indiana's secretary of state. History reveals that Congress has investigated many elections under similar circumstances and that the winner has always been seated while the investigation was in progress. If an investigation discovered that incumbent Democrat McCloskey should be returned to Congress, it would be a simple matter to unseat McIntyre. In the meantime, no one represents Indiana's 8th District.

What bothers us is that members of Congress, both Democrats and Republicans, would allow such dilly-dallying in that august body. We have watched rules bent time and time again. Here is a case where a rule is completely broken, not for the good of the country but for the interest of a political party.

Democrats already have control of Congress. One more vote will not make that much difference. When an injustice is being done in the name of a political right, it is time that the American people speak up on the issue. It is also time for those hardheaded Democrats in Congress who are delaying the seating of McIntyre to stand up and be counted. If they had been certified by their home states as winners of congressional races and then not been seated, they would be screaming for justice. That is all that we are asking for Richard McIntyre.

□ 1200

In addressing a couple of comments that were made earlier, and I should say that it is reiterated again in this newspaper article, that Rick McIntyre is a certified winner by the State of Indiana.

A BILL TO PUT THE FEDERAL RESERVE ON BUDGET

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

● Mr. HAMILTON. Mr. Speaker, I am introducing legislation today that will increase the amount of information available to Congress and the public on how the Federal Reserve spends its money. The bill would put the revenues and expenditures of the Board of Governors of the Federal Reserve System and all the Federal Reserve banks into the budget of the U.S. Government, beginning with fiscal year 1987. The figures would have to be presented in a format consistent with the budget data for other Government agencies, and projections would have to be made in each budget for the two subsequent fiscal years as well.

My bill is based on the findings of a study on "The Budgetary Status of the Federal Reserve System," which was prepared for the Joint Economic Committee by the Congressional Budget Office. This study was recently released and all Members of the House and Senate should have received a copy by now.

THE CURRENT TREATMENT OF THE FEDERAL RESERVE'S BUDGET

In 1983, as table I shows, the Federal Reserve System had total revenues of just over $16 billion. Most of this was interest earned on its portfolio of U.S. Treasury securities. The Fed also raised a substantial amount of income—almost $500 million—from priced services provided to the Nation's banks such as check clearing.

TABLE I.—*Income, expenses, and earnings of the Federal Reserve banks, 1983*

	Millions
Income [1]	
Interest on U.S. Government securities	$15,150.2
Interest on discounts	138.9
Interest on foreign currencies	273.8
Priced services fees	496.2
Other	9.3
Current income	16,068.3
Expenses [1]	
Salaries and other personnel expenses	499.6
Retirement and other benefits	141.2
Postage and shipping	97.1
Equipment	114.7
Buildings	82.4
Earnings credits	71.8
Recoveries and capitalized expenses	−17.2
Other	116.7
Current expenses	[2] 1,100.2
Reimbursements	−76.6
Net current expenses	1,023.7
Current net income	15,044.7
Adjustments	−400.4
Adjusted net income	14,644.3
Distribution of adjusted net income:	
Cost of currency assessment	152.1
Board of Governors expenses assessment	71.6
Dividends	85.2
Transfer to surplus	106.7
Payment to U.S. Treasury	14,288.6

[1] Details may not add to totals because of rounding.

[2] Total expenses are $5.9 million less than the sum of expense categories because of a deduction of Federal Reserve Communications System expenses in the Federal Reserve Bank of Richmond's account.

Source.—Board of Governors of the Federal Reserve System, annual report (1983), table 7.

Out of this $16 billion in income, the Federal Reserve spent just over $2 billion on administrative costs—including $1.1 billion to run the Federal Reserve banks, $70 million to cover the costs of the Board of Governors, and $150 million paid to the Treasury for printing the currency we carry in our wallets. The difference—$14.2 billion—was returned to the Treasury.

Even though the Federal Reserve is part of the U.S. Government, you will not find these figures anywhere in the annual Federal budget because the Fed is an "off-budget" agency. Some information on the expenses of the Board of Governors can be found in the budget, but only at the very back of the massive appendix that gives the line-by-line spending details of all the departments and agencies. Even this information, however, is not very helpful because the Fed uses a different format to summarize its expenses and the figures are presented for calendar rather than fiscal years.

Furthermore, the Board of Governors only accounts for about 5 percent of the total costs of the Federal Reserve System. The rest—the $1.1 billion spent on the administrative costs of the Federal Reserve banks—does not appear anywhere in the Federal budget nor do any other Fed expenditures, such as the dividends paid to member banks or the amounts transferred to surplus.

In fact, the only Fed-related item to be found anywhere in the budget of the U.S. Government is the $14.2 billion in profits turned over to the Treasury, which appears under the heading "miscellaneous receipts."

To find any information on the spending by the Federal Reserve System, you have to turn to the Fed's annual report. There you will find some tables explaining the Fed's expenses for the past year. But, again, the categories are different from those used by other agencies, capital spending is treated differently and the figures are for calendar years. And worse, there are no projections for future years, so there is no way to judge how the Fed plans to spend money until the spending has taken place.

The purpose of the budget is to help Congress and the President plan the policies and activities of the Government for the year ahead. The Fed is a black hole in the budget, with consequence spelled out by the CBO:

> Every January the President sends the Congress his proposed budget for the next fiscal year. The budget provides comprehensive information about the financial operations of government agencies. It also shows the President's recommended fiscal policy, includes the Administration's requests for budget-related legislation, and indicates the probable financing needs of the Treasury for the upcoming year.
>
> The budget provides only limited information on the Federal Reserve System. The data are adequate for the purpose of projecting Treasury financing needs, since they include an estimate of the Federal Reserve System's transfer of earnings to the Treasury. They are inadequate, however, to the extent that the budget is to inform the Congress and the public of the proposed allocation of the government's limited financial resources. Almost all Federal Reserve System operating expenses are currently excluded from the budget.
>
> Because the Federal Reserve System does not depend on annual appropriations, it is not subject to a process by which the Congress could annually limit and direct its activities. Its off-budget status has reduced the visibility of its expenditures, thus decreasing interest in control of these expenditures.

HOW TO BRING THE FEDERAL RESERVE ON BUDGET

There are three ways of solving this land of information about the Fed's budget. One would be to subject all spending by the Federal Reserve System to the same congressional appropriations process used to direct spending by virtually every other Federal agency. The second would be to subject the Federal Reserve to a more thorough process of authorizing legislation and oversight. The third would be to require that the Fed present its budget along with the budget of the U.S. Government.

All three approaches would serve the same purpose—to give Congress and the public more information about how the Federal Reserve spends $2 billion each year. But they would have different side effects, particularly on the very sensitive issue of Federal Reserve independence.

Through the years, the Federal Reserve has strongly opposed efforts to give Congress more information or control over its budget in order to protect its independence. The Fed recognizes the power of the purse. If Congress had control over how the Fed spends its money, that power could be used—or misused—to influence monetary policy.

The threat to Federal Reserve indpendence would be greatest if its budget were subject to the appropriations process, where legislative riders could direct it to achieve goals set by Congress. Furthermore, since appropriations are considered annually, the Fed would be under a continuous and recurring threat. A greater use of authorizing legislation to limit spending would also threaten the Fed's independence but not quite so regularly since authorizing legislation is taken up less frequently.

The bill I have introduced today does not represent a threat to the monetary independence of the Federal Reserve, since it merely requires that the Federal Reserve publish its budget as part of the budget of the U.S. Government. According to the CBO study:

> Of the three methods of increasing budgetary accountability, budget presentation of the Federal Reserve's administrative expenses would have the least effect on the Federal Reserve's independence. The Federal Reserve would remain free to determine its own administrative expenses * * *.

Under my bill, the Fed would have to project its annual revenues, which it could do either by making its own assumptions about interest rates, economic growth, and the budget deficit, or by adopting the assumptions used by OMB or CBO. It would have to project its annual administrative costs, which it does already for internal budget purposes. And it would have to project the amount it would return to the Treasury each year. But neither Congress nor the administration would be given any power to approve these figures and so they would have no greater control over monetary policy than at present.

The Fed would have to make some changes in its budget procedures, but as CBO points out these would be minor:

> Budget presentation of Federal Reserve finances would require it to provide budget submissions that are consistent with Federal budget documents. At a minimum, this would mean changing from the calendar-year fiscal year to the Federal fiscal year, expensing capital purchases, and recording obligations of Federal Reserve Banks. In addition, the System would need to estimate its operating expenditures beyond a single budget year. Current Federal Reserve Bank accounting, which converts its expenses to a private-sector basis, would have to be maintained for Monetary Control Act pricing purposes. Changes in budget preparation activities of this magnitude have been carried out by other government agencies in the past.

One benefit of this approach is that the Fed might be induced to save a little money on its operations. The Fed is businesslike but not frugal. Out of the sunshine, it can spend its money in ways that other agencies can't. As the CBO study points out, the Fed spends more for new buildings than other agencies, salaries at the Federal Reserve banks are more competitive with the private sector, and the Fed offers benefits that are more generous than those available to regular Government employees. These costs might be reduced. It is also possible that duplication of services by the 12 Federal Reserve banks could be reduced if the Fed were under more pressure to reduce costs. Any savings would increase the amount returned to the Treasury each year and thus help reduce the deficit. The Fed isn't wasteful—no banker is ever wasteful—and the potential savings aren't massive, but any savings realized at the Fed would contribute to reducing the budget deficit.

The most important reason for adopting this legislation, however, is that it is the right thing for us to do. In a democracy, no agency of the Government should be able to take in and spend billions of dollars without having its budget open to public view.

I recognize that the Federal Reserve has special responsibilities that may require it to take actions that are unpopular. But the Fed's need for a measure of independence from political pressures is no excuse for shielding its budget from some process of accounting to Congress and the public. The bill I introduced today reflects the sound principle of full disclosure and will shed light on the Federal Reserve's budget without compromising its independence in setting monetary policy.

This bill is consponsored by Mr. COURTER, Mr. MITCHELL, Mr. BERMAN, Mr. BEDELL, Mrs. BOXER, Mr. FASCELL, Mr. FAZIO, Mr. HUGHES, Mr. LANTOS, Mr. GEORGE MILLER, Mr. OLIN, Mr. RAHALL, Mr. ROE, Mr. ROSE, Mr. DENNY SMITH, Mr. LAWRENCE SMITH, and Mr. VENTO.●

ELECTION IN INDIANA'S EIGHTH CONGRESSIONAL DISTRICT

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

Mr. THOMAS of California. Mr. Speaker, I had not intended to speak, obviously, and would not have spoken and, in fact, I would not have asked for this time if the gentleman from California, the chairman of the task force of the House Administration Committee, had been the only speaker previously.

This gentleman from California happens to be the only Republican member of that task force. The statements of the gentleman from California I think were appropriate. They were statements informing the House of what the task force was doing.

I have asked for this 5 minutes specifically to react to the statements that were made subsequent to the statement by the gentleman from California by the gentleman from Arkansas [Mr. ALEXANDER]. I have not taken the floor because as a member of the task force I felt it was necessary for us to carry out our business in an orderly fashion. But since the chairman of the task force has taken the floor on special orders, I feel it is appropriate for me to follow.

Some of the statements that have been made and repeated, and repeated again on this floor, I think beg for clarification. Apparently simply restating or correcting those statements is not sufficient. But I will attempt to do it yet again.

What we have heard from the majority side of the aisle, from the very beginning, from the January 3 date, was that there was something wrong in Indiana, that the election in Indiana's Eighth District was, as the gentleman from Arkansas characterized it, a disputed election.

I would have to ask anyone to provide me other than the vote on this floor by a straight party vote how and when the Eighth Congressional District election became disputed. We have on the books a contested Federal Elections Act. At no time in the process of examining the vote and the recount in Indiana's Eighth has there been a petition filed and, in fact, the time period has now passed in which it was timely to file a petition under the Federal Contested Elections Act.

So the gentleman, the former gentleman from Indiana, Mr. McCloskey, did not feel that there was sufficient dispute in the election to file a petition under the Federal Contested Elections Act. Yet we continue to hear the phrase that there is a disputed election.

There is not a disputed election in Indiana. There is an attempt by the majority party in this House to take a seat which the State of Indiana, based upon the election laws of Indiana, through a count on election night, and a recount provision carried out under the laws of the State of Indiana, has settled, sufficient for the secretary of state, the chief elections officer of Indiana, to certify that the proper candidate to be seated by the House from Indiana's Eighth is a Mr. McIntyre.

No one has ever challenged that under any Federal law for contesting elections, including the candidate, Mr. McCloskey. The only way this so-called disputed election has been presented to the House Administration Committee and task force created to resolve the so-called disputed election has been by virtue of a resolution passed by this House by a straight party vote.

□ 1210

That, I would submit, Mr. Speaker, is a partisan action.

So the case before us, the investigation of who ought to sit in Indiana's Eighth Congressional District, was by its very nature from the outset a partisan contest, brought about by the challenge from the majority leader to the swearing in of the certificated candidate from Indiana's Eighth Congressional District, Mr. McIntyre.

So I will repeat myself. From the outset this has been a partisan battle, not even blessed by a willingness or an ability to bring it under the Federal Contested Elections Act to the House of Representatives and to the House Administration Committee.

In addition, the gentleman from Arkansas [Mr. ALEXANDER] said that all we want and all that should be done in Indiana's Eighth is to count all the ballots.

Now surely this is a rhetorical phrase because as the gentleman well knows, even in his race or in any race, there are inevitably a number of ballots, more or less, which simply are not counted. They are not counted for a variety of reasons. But the reasons they are not counted is because of the State election law and the provisions for denying someone who would otherwise have a valid ballot from being counted.

If you do not mark a ballot correctly it is not counted. If you put distinguishing marks on a ballot, it is not counted. If there is no ability to prove that that ballot was ever in the precinct voting place, if there is no validity procedure, the ballot is not counted.

Those were the kinds of procedures that were followed in Indiana; not just in Indiana's Eighth Congressional District, but in every district in Indiana, and there were a number of votes thrown out in any number of districts in Indiana. It is an ordinary, routine procedure. The only problem is their man did not win.

The whole battle in front of the House is whose man will win, and it is a majority question, and it has been partisan slanted from the beginning, and my difficulty is it will continue to be partisan.

PARLIAMENTARY INQUIRY

Mr. ALEXANDER. Parliamentary Inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. ALEXANDER. Mr. Speaker, I understand that the gentleman from Texas [Mr. GONZALEZ] has the time.

The SPEAKER pro tempore. The gentleman from California was recognized for 5 minutes by a unanimous-consent request.

Mr. ALEXANDER. Mr. Speaker, there is a gentleman who has appeared in the Chamber who wishes to be recognized, and I would ask unanimous consent that the gentleman from Texas [Mr. BUSTAMANTE] be permitted to address the House for 5 minutes.

The SPEAKER pro tempore. Does the gentleman request unanimous consent that the gentleman from Texas [Mr. BUSTAMANTE] be allowed to address the House for 5 minutes after all previously entered into special orders have been completed?

Mr. ALEXANDER. Mr. Speaker, I would ask that the gentleman be permitted at this time to address the House for 5 minutes.

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

Mr. JEFFORDS. Mr. Speaker, reserving the right to object.

The SPEAKER pro tempore. The gentleman is recognized.

Mr. JEFFORDS. Mr. Speaker, I am waiting here to make my own special order, and I am in somewhat of a time bind; and I am going to take approxi-

mately 7 minutes. I would ask as to whether or not I can be recognized certainly before the hour of 1230. Otherwise, I am going to be in a bind.

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

Mr. JEFFORDS. I would inquire of the gentleman as to how long he intends to take.

Mr. ALEXANDER. Well, Mr. Speaker, I certainly do not want to impose.

The SPEAKER pro tempore. The gentleman's request is for 5 minutes.

Mr. ALEXANDER. That is why I asked for 5 minutes, because the gentleman from Texas' remarks would be relevant to this previous speaker. Only for 5 minutes.

Mr. JEFFORDS. With the hopeful understanding that I may immediately succeed this gentleman, I will withdraw my reservation of objection.

Mr. ALEXANDER. I thank the gentleman.

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

There was no objection.

McINTYRE-McCLOSKEY ELECTION

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

Mr. BUSTAMANTE. Mr. Speaker, this past week, I've heard passionate arguments on both sides of the aisle about the Indiana congressional election. This Tuesday, one of my freshman colleagues said he voted to seat Mr. McIntyre because of two principles—one man one vote and "that the people of Indiana should choose their Representative."

Mr. Speaker, these principles are not only fine ideals which we should follow in any election, but these principles are the law as required by the U.S. Constitution. For many years, people who resided in my congressional district in south Texas were denied this voting right by such obstacles as a poll tax and literacy tests. All of us know too well the history of disenfranchisement that led to the Voting Rights Act of 1965. We also know that following the November 6 contest in Indiana, election officials in different jurisdictions used different standards for determining which ballots were valid.

Mr. Speaker, the disenfranchisement of Indiana voters should not be taken lightly. Therefore, it is easy for me to support the Panetta task force guidelines as the fairest possible solution. At the same time, neither Mr. McCloskey nor Mr. McIntyre should be conditionally seated. The principles of one man one vote requires as much, the Constitution of the United States requires no less.

I yield to the gentleman from Arkansas [Mr. ALEXANDER].

Mr. ALEXANDER. I thank the gentleman for yielding to me.

Mr. Speaker, I wish to respond to the remarks of the gentleman from California [Mr. THOMAS] earlier, by stating that the gentleman's remarks I am sure are sincere in every way and I do not question the gentleman's sincerity nor his integrity nor his feeling on this matter.

The gentleman ignores three essential facts: First, there has not yet been a credible counting of the Indiana ballots; second, the certificate of election was issued in a manner inconsistent with Indiana law; and third, the actions of the House on this matter follow precedents dating back to 1860.

First, there has not yet been a full counting of the ballots under a single set of rules. The 418-vote "victory" claimed by the Republicans is based on a recount procedure that threw out 5,000 votes—even though the intentions of those voters were clear. The problem was that separate recount boards in the 15 counties of the Eighth District used their own individual standards to judge the validity of the ballots. Recently the Indiana House voted—90 to 8—to repeal the antiquated election laws, which allowed this to happen in the first place.

Second, the admitted failure of the Indiana secretary of state to follow State law in issuing the certificate of election resulted in the wrong candidate being certified. Instead of certifying the winner of the certified vote count on election night—Frank McCloskey—the Republican secretary of state waited for more than a month for a recount. When he finally did issue the certificate, it went to the Republican Richard McIntyre, based on partial recount totals, which gave McIntyre a momentary lead of 34 votes.

Finally, there is not a Member of Congress who is not concerned when 500,000 citizens go unrepresented here. However, a majority of us firmly believes that the precedents of the House—which date back to 1860, and which we are following in this case—are far more responsible than seating a man who may not have been elected.

If House Democrats had wanted to be partisan, we would have seated McCloskey on January 3. Even though we had the votes, we did not do it. Instead, we are trying to do what is right—and for our side that means seating the man who was elected by a majority of the voters.

Mr. BUSTAMANTE. Mr. Speaker, I yield to the gentleman from California [Mr. THOMAS].

Mr. THOMAS of California. I thank the gentleman for yielding to me. I will try to respond as quickly as possible to the gentleman's points.

One, a credible counting is based upon the gentleman's vision of how the counts ought to take place. Of course the majority individual does not like a count which showed on election night that Rick McIntyre won it, and on a recount he won. So apparently a credible count depends upon who wins.

I think if the State of Indiana, under its election law, certified that it was an appropriate count, that the gentleman's problem is with the State of Indiana, and I think he has evidenced that by the systematic trashing of the character of the secretary of state of Indiana, assuming that he does not know the law.

I would tell the gentleman that he is flat out wrong in terms of Indiana law and how it operates in terms of what he is supposed to do. In addition, when you talk about precedent, there is no precedent to do what we have done, and I would direct my statement now to the gentleman from Texas, and I appreciate his concerns about the question of voting rights and people able to vote.

But let me ask you this: Don't you think that if there was no Federal contested elections dispute and that if the problem stated by the majority leader on the floor was that there was a difficulty in Gibson County as to whether it was a partial recount or whether it was a canvassing for an arithmetical error, that the first thing that this body should have done was to examine the Gibson County case.

If in fact we could not clarify it at that level, we would then move to an examination of Indiana law. And if the gentleman had said that there was an inconsistent application of Indiana law then what we ought to have done is to have applied Indiana law uniformly.

The House task force could have examined Indiana law, taken it and applied it uniformly, and only then throw out Indiana law.

PERMISSION FOR RECOGNITION FOR 1 MINUTE

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to proceed out of order for 1 minute.

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

Mr. THOMAS of California. Mr. Speaker, reserving the right to object, is the gentleman from California correct in assuming that the gentleman from Arkansas has already taken time?

□ 1220

The SPEAKER pro tempore. The Chair will rule he has already taken time, but he does have the privilege of asking for a 1-minute.

51-059 O-86-10 (Pt. 5)

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

There was no objection.

INDIANA LAW RELEVANT TO DUTIES OF SECRETARY OF STATE AND GOVERNOR REGARDING ELECTION OF CONGRESSMEN

Mr. ALEXANDER. Mr. Speaker, I merely take this time to respond to the gentleman from California and to ask unanimous consent to include extraneous matter at this point in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. ALEXANDER. I submit as extraneous matter the text of Indiana law which is relevant to the point made by the gentleman from California, which states as follows in regard to Congressmen and the election thereof, duties of secretary of state and Governor:

> The Secretary of State as soon as he shall receive such certified statements, shall compare and estimate the votes given for United States Senator and for Representatives in Congress, and certify to the Governor the persons having the highest number of votes as duly elected * * *.

If the secretary of state had followed the law, he would have certified that the gentleman from Indiana, Mr. McCloskey, as the winner by 72 votes. The secretary of state was obligated to certify McCloskey because the 15 counties of that district certified official results on election night giving Mr. McCloskey a 72-vote victory. Mr. Speaker, here is the law.

> 3-1-26-9 [29-5309]. CONGRESSMEN—DUTIES OF SECRETARY OF STATE AND GOVERNOR.—The secretary of state as soon as he shall receive such certified statements, shall compare and estimate the votes given for United States senator and for representatives in congress, and certify to the governor the persons having the highest number of votes as duly elected; and the governor shall give to each of the persons returned to him as aforesaid a certificate of his election, sealed with the seal, and attested by the secretary of state: Provided, That no return of any county which has come into his hands, and which has been duly authenticated by the clerk of the circuit court thereof, under seal, as hereinbefore provided shall be rejected by said secretary of state, but he shall estimate, aggregate and tabulate, and report to the governor the total number of votes cast in each county for each candidate for state office, supreme judge or other officer to be elected by all of the voters of the state, and members of congress, as evidenced by the face of such returns so certified to him. [Acts 1945, ch. 208, § 322, p. 680.]

Mr. THOMAS of California. Mr. Speaker, will the gentleman yield on that point?

Mr. ALEXANDER. The facts speak for themselves, and I rest my case.

The SPEAKER pro tempore. The time of the gentleman from Arkansas [Mr. ALEXANDER] has expired.

McINTYRE IS THE WINNER

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

Mr. THOMAS of California. Mr. Speaker, what we have just seen was a complete either unwareness or a willingness to ignore court actions in Indiana, because as the gentleman read, the secretary of state takes the certified results and then certifies the candidates. The question is over the certified results from a particular county, and that is Gibson County. And, in fact, under a court order, there was a requirement to correct the count from Gibson County, that the statement certified by Gibson County was proven to be arithmetically wrong, they added two precincts together, there was a recanvassing under court order, those numbers were changed, there was agreement that Gibson County then provided the corrected total to the secretary of state. It was then the official certified count from Gibson County, included with the other 15 counties in the Congressional Eight District, and that produced the certification.

The gentleman simply takes a statement in the law of Indiana and ignored the case action surrounding the Eighth Congressional District and the requirements that Gibson County be reexamined, the numbers correctly added. And the term has been "recount" and "partial recount" that is wrong. It is a canvass, and it was a correction of an arithmetical error, and the certified count is 34 votes. McIntyre is the winner.

□ 1230

MY ADVICE TO THE PRIVILEGED ORDERS

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, I wish to say at the outset that I wholeheartedly agree with my colleague from Vermont [Mr. JEFFORDS] on a matter that I think we voted the same way when the issue came up. And that I heartily agree with the thrust of his proposed legislation and wish to subscribe the purposes for which he has introduced the legislation.

I have risen this year, this 1st session of the 99th Congress, to pick up a report and appeal to my colleagues. Some aspects of this appeal having been made the very first year I came to the Congress some 24 years ago.

On this occasion, I rise because unhappily, the appeals that I have made, the introduction of resolutions and bills in anticipation of what now is being taken for granted to the point where what is happening is considered an act of God, but that some of us had good reason, especially being charged with knowledge sitting in the committees that had jurisdiction, and therefore should have had some minimal knowledge of the series of events in the making, 18, 20 years ago, you would not have to be a prophet, you would not have to be an expert to predict what now we find more and more segments of our society in the anguishing throws of desperation and frustration.

I, the last time in addressing my colleagues, referred, as I had previously, to Thomas Jefferson's admonitions at a time in which our Nation, in its incipient stages, had reason to utter the same kind of observations and warnings for the same reasons, even though there is no comparison with the mighty Nation we call the United States of America today, with what was then an emerging nationhood of 13 States.

In our historical, evolutionary process, and even indeed, in our teachings and studies of history, we have become self-contained, and have emasculated from this history the overall picture. There were really 37 colonies; not just 13. But with the remainder of the 13 either completely ending up in what we call the Canadian Commonwealth, we have lost the sense of proportion. But at the beginning of nationhood, we must never forget that the first 10 years of our national existence, so little was thought of such a position as what we call the Presidency today, that our Nation existed its first 10 years with no such office at all.

We had the First and the Second Continental Congresses; we had the Articles of Confederation; but there was no such thing as a Presidency, or what during the constitutional debates was referred to as a Chief Magistrate.

How does this fit in with what is happening today? My appeal today will be very similar to what a contemporary of those Founding Fathers, a poet, a statesman, a man of religion, Jowel Barlow, a great, great contributor to the Revolutionary struggle.

He was born in Connecticut; he served during the Revolutionary War as a minister or a preacher, really, to the troops. But he was more than that; he was a thinker, he was a student, he was a historian, he was a poet. He wrote magnificent pieces; epic pieces they called them in that day. The Columbiad; the Olympiad; the great vision he had about America.

□ 1240

But, in the course of that decade of turbulence and revolution, because we must never forget that the French Revolution was almost contemporaneous with the American, but followed,

really, the American. He was making an appeal to what he called advice to the privileged orders. Today I wish that to be, now and in the future, the title of my addresses, my advice to the privileged orders, which includes my colleagues today.

Barlow was addressing his advice to the then rulers of the day, and we must never forget that we really were and really should still be very revolutionary, if we had not forsaken that heritage, as I feel we have. We find ourselves in similar situations in which, not quite reaching the bicentennial, the 200th anniversary of our form of government, we are tested as to whether or not we in our time and generation will have that vision and that faith in just the people to continue with significant meaning the first five words of that Constitution in the preamble. Remember, these words were uttered and written and fought for, and men died and shed blood for them. At a time when the world was governed by kings or potentates, czars and the like, or oligarchs, a privileged few, the idea that power resided in the people was so revolutionary it was just absolutely abominable to the ruling orders or the privileged classes of the world of that time, even here in America.

We forget that the conservatives of that day were the Tories, the Loyalists, loyal to England, loyal to the Crown. They were not in the revolutionary ranks. They are present with us today, except, of course, we do not call them Tories. I think this is one reason why Maggie Thatcher felt so much at home here with this administration recently, because she really is a Tory.

But in that day and time, men like Jowel Barlow were saying, "Look, all power emanates from the people." But this was a world in which kings said, "Why, I am the source of power, but I derive my power from God Almighty, divine right."

Jowel Barlow said, "Well, of course, since the people never gave that kind of delegation of power, the kings had to go to the highest source in order to claim their derivation of sovereignty or power."

But then here come these glorious words, "We, the people of the United States, in order to form a more perfect Union, insure domestic tranquility," et cetera, et cetera. They did not say in the Constitution, We the Congress, or I the President or I the other third branch. They said we the people, this is the source of all power.

But in speaking to colleagues today, and many, many of my constituents, I am very, very disturbed by the fact that that is not at all the concept. As a matter of fact, I know very few constituents who tell me that the President is not over and above such entities as the Congress or the representative branch of the Government or the judiciary. And, of course, the fact is that we live in a time in which we have to reaffirm that faith in the three basic branches of the Government being separate, equal or coequal, and independent. But I can say for one that that is now more of a ritual than a fact.

So when Thomas Jefferson, seeing the eternal grasp for that power, that sovereignty which in any country means those who would control what we call the allocation of credit, the control of money, and Thomas Jefferson said, "If a people turn over the control of the issuance of their money to the bankers, woe to the people, for it is worse than having a standing army of occupation in that country." Ultimately the people who came to the continent, were in possession, will find themselves homeless. This is where we find ourselves today for that basic reason, because for the first time in the history of our Republic under this Constitution, under this form of government, the derivative sources of power decisions are not being made either in the White House, in the Chief Executive's office, or in the halls of debate in these two Houses of the representative branch of the Government and, therefore, the people's representatives. And certainly, under our system, the third branch, the judiciary, certainly does not have that kind of jurisdiction.

So where is this power? Well, should we be surprised if we have stories like the one appearing in the Dallas newspaper, the Dallas Morning News, on Monday, March 18, in the Today section, section C, entitled "Families in Search of a Home," this is what we call in Texas "Big D."

I include this particular article and feature story in the RECORD for my colleagues' reading.

The article follows:

FAMILIES IN SEARCH OF A HOME—SHORTAGE OF LOW-COST HOUSING HAS FORCED MORE TO SEEK OUT SHELTERS

(By Bill Minutaglio)

The night Tyrone, Marsha and Ashley Mosley had to leave their apartment near the Galleria, they ended up wandering through downtown.

Unable to come up with their $465 rent payment and facing eviction two weeks ago, they stored their belongings at a friend's house and decided to go in search of a cheap hotel in the heart of the city. They walked from the Majestic Theatre down toward the Bradford Hotel. They walked back up toward City Hall, past the downtown Dallas Public Library and near Farmer's Market.

Occasionally, a police car would slow down and the officers inside would stare at Tyrone, 24, Marsha, 22, and 15-month-old Ashley in the baby stroller. Mumbling veterans of the street would occasionally emerge out of the darkness—like faces in a fun house—and then recede.

They spent the entire night searching fruitlessly for a place to stay, thinking that the police wouldn't stop them if they continued to move.

By morning, they were tired and discouraged when they finally made contact with the Dallas Life Foundation, a shelter for the homeless. At the Foundation, where they were given a place to stay, they were surprised to see other families. Late last week, they were still at the shelter, trying to find a home.

"We've never had to do anything like this before," said Tyrone, who holds a job loading trucks at a warehouse. "I always thought that people who stayed in shelters were drifters, loners," said Marsha, who works as a dispatcher with an insurance company.

But officials with the various Dallas shelters say the profile of the homeless population is slowly changing. They say that though the majority are still single people, more and more families like the Mosleys are being forced to turn to Dallas' shelters.

Estimates vary, but the Dallas Health and Human Services Commission and various shelters generally conclude that there are between 3,000 and 4,000 homeless people in Dallas.

And though the population has stayed in that range for the last few years, some officials foresee a rapid increase. The growing numbers might be simply tied to the fact that more and more families are joining the ranks of the homeless—now families make up 10 to 20 percent of the total homeless population.

"We are seeing an unbelievable number of families who are being moved out of a reasonable lifestyle," says Carol Frank, social services director with the Salvation Army. "The numbers of growing all the time."

Five years ago, an average of only two mothers with children were staying each night at the Salvation Army's downtown facility. Now, an average of eight mothers with children need shelter each night.

One of those parents, Rosa Gonzales, 27, brought her six children with her to the facility two months ago. "After I got separated from my husband, I didn't know what to do," she said last week, sitting on the lower half of one of the bunk beds the Salvation Army provides in its women's shelter. "I really didn't know that anything like this was available. With all the children, I was worried."

Those involved with providing shelter for the homeless are worried as well. They say that Dallas' facilities are strained and that few of the shelters are equipped to deal with the rise in two-parent or single-parent families.

Ray Bailey, who oversees the operation of the Dallas Life Foundation shelter, says his facility is proof that Dallas's homeless problem is growing.

Until this month, the Foundation, which is operated under the auspices of Jupiter Road Baptist Church, was on Commerce Street and had space for 200 people. Two weeks ago, it moved to a large renovated warehouse on Cadiz Street, just south of downtown. It now has a capacity for 250, and there are plans to expand.

"When we reach the 1,000-bed level, we think this will be the largest (shelter) in the country," Bailey says. "I think either the general public doesn't know the problem exists, or they do know it and they simply choose to ignore it. It's getting critical."

Recognizing the need to keep families intact, the Foundation has designated several private rooms just for families.

The increase in the number of families may be tied to an unlikely suspect: Dallas' rapid growth.

"We are seeing homeless people coming from neighborhoods," says the Rev. Jerry Hill, director of the Episcopal-Presbyterian Shelter on South Austin Street. "There has just been a reduction in low-cost housing. The low-income housing doesn't exist."

City studies bolster Hill's observation. Gerald Lumsden with the city Health and Human Services Commission has done extensive research on the problems of the homeless. Last year, he determined that there had been a "reduction in low-cost housing options concommitant with the renewal of the Central Business District and 'gentrification' of the inner city."

Meanwhile, Frank at the Salvation Army points to her statistics indicating that four years ago, only 3 percent of the people seeking shelter at her facility were having problems paying for their homes or apartments. In the last three months, 18.5 percent say they are looking for shelter because they fell behind in their payments.

"All of this scares me," Frank says. "I think Dallas has to stop and look at its priorities and values. We have forgotten the family. And for the people who have limited choices, we are narrowing the choices further."

Hill calls the lack of affordable housing for low-income people and the consequent rise in homelessness "a vicious cycle . . . nothing exists to break it."

At the Dallas Life Foundation, Harriet Poole, 33, and son Kevin, 5, were spending their days last week sitting on a couch covered with cracked plastic. The scene around them was a lot like the scenes in other Dallas shelters:

Families huddling together, a television set blaring in the background, children in diapers crawling across the floor, unshaven and disheveled young men sharing cigarettes in a corner.

"There just aren't places most people like us can afford," said Poole, who has worked as an assistant in nursing homes. "Then you have to come to shelters. I don't think many people really want to be here. We just haven't been able to find anything we can afford."

When Frank arrives at her Salvation Army office in the morning, there is usually a line of parents with children waiting outside. And, often, those parents are talking about the problem of housing in Dallas.

"In Dallas' quest to be the new mecca, we have torn down affordable housing," Frank says. "The housing stock for lower-income families is just nil."

She adds that the estimated number of homeless pertains only to people who are winding up in shelters. "In Dallas right now, we've got to stop thinking of shelters as the only places you'll find the homeless. I would say we have tens of thousands who are homeless that are in temporary housing. These are the submerged homeless. A lot of them are sort of doing it 'undercover,' staying with people for a few days because they can't afford to stay anywhere else."

The shelters, then, are the end of the line. That's where Greg Adkins, his wife, Barbara, and their 5-month-old son, Charlie, were last week.

They traveled from El Paso to Dallas two weeks ago in search of jobs. They say they'll stay at the Dallas Life Foundation until they find work.

On the rear loading dock of the shelter, 27-year-old Adkins held Charlie and talked about the frustration of being a family without a home.

"You get caught in a problem," said Adkins, who has held a variety of odd jobs. "You lose your job, you've got a family, you don't know what to do. No one wants to put you up and then you have to go find a shelter. We're just lucky we can stay together as a family. There's no way we can pay for a place in Dallas."

Mr. GONZALEZ. Who are these families? They are not now individuals. They are not shiftless individuals who, for some reason or another, unfortunately find themselves wandering about the land, the traditional people that we in America have tended to look down our noses at and say, "Oh, that is just an alcoholic bum or a hobo, or somebody." These are families.

I might remind my colleagues these are not what we also identify with the poor in our country, ethnic minority families. It is a very pathetic story in a city that boasts great economic progress, part of the fabulous Sun Belt, the great boast of the chamber of commerce of the Dallas Morning News. Nor should we be surprised as a result of having abdicated sovereignty, the power to control the allocation of credit, to those interests who from time immemorial, in all climes, in all written annals and unwritten annals of human development, have had to be controlled. Usurious, extortionate interest, greedy interest, never satiated. The more they have the more they want.

□ 1250

They are not looking at it from the standpoint of the interests of the greatest number. They have only one ledger, and that was recognized by the Founding Fathers at the very beginning of the Continental Congresses, because, after all, governments like individuals and families have to have financing. So when the bankers were appealed to finance the Government, naturally they wanted the power to determine how and to what extent they would be charging interest. Thomas Jefferson rose—and in terms of today the bankers would cringe if they heard it from a top powerful national official—and said what I have just quoted a while ago. He said it has got to be controlled.

So the Congress chartered what was known then as the Bank of North America, but it was controlled. By golly, they were not going to come in and charge over 6 percent interest.

Should we be surprised at another story, this one in the Dallas Times Herald of Monday, March 18? This one is right on the front page, and down below the article is entitled: "Ohio depositors bitter, confused/ Doors of S&L's to remain shut".

Now, every other report had been one about how, oh, this was very benign, nobody was bitter, nobody cared much. What if it was the life savings of—of whom? Very stable Americans doing what they had always been taught to do, be frugal, be thrifty, save their money, be safe.

But should we really have been lulled? I do not think so. I think that primarily the Congress over the course of at least two decades and a half have shamefully abdicated the only possible constitutional power that the people could not abdicate for their own well-being.

Mr. Speaker, the Dallas Times Herald article to which I just referred is included here, as follows:

[From the Dallas Times Herald, Mar. 18, 1985]

OHIO DEPOSITORS BITTER, CONFUSED—DOORS OF S&L'S TO REMAIN SHUT

(By Janet Novack)

CINCINNATI.—Two years ago, when her husband died, Helen Arnold took the $150,000 from his life insurance and put it where she thought it would be safe.

She deposited it in Cincinnati-based Home State Savings Bank. Other institutions said her money would be federally guaranteed only up to $100,000, but the teller at Home State said Arnold's $150,000 would be "100 percent" insured by the Ohio Deposit Guarantee Fund, or ODGF. That, she thought, was a persuasive selling point.

Now Arnold, 62, is one of tens of thousands of Ohioans feeling confused, betrayed and unable to touch their money because of a crisis facing privately insured savings and loan institutions in Ohio.

In the past two weeks, they have had a brutal crash course in the perils of private guarantee funds, bank runs, "bank holidays", and the esoteric and largely unregulated government securities trading market.

Celeste was to sign an executive order today to keep the institutions closed for another 48 hours, said the governor's chief of staff, Raymond Sawyer.

Meanwhile, thousands of people and businesses were separated from their savings and cash by the three-day "bank holiday" Celeste declared Friday.

The plan to be presented to the Legislature called for all the closed institutions, now insured privately, to apply for Federal Savings and Loan Insurance Corp. coverage before being allowed to reopen.

In adddition, the legislation would require the thrifts to demonstrate to the state Commerce Department's Division of Savings and Loan Associations that they meet the basic criteria and regulations of the FSLIC, providing their deposits are secure and protected.

The governor said that under the proposed legislation, once any institution received FSLIC approval or demonstated to state officials that it had sufficient outside financial backing, it would be allowed to reopen.

Celeste said the goal of the plan is to "fully protect" depositors. But he didn't explicitly guarantee there would be no losses.

Last week, the Ohio Legislature hurriedly created a new $90 million insurance fund that excluded Home State and included the other 71 institutions. And many S&L leaders resisted the idea of losing their independence to a federal insurance regulator.

By Sunday night, it appeared the $90 million would be only an interim backstop for thrifts that appeared qualified for coverage by FSLIC, but hadn't received it.

Some depositors, such as 67-year-old Sylvia Cirinelli, have already lost money be-

cause fear has driven them to cash in certificates of deposit carrying substantial penalties for early withdrawal. Cirinelli and her brother had all their savings in CDs with Home State and have forfeited $10,000 in interest, she said.

Others, such as Arnold, who counts on interest income to supplement her $500 monthly in Social Security, still don't know what losses, if any, they'll sustain.

Home State, with $1.4 billion in assets, has been closed and seeking a buyer since March 9—the victim of as much as $150 million in losses from its dealings with a collapsed Florida government securities trader and of its customers' subsequent loss of faith.

And since Friday, the 71 savings institutions that are members with Home State of the ODGF, which had only about $130 million in assets before Home State's problems surfaced, have been shut by Celeste.

Celeste declared the "bank holiday"—the largest such closing since the Great Depression—to give state and federal officials and the S&Ls time to come up with a way to head off fatal depositor runs on those institutions. Negotiations were held around-the-clock at the Cleveland Federal Reserve and in Columbus.

In a vivid demonstration of the extent to which the financial system depends on confidence, the woes of just one thrift had undermined a state fund.

Celeste described Home State as a "very different case" and said the state hopes to receive proposals from two active bidders (one of which is reportedly Citibank) in the near future. Again, though, he made no guarantees.

Though some S&L executives have grumbled, and no doubt will continue to do so, that Celeste overreacted, the panic was striking.

On Thursday, before the thrifts closed, depositors, primarily in the Cincinnati area, braved long lines to withdraw more than $60 million from area thrifts. Other uneasy savers slept that night in lawn chairs outside the S&Ls, only to discover Friday morning that their accounts were temporarily frozen.

George McGuire, president of the Savings and Loan League of Southwestern Ohio and of Anchor Savings Association, said he initially disagreed with the mass closing. But he changed his tune when he began receiving reports from his members that fights had broken out in depositors' lines.

Not surprisingly, those Home State depositors who didn't act are regretting it now.

"We have close to $5,000 in our checking account and I just bounced a $12.42 check to the hardware store for the paint for the kitchen," said an exasperated Paulette Lotspeich. Saturday morning, Lotspeich said, she "exploded" at her children when she ran out of gas in the car, because she has been so carefully husbanding her cash.

Lotspeich got so fed up last week that she picketed a Home State branch.

The Ohio fund, it seems, was done in by people like Mary Seta, a 53-year-old executive secretary who didn't withdraw the half of her life's savings that were in Home State because "I didn't like the rush . . . it could destroy the banking industry."

After Home State closed, however, she withdrew the rest of her funds from another ODGF insured thrift. As soon as the other savings and loans reopen, she said, "I'm hitting them, honey."

Ohio Director of Commerce Kenneth Cox said Saturday that despite the lack of guarantees, the Home State depositors are likely to get all their money back. "We choose to be optimistic," he said.

But James O'Reilly, a law professor, Home State depositor and the Democratic leader of the ward in which Home State has its headquarters, said Sunday that he has spoken with two sources who have had a chance to look at Home State's books, and that if the thrift is liquidated, instead of taken over by some big bank, depositors likely will get only 70 cents on the dollar.

Nor are the Home State depositors the only ones who are still in limbo.

A special toll-free state hot line was receiving 600 calls an hour Sunday from depositors.

While the federal insurance funds created in the 1930s have been hard-pressed recently by the highest bank failure rate since the Great Depression, they remain securely backed by the U.S. Treasury.

On the other hand, Ohio is the second state in less than two years to experience a crisis in a locally run fund. Commonwealth Savings Co. of Lincoln, Neb., an industrial bank insured by a state-formed guaranty fund, closed in November 1983 and depositors are still fighting to get back any of the $69.5 million they had entrusted to it.

Nebraska's insurance fund, it turned out, had less than $2 million in reserves. Most of the 32 other industrial banks that belonged to the bankrupt fund have since merged, failed or been converted to commercial banks insured by the Federal Deposit Insurance Corp.

Four other states—Pennsylvania, Maryland, Massachusetts and North Carolina—also have private funds for their thrifts. Seven states have special funds for industrial banks.

So far, depositors in other states haven't shown signs of being panicked by the Ohio crisis. But Ohio depositors say they never paid much attention to the Nebraska debacle.

Paul Wolgin, executive vice president of the Savings & Loan League of Southwestern Ohio, which has 110 members including 82 that are federally insured, noted that for years officials of the local federally backed S&Ls have been saying that the ODGF, which is a private corporation, was vulnerable in a bank run.

But, he said, the bankers had achieved enough of a competitive truce that the federally insured S&Ls never shared their private doubts with customers. "The public was not aware," he said.

Even O'Reilly was under the misconception that the private OGDF was state backed.

Though the saga of Home State's downfall is still unfolding, and the FBI, bank regulators and the Securities and Exchange Commission have investigations under way, disillusioned depositors think they know the bottom line.

"I just think somebody was crooked," said Ponese Apple, 57, who with her husband waited in line 11 hours to withdraw $30,000 from Home State the day before it closed.

Mr. Speaker, last night I had the privilege of addressing a very highly privileged group. I am chairman of the Subcommittee on Housing and Community Development, which is the largest subcommittee in the entire Congress and which is the target of the thrust of the Reagan administration's opposition to every single assisted housing program and policy that has been enacted by the Congress, some of them over a period of 44 years, such as the insured FHA mortgage program. So naturally there is quite a bit of interest in belonging to that subcommittee. But last night I was asked to join what is known as the Roundtable on Housing. It is a business roundtable. These representatives are from some of the major financial corporate upper tiers in our society, and I was very privileged to be able to discuss over the table some of these matters with this very privileged group. My appeal was made very much like Jowel Barlow's, as I am appealing today to my colleagues.

Mr. Speaker, I would like to have the record show at this point my remarks as directed to the Roundtable on Housing last night at the Madison Hotel here in Washington, DC. The remarks are as follows:

I would like to address a few broad issues, because I think that all of us are inclined to concentrate too much on the beauty and complexity of our own little trees, and not enough on the grandeur of the forest, and the fires that threaten it.

You the privileged spend most, perhaps all of your time, on the problems of unsubsidized housing. I spend most of my time on the problems of subsidized housing. You direct most of your efforts toward the business of providing the catalyst, the enterprise and the energy that is required to develop and redevelop dynamic areas. I direct most of my efforts toward the business of trying to revive failed communities or blighted neighborhoods—the business of salvaging what has been left behind in the churning engine of our national economy. But I suggest that we have a community of interest; we have mutual concerns.

The greatest single issue affecting housing is, of course, finance. It does not matter whether you are dealing with subsidized or unsubsidized housing; the stability of financial markets, the cost of funds, is absolutely critical. The more volatile the financial markets are, the higher the cost of long term funds, the less feasible it becomes to produce any form of housing. High money costs vastly reduce the number of subsidized units that can be obtained under any one of the galaxy of assisted housing programs that I deal with. By the same token, these factors also reduce the number of people who can afford to pay the financing costs of unsubsidized housing. Regardless of what market we are talking about—subsidized or not—all of us have an identical interest in the health and stability of the financial markets that fuel housing construction. All of us share the same concern about the uncertain impact of the continuing—now in its fourth year—political impasse on what to do about vast Federal deficits. All of us share a concern about the fragility of a financial market that remains in transition because of bank deregulation and the growing competition for funds—a competition that makes deposit funds more volatile, and long-term rates of interest more uncertain—than at any time in the past fifty years. All of us share a concern about tax policy, because of its impact in the flow of funds into or away from housing. All of us share a concern about housing regulation of one kind or another, because of its inhibiting or positive

impact on housing production, as the case may be.

There are certain realities that I believe we must all recognize.

First, no matter how vigorous the economy or how favorable the financial climate is or may become, there are certain segments of our society who cannot and will not be able to afford decent housing without some kind of governmental assistance. The question we face is whether government will provide that assistance. My personal belief is that there is no choice but to do so; nothing else would be responsible or humane or decent. The Administration seems to be of the opinion that this country does not need more assisted housing, and while there was at one time some argument from HUD that a voucher system would meet all needs, the concrete reality is that the Administration wants to freeze assisted housing where it is and not add to any program, even the voucher program, and to unload as much of the cost of providing housing as it possibly can.

As a practical matter, the do-nothing housing policy of the Administration leaves unanswered the question of what this country will do about the homeless, about the poor, about the near-poor, or even what we will do about the housing needs of the policemen, teachers, and laborers and millions of other ordinary Americans who must have affordable housing. Not one of these segments of our society can do without housing, and there are many communities where not one of these segments can get housing without governmental assistance.

I am concerned that the Administration wants to use the market notion of economic neutrality as a justification to undercut this nation's longstanding, dynamic housing policy. It is not just assisted housing that is threatened—it is all housing.

Certainly the tax code needs to be overhauled; the revenue base needs to be broadened; the system needs to be more equitable. But there are reasons why biases have been built into the tax code. The ability to write off mortgage interest payments is exactly such a bias—and it is necessary because that is the only way that financing a home is feasible for the vast majority of our citizens. The issue is not whether the code should be absolutely neutral as to investment decisions, but what segments of our society merit or require favored treatment. Housing is such a sector. I do not think for a moment that anyone in this room would argue for a purely neutral tax code, knowing that the consequence for housing would be catastrophic.

But the Administration also argues that in the name of the pure market the govenment should not provide straightforward subsidies to housing—public housing, Section 8, or anything else. It frankly dismays me that so many in the housing industry see clearly and argue forcefully for policies that favor housing in the unsubsidized market, but ignore the equally clear and convincing case for outright subsidies.

The housing subsidy program that I am offering in H.R. 1 calls for a $23 billion program—30 per cent less than what existed in 1981, but only half the value of the subsidy that privately financed housing receives through mortgage interest writeoffs. The authorization levels of H.R. 1 are double present levels—but again, less than half the value of subsidy provided through the mortgage interest writeoff alone. In my view, interventions are needed at both ends of the market, and for the same reason: housing is essential to every human being, and affordable housing must be produced for every income range.

In terms of social and economic policy the case for assisted housing is the same as the case for the mortgage interest writeoff: this is what is necessary to produce affordable housing of the types and in the quantity that the people of this country need. The chief difference is political: the poor and the nearpoor, not to mention the homeless, don't have lobbies and other political leverage to press their case. But I say that there is a community of interests; the same argument that is used to deny housing help to the lower end of the market is used to justify actions that disrupt and destroy the upper end of the market. I have to be concerned about the whole spectrum; that is my job—but I suggest that you have just as much interest and just as much concern about the whole spectrum of housing as I do, because housing policy for the poor cannot be separated from housing policy for the more fortunate among us; and because the economic and social policy concerns, and the economic and social cases are the same.

Certainly I am concerned about the Administration's efforts to place fees on Fannie Mae and Ginnie Mae services, and about their proposal to place a fee against VA mortgage guaranties. These things concern you, and they properly should; you oppose them, and you properly should. But I am also concerned about proposals to dump public housing stock, to destroy housing rehabilitation programs, and to gut assisted housing production programs. Why should these attacks on assisted housing concern you? Because the arguments advanced in each case are the same, and the consequences of implementing those anti-housing proposals is the same. Further, and to be blunt, it is harder for me to argue your case if you do not also argue mine, given the fact that the basic policy issues are the same in each case.

Obviously there is some spending reduction if housing outlays are cut—but just as obviously there is a spending reduction if Fannie Mae and VA fees come into being, or if there are restructions and limitations placed on mortgage interest writeoffs. In light of that, everyone in the housing industry has an equal burden to share—not just for his or her particular segment, but for the whole housing community. The policy considerations are the same, and so are the economic and social consequences.

About 18 per cent of this nation's population is poor. At least 20 per cent of our people, and probably far more, live either in substandard housing or are paying a disproportionate share of income for housing, or both. Both in percentages and in absolute terms, the people in this country who need help to obtain decent housing is growing. That is what is happening at one end of the scale.

In the middle of the scale, only about 5 per cent of our population can today afford the price of a new home. This is reflected in a number of ways: rental housing is tight and expensive, and growing more so with each passing day; the market for resale housing is soft, meaning that the value of existing housing is not increasing as you would expect in a time of high demand and outright need; new construction is merely good, not great; and perhaps most telling of all. The rate of homeownership is declining slightly.

And of course, at the very upper end of the scale, price and cost are really no object, though tax benefits most certainly are. But the top five per cent of the population cannot sustain the kind of housing market that the country needs, and it is not only the well-of who need housing.

National housing policy has been aimed at several things:

The reduction of crowded, inadequate and substandard housing. No one can deny that in fifty years we have achieved miracles in this regard. Making the benefit of homeownership available to the vast majority of our citizens. And thanks mainly to the long term, low-interest, fixed rate mortgage, and especially to the long upward climb of the economy in the two or three decades up to 1974 or so, the nation moved from about a 40 per cent ownership rate to almost 70 per cent.

Restoring dilapidated and aging neighborhoods, bringing the benefits of growth and progress to blighted areas. And, to the extent that we have been able to develop the tools, that has been done very well, too—witness among many others the regeneration of downtown Baltimore, my own downtown San Antonio, and the progress of downtown Washington, which not long ago was consigned to oblivion.

The question we face this year is whether this country can afford to abandon its decades-long, highly successful housing and community development policy. It is a policy that has served well. Has it outlived its usefulness? Has the need fallen away? I think not. Neither the middle nor the lower end of the market can be served without a clear national commitment. And that brings me to my last point, and my message: we are all in this together. This country will not have a housing policy that serves only some and not all; at least not for very long. Communities cannot live half alive and half dead. Society cannot be vital and dynamic if it is half ill-housed and hopeless, if the poor are paying the way of the rich.

We have a common concern. We have no choice but to work together—to hang together on a comprehensive national housing policy or find ourselves hanged separately, one housing program at a time.

Obviously, as the Irish say, it is very easy for a man to sleep on another man's wounds. Of course it is. But then we have a dilemma of whether or not we are going to rise to even the simple constitutional responsibility of restraining a runaway, all-powerful agency—the Federal Reserve Board, for instance. Now, ask any Member, ask any average businessman in America, and they will all tell you that the Federal Reserve Board is a Federal entity. It most certainly is not. The only thing it is, it is designated as a Federal board. Yes, it is a creature of the Congress. But I have not heard one speech made in debate on or off the committee level or on or off the floor level or on the Senate side in which the Federal Reserve has not been referred to as an independent body. And in effect it is answerable to nobody. Yet it is amenable and at this point completely taken over by seven of the largest banking institutions in this country which have committed the same folly that was committed by similar institutions after World War I and which ended, of course, in the

total collapse of the then international financial world.

Now, we pointed out several years ago the overhand of loans from these tremendous interests who in turn, through the Open Market Committee, control what the fiscal policy and what the monetary policy will be of any administration. It can make or break any administration any day. This is the Open Market Committee of the Federal Reserve Board.

Now, who is the Open Market Committee? The Open Market Committee is seven Members of the Federal Reserve Board appointed by the President and five—five of whom? Bankers. They will in secret determine what, for instance, will be the going rate on what they call T-bills and other governmental notes and issues, and, therefore, they exercise a tremendous power.

I have been a member of the Banking Committee since I came to the Congress some 24 years ago. I have had a total of about five Chairmen of the Federal Reserve Board appear before that committee. At no time has any been willing to offer any kind of accountability in direct question and answer.

Now, I have pointed out where there have been abuses of power, because when any human group or individual has this tremendous grant of power with no accountability—I do not care whether it is the Federal Reserve Board or the—why the Congress has permitted such agencies as the CIA and the NSA, the National Security Agency, to operate—we should not be surprised if we find that these agencies, out of control, even from their own chief executive, will take on their own policy actions that determine the matter of peace or war for the country. We should not be surprised even at bankers. My goodness, given an open field, it is like saying you are going to turn over that—well, of course, nowadays very few children in the urban areas know what a chicken coop looks like; maybe some have not even seen a chicken yard—but we used to say it is like turning the fox over in charge of the chicken coop.

Well, is this not exactly what has happened?

I have to no avail pointed out abuses, through which self-aggrandizing, self-interest, and conflicts of interest there have been leaks ahead of time of the deliberations and decisions of the Open Market Committee which had inured to the immense benefit of some of the chosen banks in New York. I have alluded to the secret meetings which the chairman of the Federal Reserve Board now has had with select "big cheese" bankers and speculators like Nelson Bunker Hunt, the billionaire of Texas, in which billions and billions and billions of banking resources are tied up—banking resources, because every bank is chartered for public need and convenience. And everybody has forgotten, and that is including the Congress.

So what I am saying is, with these pathetic headlines and stories in which more and more of our businessmen are out of business, there is no way that any society in the history of mankind can endure with 15 and 16 and 17 percent rates of interest for just small business loans for inventory purposes. I have pointed out to these privileged classes in America that are very much in the same position as the privileged classes of Europe at the time of the outbreak of the French Revolution that they could not see beyond their noses.

□ 1300

I pointed out to the home builders, "You might build a home today, but who are you going to sell it to that can afford to buy it?"

The lumber industry in the Northeast sells its products mostly to Japan. The Japanese are in a position right now while they bring that ship to bring on board the lumber, they can process it and they can build a home and put it on American soil on a lot for less than $9,000 at less than 9 percent interest. Why? Because it is illegal to charge any more than 9 percent in Japan and because the average rate of interest in Japan is even less than 7 percent.

Nobody talks about that in our country. Nobody debates that in or out of the Congress.

So, Mr. Speaker, I will at this point yield back the balance of my time and conclude by pointing out that when a nation allows wealth to accumulate and men to dictate, it will be prone to many, many evils and many, many illnesses at a critical time in which our world commitments, thrust upon us through destiny and history, exact more from us by way of responsibility.

A REMARKABLE PROTECTIONIST BILL

The SPEAKER pro tempore (Mr. GONZALEZ). Under a previous order of the House, the gentleman from Oregon [Mr. WEAVER] is recognized for 60 minutes.

Mr. WEAVER. Mr. Speaker, I take time under a special order tonight after the House has concluded its business in order to describe a remarkable event that happened yesterday. This remarkable event was the passage by the full Committee on Interior and Insular Affairs of which I am a member of H.R. 1088, a bill to restrict the importation of lumber from Canada.

This is perhaps the most protectionist piece of legislation ever to pass a committee of the Congress in the last 50 years. The remarkable thing is that this legislation severly restricting the importation of lumber from Canada, a protectionist piece of legislation, passed the Interior Committee unanimously. I am the chief sponsor of the bill and my other primary sponsor is Congressman LARRY CRAIG of Idaho. We have close to 50 cosponsors of this bill from all parts of the country.

I have been asked since I first introduced this bill whether it was protectionist, whether I am a protectionist. I answer this question by saying yes, I am a protectionist, if it means protecting the timber industry, which is the primary industry of my congressional distirct. Yes, the bill is protectionist because the timber industry must have protection from the dumping of lumber by the country of Canada into our markets.

The U.S. dollar against the Canadian dollar now stands 30 percent higher, meaning that Canada can sell lumber in our markets for 30 percent less and get the same number of Canadian dollars that they were getting just 5 or more years ago. This is unfair competition and it is further made unfair by the way that the provinces of Canada sell their timber on the stump to the timber industry in Canada. In effect, they virtually give away this timber and our country sells its timber from our national forests at an auction at considerably higher prices then the timber industry in Canada pays for their Government timber. Most of the timber in Canada is owned by the Provincial governments. With this extremely unfair advantages, Canada is cutting down its forests at a rapid rate, hacking down its forests at a rate that will mean they will not have as much timber in the decades to come, which will cause a timber shortage at the very time the world is running out of timber in the 1990's and thereafter.

So I say to my friends in Canada, it is better for you to not cut down your forests at such a rapid rate. I know you are desperately in need of dollars. Your economy is in bad shape, but I can tell you, the economy of the areas relying on the timber industry in this country are in bad shape and we can help ourselves by limiting the amount of lumber coming in from Canada, so you are not butchering your woods and we will both get better prices for it so we can make a living and our workers can be employed.

In 1966, Canada supplied around 14 percent of the lumber sold, the softwood lumber sold in the United States. It stayed at 15 percent, 16 percent, for the next 3 or 4 years.

In the 1970's, Canada's sales of lumber into the United States edged up a bit to the low 20 percentile. That was fine. We appreciated it. In years of heavy housing starts in this country we needed Canada's lumber and we need it today.

We just simply do not need it in such amounts that it drives the price down for our producers to the point that they must close their mills and lay off their workers. In my congressional district, literally dozens of mills are closed and a deep depression sits within the timber industry there, affecting all of us. In the later 1970's, Canada began increasing its sale of lumber in the United States and it jumped up to the high 20 percentile of the market share of the market in this country.

In the 1980's, Canada's share was double that of the middle 1960's. It got to 30 percent and higher.

My bill, H.R. 1088, that passed the full Committee on Interior and Insular Affairs yesterday by a unanimous vote, a most remarkable thing, because it is a very strong protectionist piece of legislation, would limit Canadian lumber imports to their historical market share, using the average of the last 15 years, and that would bring us back to the low 20 percentile, a figure that Canada has maintained up until the last 7 or 8 years. So I do not think that is unfair legislation. I think it is sensible legislation for both Canada and the United States.

I would hope that the Canadians and our own Government would see that the passage of this bill, the bill that I cosponsored, by the full Interior Committee by a unanimous vote, is a message being sent by Congress today that we can no longer tolerate in the United States of America the excessive dumping of products and driving our own industry out of business.

□ 1310

I support those in the textile industry who are seeing their industry collapse completely. I support those in the steel industry and other industries badly hurt by excessive imports.

I want to commend at this time my colleague from the State of Washington who has also drawn up a bill. I like this two-pronged approach. My bill is out and out saying let us make sense, let us keep Canada's lumber imports at their historical market share. That makes sense.

My colleague takes a different approach and a complementary approach. The gentleman from the State of Washington [Mr. BONKER] has come up with a bill that goes through more traditional procedures, through the International Trade Commission, through determining as to whether Canada is subsidizing our Government. And I want to say that I am proud to be a cosponsor of the bill offered by the gentleman from Washington [Mr. BONKER] and I commend him for it.

Both of our goals, that of the gentleman from Washington [Mr. BONKER] and myself, is to achieve some limit on the importation of artificially cheap lumber from Canada. And however way we get it, whether through voluntary agreements of our two governments, through the passage of my bill, through the passage of the bill offered by the gentleman from Washington [Mr. BONKER] any of those would be a welcome relief for me.

Mr. BONKER. I thank the gentleman for yielding and for his reference to legislation I intend to introduce today which carries as cosponsor other members of the Northwest delegation.

The gentleman and I both represent areas that are timber-based economies. Our communities rely on the housing industry and the wood products industry to put forth the tax base and the jobs that are so essential for our economic livelihood. We feel our industry can compete if they are allowed to compete fairly.

The gentleman and I were first elected to Congress by opposing the export of logs to Japan because with those logs came the denial of all of the economic benefits that come with processing—the jobs, the investment in plant facilities, the tax base. And we have seen what that has done to the welfare of the industry in the Northwest.

Now we are faced with another problem and that is import of finished products from Canada. And I think what disturb the gentleman from Oregon and myself is that we are experiencing the decline of this industry because of unfair trade practices. Be it Japan, where there are no tariffs on the raw resource but very high tariffs on the finished products, or be it Canada, where finished products are heavily subsidized by the provinces, we are the victim of two-way unfair trade practices.

Our logs go to Japan and we buy the finished products from Canada, and we are denied all of the economic benefits that come with manufacturing.

We both attempt to redress this problem through legislation. The gentleman from Oregon [Mr. WEAVER] has introduced legislation to impose quotas, which I think will most certainly get the Canadians' attention. My more modest proposal attempts to accelerate negotiations between the two nations, and to provide a definitional standard for subsidies on stumpage. Unless Canada is willing to resolve this problem through bilateral negotiations, the next time the industry brings an antisubsidy countervailing duty case, the ITC and the ITA will have a more explicit basis upon which to provide a ruling on stumpage.

We are both concerned with the fact that this country has a staggering trade deficit, posted at $123 billion last year, and that says a lot about what is going on in our economy. This is a fiercely competitive world economy. Our industry can compete, but only if trade is a two-way street, if it is fair, if the playing field is level. We cannot compete, given the high wage base we have in the Northwest, with subsidies and with tariffs from all of our trade competitors. So all we ask for is fairness. If it is fair, we can compete. If it is free competition, then we are going to see our industry survive in the Northwest.

So I want to commend the gentleman for the work he has done by sponsorship of his own legislation, the committee hearings that he has conducted, and now the successful action by his subcommittee and full committee on legislation that is now coming to the House floor.

So we have taken separate approaches; we have mutual concerns. And I am hopeful that this Congress will stand up for fairness, will see the wisdom of our arguments, that the Canadians will understand that Americans want free and fair trade, not unfair trade. And if we all embark upon that course of action I think that both countries will benefit mutually.

I thank the gentleman for yielding and for his commitment to this issue.

Mr. WEAVER. I want to thank my friend from Washington [Mr. BONKER] for his great contribution and his leadership in this field. I say that whichever approach we eventually adopt, or whether both bills have the effect of impelling a voluntary agreement betweeen our two governments, I want to work shoulder to shoulder with him and I believe we are taking complementary positions.

Mr. BONKER. I would like to ask the gentleman, if I may, about the unemployment in the district that he represents, and whether it is fairly consistent with the national average.

Mr. WEAVER. The unemployment in the Fourth Congressional District of Oregon is far above the national average. It is in the teens. But there have been, we estimate, 40,000 people leave the Fourth Congressional District of Oregon and therefore the unemployment would be astronomically high.

There are, I am told, 1,700 homes for sale in the small city of Coos Bay, OR, a city with a population of about 12,000 or 15,000 people. A figure of 1,700 homes, if that figure is correct, is a staggering one.

Mr. BONKER. I have heard it stated I think in one of the industry reports that Canadian lumber imports now account for 22,000 of the 30,000 jobs lost in the timber and forest products industry in the past 5 years. Is that a figure the gentleman is familiar with?

Mr. WEAVER. Exactly. I say to my friend that that is a figure that I have heard, and I want to say it is not just the Northwest. It is not just Washington and Oregon that are affected by this. The State of Georgia, 61 percent

of the lumber used in the State of Georgia, which is a lumber producing State, is Canadian lumber. In the State of Maine with its vast forests, 89 percent of the lumber used in the State of Maine is Canadian lumber. And the Canadians come down and buy the logs in the Maine forests, take them back over the line and manufacture them into lumber, and then sell them back to the United States. But the Maine lumber people cannot go buy logs from Canada because Canada prohibits the selling of logs.

I would be delighted, if the gentleman from Washington wants more time. I am going to conclude now by saying that a remarkable thing occurred yesterday. My bill to limit Canadian lumber imports to the historical market share passed the Interior and Insular Affairs Committee by a unanimous vote. I have cosponsors on this bill from all over the country, from the South, the Northeast, the Middle West. Four members of the Ways and Means Committee are sponsors of my bill. And I say to those who ask me is it protectionist, am I a protectionist, I can only say that I will not stand by and watch my timber industry die. I will fight in any way and by any means I can to keep my people working. And if protecting the industry in that way is protectionism, then so be it.

□ 1320

Now, I would be delighted to yield to my distinguished colleague from the State of Washington whose contribution has been great, who has a bill of a completely different nature although complementary, and we both I am sure are trying to achieve the same goals.

I yield to the gentleman from Washington.

Mr. BONKER. I thank the gentleman for yielding to me.

Mr. Speaker, today I am introducing a bill designed to speed up United States-Canadian talks on the growing problem of Canadian wood product imports.

These Canadian imports, which are heavily subsidized by the Canadian Government, are flooding U.S. markets and causing high unemployment in the U.S. timber industry.

This bill is not intended to dictate to the Canadians or impose unilateral sanctions. I continue to believe that a bilateral agreement is the best course of action.

But the Canadians have to know that Congress is serious about this problem. If a negotiated settlement is not forthcoming, Congress will step in and resolve the problem legislatively.

My bill is cosponsored by more than 20 Members of the House of Representatives, including Democrats and Republicans from every major timber-producing region of the country. Nearly every member of the Pacific Northwest delegation is a cosponsor.

According to industry statistics, Canadian lumber imports account for 22,000 of the 30,000 forest products industry jobs lost in the past 5 years.

Since 1975, the level of lumber and other wood products coming into the United States from Canada has increased from 18.7 percent to 31 percent. The major problem is the artificially low price Canadian manufacturers pay for standing timber from Government lands.

In 1983, lumber mills in the Northwest United States paid over $95 per thousand board feet for timber purchased from U.S. Government lands. By contrast, British Columbian mills paid less than $10 per thousand board feet.

A coalition of U.S. wood products firms petitioned the U.S. Government for relief in 1982. The petition sought countervailing duties equal to the Canadian subsidy to enable U.S. firms to compete on an equal footing. The petition was denied in May 1983, when the Department of Commerce claimed that any subsidy which existed was insignificant.

I can assure you that the thousands of men and women who have lost their jobs due to unfair Canadian imports don't consider the enormous stumpage subsidy insignificant. The problem lies in the vague definition of "subsidy" in U.S. trade law, and my bill would address that question.

The two governments began discussions February 26 on the state of the industries in the two nations and the factors affecting wood products trade between the two nations.

I fully support these discussions, but I haven't talked to anyone in the industry who thinks these talks will bring results any time soon. Quite frankly, the Canadians are in the driver's seat. They don't have any reason to negotiate.

My bill will up the ante for the Canadians. If they don't negotiate within a set period, they will face certain penalties.

Briefly, the bill would set a 1-year period for negotiations. The goals of the talks are a voluntary restraint agreement limiting Canadian imports, termination of Canadian stumpage subsidies, and elimination of tariff and nontariff barriers to wood trade on both sides.

If a successful agreement is not approved by Congress within 1 year, my bill would impose two penalties. First, the President would be required to increase tariffs on Canadian wood, lumber, plywood, and veneer imports. Second, the definition of "subsidy" in U.S. trade law would be changed to include Government stumpage practices like Canada's. This definition change will enable U.S. industry to file a new antisubsidy petition with a far better chance of success.

I might add that the 10-percent ad valorem duty will be in effect only insofar as the ITA has not ruled. Once it does rule, whatever amount it determines as a countervailing duty that comes as a result of subsidy, that duty would replace the 10-percent ad valorem duty that is legislated.

If the ITA for some reason does not find subsidy, then the 10 percent is removed altogether. All we want to do is make sure that in future deliberations on this issue that there is a definitional standard. But I would hope that our industry would be allowed to compete fairly—not only with Canadians, but as Mr. WEAVER would agree, with the Japanese as well.

If the Japanese do not yield soon on these absurd tariffs that exist on all forms of timber products that go to Japan, then I think we are going to have to look for a legislative solution there as well. Otherwise, we can say goodbye to our industry which has been so vital to the entire Northwest.

In closing, Mr. Speaker, let me again stress that this is not protectionist legislation. The bill relies on bilateral negotiations, and will in fact accelerate the current talks. As chairman of the House Subcommittee on International Economic Policy and Trade, I am strongly committed to developing free and open international trade practices whenever possible. What the Canadians are doing in the area of wood products is not free trade, however, and my bill will address this serious problem.

Specifically, it intensifies the negotiation efforts between the two governments. Both Canada and the United States began discussions in Ottawa on February 26. But my fear is if we do not specify a timeframe, if we do not put a finishing line on these negotiations, it will be somewhat akin to our prolonged negotiations with the Japanese on lowering their tariffs on our finished wood products.

The legislation is as follows:

SUMMARY OF H.R. 1648—WOOD PRODUCTS TRADE ACT OF 1985

OVERVIEW

H.R. 1648 authorizes the President to negotiate with Canada (or any other nation) a trade agreement to limit exports of wood products to the United States, eliminate stumpage subsidies, and remove any tariff or non-tariff barriers to trade in wood products between the two nations.

If, after February 26, 1986, such negotiations have not occurred, or such an agreement has not been approved by Congress, U.S. tariffs on wood products from Canada would be increased and the U.S. definition of trade "subsidy" would be revised to include timber stumpage compensation levels below such rates in the U.S., permitting a subsidy case to be filed that would result in countervailing duties.

The President is authorized to make such other revisions of the tariff schedule for

wood products as may be necessary to implement a proposed bilateral wood products agreement.

Representatives of the U.S. wood products industry are authorized to advise and assist U.S. negotiators, and any agreement is subject to Congressional approval under the procedures of Section 102 of the Trade Act of 1974.

Certain wood products currently classified as "building boards" for tariff purposes are reclassified as "plywood."

SECTION-BY-SECTION SUMMARY

Section 1. Short title: "Wood Products Trade Act of 1985."

Section 2. Authorizes the President to enter into trade agreements limiting exports of wood products, terminating domestic subsidies including stumpage, and harmonizing, reducing or eliminating tariff and non-tariff barriers. Specifies that in pursuing such agreements, the President also shall take into account problems resulting from product standards or restrictions on the exports of raw logs.

Makes such negotiations and resulting trade agreements subject to the procedures of Section 102 of Chapter 5 of the Trade Act of 1974. This requires Congressional approval (by legislation) of any such agreement, and assures full consultation with Congress and the private sector during negotiations and prior to submission of an agreement to Congress for approval.

After up to 90 days of consultations with a foreign country, "unbinds" U.S. tariffs on wood products with respect to that country. Unbinding U.S. tariffs serves notice that these tariffs may rise, but no increase would take place until negotiations had failed to produce results. If a negotiated agreement has not been approved by Congress by February 26, 1986, requires the President to raise such tariffs by 10 percent ad valorem above the current tariff rate for that product, if any.

Defines "wood products" as items contained in parts 1 and 3 of Schedule 2 of the Tariff Schedules of the United States. (wood, lumber, plywood and veneer).

Section 3. Requires consultation with the appropriate Congressional committees.

Section 4. Changes the definition of "subsidy" to include prices paid for rights to cut or remove standing timber from government lands that are less than such prices in the United States, unless a negotiated agreement has been reached and approved by Congress under Section 102.

Section 5. Reclassifies as "plywood" certain wood products currently classified under the U.S. Tariff Schedule as "building boards." This reclassification is applicable only to articles entering the United States, or withdrawn from warehouse for consumption in the United States, after the date of enactment of this Act.

Section 6. Authorizes the President to make other modifications of the Tariff Schedules pursuant to an agreement reached and approved by Congress under Section 102.

H.R. 1648

A bill to amend the Trade Act of 1974 to promote expansion of international trade in wood products, and for other purposes

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Wood Products Trade Act of 1985".

SEC. 2. AMENDMENTS TO THE TRADE ACT OF 1974.

(a) IN GENERAL.—Title I of the Trade Act of 1974 is amended by adding at the end the following new chapter:

"CHAPTER 8—WOOD PRODUCTS TRADE AGREEMENTS AUTHORITIES

"SEC. 181. WOOD PRODUCTS TRADE NEGOTIATING AUTHORITY.

"(a) GENERAL NEGOTIATING AUTHORITY.—The President, may enter into a trade agreement, with any foreign country or instrumentality, which provides for voluntary restraints on exports of wood products. Such agreement should also provide for—

"(1) the termination of any subsidy, as defined in section 771(5) of the Tariff Act of 1930; and

"(2) the harmonization, reduction, or elimination of tariff and nontariff barriers to (or other distortions of) international trade in wood products.

"(b) FACTORS TO BE TAKEN INTO ACCOUNT.—In [pursuing] trade agreements under subsection (a), the President shall take into account the following factors:

"(1) Trade distortions resulting from product standards.

"(2) Trade distortions resulting from restrictions on the trade of unprocessed logs.

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

"SEC. 182. SUSPENSION OF TARIFF BINDINGS.

"(a) UNBINDING OF DUTIES ON WOOD PRODUCTS.—The President shall, after not more than 90 days of consultations with a foreign country or instrumentality under section 181—

"(1) terminate, withdraw, or suspend all or part of any trade agreement with that country or instrumentality which was entered into under this Act (other than section 181), section 201 of the Trade Expansion Act of 1962, or section 350 of the Tariff Act of 1930 with respect to any United States duty or other import restriction on wood products (as defined in section 183), and

"(2) terminate, withdraw, or suspend the obligations of the United States with respect to such duty or other import restriction.

"(b) 1-YEAR SUSPENSION OF UNBINDING.—(1) Notwithstanding the provisions of subsection (a) or section 125(e), any duty (or other import restriction) with respect to which action is taken under subsection (a) shall remain in effect, including previously staged reductions (as though such action had not been taken) during the 1-year period beginning on February 26, 1985. Except as provided under paragraph (2), after such date, any duty on a wood product with respect to which action is taken under subsection (a) shall be increased to 10 percent ad valorem plus the rate, if any, applicable under the rate column numbered 1.

"(2) The increased duty provided for under paragraph (1) on any wood product shall not apply—

"(A) during any period in which a countervailing duty is imposed on that wood product under subtitle A of title VII of the Tariff Act of 1930 on the basis of the definition of subsidy in section 771(5)(C) of that title; or

"(B) if that duty is modified under an implementing bill enacted under section 181 of this title.

"(c) ACTION TREATED AS INCREASE OR IMPOSITION OF DUTY FOR PURPOSES OF COMPENSATION AUTHORITY.—For purposes of section 123, any action under subsection (a) shall be treated as an action under section 203 to increase or impose a duty (or other import restriction) which takes effect on the date such action is proclaimed (and not on the date an increase in duty takes effect under subsection (b)). For purposes of this subsection, section 123(b)(4) shall not apply.

"SEC. 183. DEFINITION OF WOOD PRODUCTS.

"For purposes of this chapter, the term 'wood products' means any item set forth in part 1 or 3 of schedule 2 of the Tariff Schedules of the United States.".

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

"CHAPTER 8—WOOD PRODUCTS TRADE AGREEMENTS AUTHORITIES

"Sec. 181. Wood products trade negotiating authority.
"Sec. 182. Suspension of tariff bindings.
"Sec. 183. Definition of wood products.".

SEC. 3. CONSULTATION.

The President shall consult with the Committee on Finance of the Senate, the Committee on Ways and Means of the House of Representatives and other appropriate congressional committees, as well as the appropriate committees established pursuant to section 135 of the Trade Act of 1974, in carrying out the amendments made by section 2 of this Act.

SEC. 4. COUNTERVAILING DUTIES.

(a) AMENDMENT TO DEFINITION OF SUBSIDY.—Section 771(5) of the Tariff Act of 1930 (19 U.S.C. 1677) (relating to the definition of subsidy) is amended by adding at the end the following new subparagraph:

"(C) The furnishing of stumpage rights on government lands by a country under a program or system in which those rights are furnished to an enterprise in exchange for compensation by that enterprise that is less than the current price for comparable stumpage rights on governments lands in the United States. For purposes of this subparagraph, the current price for comparable stumpage rights shall be determined as follows:

"(i) Except as provided in clause (ii), the price for stumpage rights in a country shall be compared to the price for stumpage rights for the most recent available calendar quarter in the region of the National Forest System (as defined in section 11 of the Forest and Rangeland Renewable Resources Planning Act of 1974) which is determined to be most comparable in accordance with procedures of the Forest Service of the Department of Agriculture.

"(ii) In the case of Canada—

"(I) prices for stumpage rights in coastal British Columbia shall be compared to such prices in region 6 of the National Forest System for the most recent available calendar quarter; and

"(II) prices for stumpage rights in interior British Columbia and in Eastern Canada shall be compared to such prices in region 8 of the National Forest System.

"(iii) The prices for stumpage rights in each region of the National Forest System shall be determined in accordance with procedures of the Forest Service, and shall include prices for all species of timber in region 6 and prices for Southern pine sawtimber in region 8. Such prices—

"(I) shall reflect prices paid for the removal of standing timber (and not bid prices),

"(II) shall be for standing timber only (and shall not include road building or other costs), and

"(III) shall be stated in dollars per thousand board feet, Scribner log scale.

For purposes of this subparagraph, 'stumpage rights' are the rights to cut or remove standing timber.".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to proceedings commenced on or after February 26, 1986, except that the amendment made by subsection (a) shall not be effective with respect to a foreign country or instrumentality if an implementing bill with respect to a trade agreement with that country or instrumentality is enacted under section 181 of the Trade Act of 1974, as added by section 2(a) of this Act.

SEC. 5. TARIFF TREATMENT OF CERTAIN TYPES OF PLYWOOD.

(a) AMENDMENT TO TARIFF SCHEDULES.—Headnote 1 of part 3 of schedule 2 of the Tariff Schedules of the United States is amended—

(1) in paragraph (b) by inserting immediately before the semicolon at the end the following: "or any edge of which has been tongued, grooved, lapped, or otherwise worked";

(2) in paragraph (c) by inserting immediately before the semicolon at the end the following: "or any edge of which has been tongued, grooved, lapped, or otherwise worked"; and

(3) in paragraph (e) by striking out "chiefly used in the construction of walls, ceilings, or other parts of buildings" and inserting in lieu thereof "other than plywood, wood-veneer panels, or cellular panels".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse for consumption, on or after the date of the enactment of this Act.

SEC. 6. CONSEQUENTIAL CHANGES IN TARIFF SCHEDULES.

The President shall modify the Tariff Schedules of the United States in accordance with trade agreements which become effective under the amendments made by section 2 of this Act.

Mr. WEAVER. Mr. Speaker, I want to again thank my colleague for his great contribution and his excellent legislation that he is introducing today, and tell him that I certainly will stand with him with any attempt we can make to make sure there is fair trade between ourselves and other countries such as Japan who, as the gentleman from Washington [Mr. BONKER] has said, imposes high tariffs on our finished wood products but expects their finished wood products to enter the United States without tariff and puts none on the importation of logs to their country.

I will be with him on that as well, and I want to say that we are ready to defend our interests and we will.

LAWSUIT FILED BY THE STATE OF INDIANA AGAINST THE U.S. HOUSE OF REPRESENTATIVES

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

Mr. SWINDALL. Mr. Speaker and fellow Members on both sides of the aisle. I have requested 1 hour to address you today because of my grave concern about the fact that earlier this month, March 5 to be precise, a lawsuit was filed in the U.S. Supreme Court. A lawsuit which is of particular significance to me and frankly to each and every Member of this distinguished body, because listed among the parties defendant in that suit is the U.S. House of Representatives.

The suit which was filed by the State of Indiana in its own right and for its citizens, residents, taxpayers, and voters of the Eighth District of Indiana is of great significance not because it names this House as a defendant but because it seeks to overturn as unconstitutional a resolution passed by this House on January 3 of this year.

My first examination of the suit led me to a conclusion that many of you have undoubtedly already reached, that this suit is no more than one more step in an ongoing political squabble involving little more than whether the Democrat or Republican candidate in a remote congressional district in Indiana should be seated by this House.

However, because I as a Member of this body am named as a party to this lawsuit and because this suit accuses our distinguished body of having violated the Constitution which in my oath of office I vowed to uphold, I felt compelled to examine the suit, the undisputed facts set forth in it and the principles of law raised in more than a superficial fashion.

After making such an examination, I came to the inescapable conclusion that in denying the individual certified as the duly elected Representative from the Eighth District of Indiana his seat, this House is engaging in far more than a political squabble, but rather in the destruction of a number of principles upon which our great Republic is based. Principles which I am sure each of you agree transcend partisan politics, transcend the issue of any individual's or group of individual's political power and transcend any issue which we are likely to be called upon to address in this session.

Specifically, the principles involved here are whether we as a nation will be governed by the supreme law of this land, the U.S. Constitution or if we will be governed by the whims of individual Members of this body; whether the phrases "due process," "equal protection," and "one person one vote," are merely meaningless rhetorical statements suitable only for patriotic speeches or whether they are in fact meaningful substantive principles which must not be bent or distorted for mere political expediency.

My purpose in requesting this time to address you my fellow Members of the House of Representatives is to present to you the undisputed facts upon which the Supreme Court suit is based, as well as, an analysis of the constitutional and legal principles involved because I am convinced that after you have considered the facts and the law that you too will conclude that the action of this House in passing House Resolution 1 is so dangerous in terms of the precedent established, that we as Members of this House can no longer in good conscience allow the situation to continue. Nor can we stand idly by and wait for our Supreme Court to require us to do what we in taking our oath of office have already sworn that we would do.

Let me briefly if I may take this opportunity to summarize the undisputed facts as they have been set forth in the CONGRESSIONAL RECORD, in the various court cases previously filed in the State of Indiana and the District Court of the District of Columbia and in the action now pending in the Supreme Court.

FACTS

It is undisputed that on December 13, 1984, the Indiana Secretary of State, Mr. Simcox, as directed by section 3-1-26-9 of the Indiana Code, duly and appropriately certified Mr. McIntyre as the winner of the election for the Representative to the House of Representatives for the Eighth Congressional District of Indiana.

In so doing Secretary of State Simcox acted based upon duly sworn and certified certificates of election from the 15 counties that comprise the Eighth Congressional District. All nine other members-elect of Indiana—the Honorable LEE H. HAMILTON, PETER J. VISCLOSKY, PHILIP R. SHARP, JOHN HILER, DANIEL R. COATS, ELWOOD H. HILLIS, DAN BURTON, JOHN T. MYERS, and ANDREW JACOBS, JR.—were certified in the same manner pursuant to section 3-1-26-9 of the Indiana Code. Each of them along with myself and every other member now seated in the House who were certified in identical certification procedures was seated on January 3, 1985.

On December 13, 1984, pursuant to Indiana Code section 3-1-26-9, the Governor of the State of Indiana, the Honorable Robert Orr, signed Mr. McIntyre's certificate of election and sent it to Mr. Guthrie.

Pursuant to his duties under House Rule III, the Honorable Benjamin J. Guthrie, Clerk of House of the U.S. House of Representatives, entered Mr. McIntyre's name upon the role of the Members-elect of the 99th Congress. As Mr. Guthrie stated in the opening of the 99th Congress:

Representatives-elect to the 99th Congress, this being the day fixed by the 20th amendment of the Constitution for the

meeting of the 99th Congress, the Clerk of the House has prepared the official role of the Representatives-elect.

Certificates of election covering the Four Hundred Thirty-Five seats in the 99th Congress have been received by the Clerk of the House of Representatives, and the names of those persons whose credentials show that they were regularly elected as Representatives in accordance with the laws of their respective States and the United States will be called.

In accordance with his status as the duly certified Member-elect from the Eighth Congressional District, Mr. McIntyre's name was entered on the electronic voting board in the Hall of the House of Representatives. Mr. McIntyre answered the rollcall opening the the 99th Congress, and he called his vote for Robert H. Michel for Speaker of the House of Representatives.

It is undisputed that Mr. McIntyre meets the constitutional requirements for membership in the House of Representatives in that he has attained the age of 25 years, has been a citizen of the United States for more than 7 years, and is a resident of the State of Indiana, which is all that is required by the U.S. Constitution in article 1, section 2.

On January 3, 1985, the House Representatives passed the now infamous House Resolution 1 which states:

Resolved, That the question of the right of Frank McCloskey or Richard McIntyre to seat in the 99th Congress from the Eighth Congressional District of Indiana shall be referred to the Committee on House Administration, when elected, and neither Frank McCloskey nor Richard McIntyre shall be sworn until the Committee on House Administration reports upon and the House decides such question. For each day during the period beginning on the date on which this resolution is agreed to and ending on the day before the date on which the house decides such question, Frank McCloskey and Richard McIntyre shall each be paid an amount equal to the daily equivalent of the annual rate of basic pay payable to a Member of the House.

For the period beginning the date on which this resolution is agreed to and ending on the date on which the House decides such question, The Clerk of the House shall provide for clerical assistants in the manner provided by law for the case of death or resignation of a member and shall otherwise perform full administrative functions with respect to the Eighth Congressional District of Indiana. There shall be paid from the contingent fund of the House such sums as may be necessary to carry out this resolution.

Significantly, House Resolution 1 contains no charges or allegations impuning the election processes and vote-counting results pursuant to which Mr. McIntyre was duly certified by the State authorities, and contains no direction or instruction to the committee to investigate or receive evidence.

The vote on House Resolution 1 denying Mr. McIntyre the right to take the oath of office and, thus, excluding him from membership in the House, was, regrettably, along straight party-lines with 238 Democratic Members voting for and 177 Republican Members voting against; 11 Members were listed as not voting. (131 CONGRESSIONAL RECORD, Jan. 3, 1985, pp. 387 and 388). Pursuant to House Resolution 1, Mr. McIntyre was not permitted to take the oath of office.

A detailed and I believe accurate history of the proceedings since January 3, 1985, can be found in the original complaint No. 102 which I now submit for inclusion in the RECORD.

Each of the facts which I have set forth are undisputed. An analysis of our Constitution and legal precedence leads to an equally undisputable conclusion regarding the unconstitutionality of this body's decision to refuse the holder of the election certificate of the Eighth Congressional District of the State of Indiana his seat in this House.

LEGAL ANALYSIS

In 1969, Congress enacted the Federal Contested Elections Act (2 U.S.C. 381 et. seq. (1982)).

The Federal Contested Election Act of 1969 states the rules by which a defeated candidate must abide if that candidate wishes to contest election results for an election as a Representative to the U.S. House of Representatives.

This law covers Mr. Frank McCloskey as a candidate for election to the House of Representatives. (See FCEA 381 (a), (b)) Mr. McCloskey would be a contestant in the case of the Eighth District of Indiana because he lost the election in question. (See ID., 381(c).)

Every candidate who intends to contest the election of a Member of the U.S. House of Representatives must file with the Clerk of the House of Representatives and serve upon the Member holding the contested seat written notice of the intention to contest the election. (See ID. 382(a).) Had Mr. McCloskey intended to contest Mr. McIntyre's election, he should have filed a notice of intention to contest the election with the Clerk of the House of Representatives and with Mr. McIntyre by January 14, 1985.

In the present case, this was not done. Knowing Mr. McCloskey's reputation as an honorable and intelligent man, I can only guess why he did not so file or why he let his "rights" lapse. Since Mr. McCloskey did not file this notice, he is now estopped from challenging the election of Mr. McIntyre.

The law does not permit any other person other than a candidate for the very congressional seat in question to contest that election. Thus, Mr. McCloskey and his supporters cannot now seek relief under the act designed to govern contested elections. They have defaulted on the remedy and have ignored the law designed to effect the relief they now seek.

My distinguished Democratic colleague, the distinguished majority leader, has argued that the Congress has been vested by the Constitution with the responsibility of judging the qualifications, returns and elections of its Members. This power is contained in article I, section 5 of the U.S. Constitution.

The distinguished majority leader has interpreted this responsibility to include an investigation into the State election procedure. He has noted that the technical requirements for counting votes in Indiana are too complicated and are unreliable for purposes of the U.S. House of Representatives. The distinguished majority leader has also complained generally that county procedures within the congressional district varied so much that identical ballots in different counties would not be treated identically, depending on particular election rules.

A full recount has been conducted since the majority leader introduced these objections that led to the denial of Mr. McIntyre's seat on January 3, 1985. Significantly, the full recount, conducted for the most part by a Democratic-controlled election commissions, has again certified Mr. McIntyre the winner of the election. This should lay to rest any qualms the majority leader or any other conscientious Member might have about partisanship as a factor in the recount, and this full recount has produced the accurate tally the majority leader needed before declaring the outcome of the race accurate.

However, an even deeper question must be asked of the majority leader's objections and the House of Representatives' decision not to seat Mr. McIntyre as the duly elected representative of the Eighth District of Indiana: Did the House of Representatives exceed the authority granted it under the Constitution of these United States in excluding Mr. McIntyre from the body of the House of Representatives?

Fortunately we are not without legal precedent in answering this question. In fact, this precise legal question has been addressed by our Supreme Court on a previous occasion. In the case of *Powell* v. *McCormack*, 395 U.S. 486 (1969), the House refused to seat Adam Clayton Powell, Jr., as a Member of the 90th Congress. Even though Mr. Powell met the age, citizenship, and residency requirements which the U.S. Constitution obligates all Members of the House of Representatives to fulfill, the House refused to seat him on other grounds.

The House Select Committee found that Mr. Powell had asserted an unwarranted privilege and immunity

from the New York courts, had wrongfully diverted House funds for personal use, and had made false reports on the expenditures of foreign currency to a House committee.

In the Powell case, the U.S. Supreme Court held, and that case is still the law of our land today, that the Constitution of the United States leaves the House of Representatives without authority to exclude any person, duly elected by his or her constituents, who meets all the requirements for membership expressly prescribed in the Constitution.

While the U.S. Constitution contains limitations on membership based upon age, citizenship, and residency, it is silent upon election rules, and without the "express prescription" required by the Powell decision, exclusion of Mr. McIntyre on any ground other than age, citizenship, or residency is not valid, is not based on the constitutional duty of the House of Representatives, and is a flagrant overstepping of constitutional authority by the House of Representatives.

Fellow Members, I urge you to consider this important Supreme Court decision because I am convinced that after careful consideration you will be as certain as I that in denying Mr. McIntyre his seat as the duly elected, duly certified Representative of the Eighth District of Indiana, we have committed a serious error which should be corrected before we as a body are embarrassed by having the U.S. Supreme Court remedy our mistake for us.

I am told and understand that some argue that constitutional law contains the theory that certain questions such as the seating of the Members of this House are not appropriate for resolution in the U.S. court system and, consequently, this House and this House alone must resolve the issue of who is to be seated for the Eighth District of Indiana. One area of controversy, supposedly, not considered capable of judicial resolution is the area comprised of political questions.

In the case of *Baker* v. *Carr*, 369 U.S. 186 (1962), Justice Brennan enumerated a number of elements that would identify a controversy as a political question. These factors include any of the following:

First. An express statement in the U.S. Constitution that places the controversy completely under the control of another branch of the Government, either the executive of legislative branch.

Second. No judicial standards that will allow manageable resolution of the case.

Third. An inability of the U.S. courts to decide the case without first making a policy determination that should be made by another branch of the Government.

Fourth. An inability of the U.S. courts to decide the case without causing embarrassment to another branch of Government.

Fifth. An inability of the U.S. courts to decide the case without showing a lack of respect to another branch of Government.

Sixth. And finally, an unusual need for the courts to follow, without question, a political decision already made by another branch of Government.

Some constitutional scholars have argued that the first condition, an express statement committing an issue to another branch of Government, is the only condition that should preclude the U.S. court system from considering an issue.

The political question doctrine was raised in another case where the House of Representatives excluded a duly elected Member. In Powell versus McCormack, as mentioned earlier, the House of Representatives refused to seat Adam Clayton Powell, Jr. an elected Representative from New York City. Even though Mr. Powell met all the expressly stated constitutional requirements for membership in the House—the age, citizenship, and residency requirements—the House refused to seat him. The Supreme Court of the United States held that Mr. Powell was entitled to take his seat, despite objections based upon his conduct.

Thus, the Supreme Court has found that the exclusion of Members based upon reasons other than those explicitly stated in the U.S. Constitution—the issues of age, citizenship, and residency—were not political questions and could be considered by the courts. Accordingly Mr. McIntyre, thus certainly has a case of action in the U.S. court system and would be entitled to relief in the court system.

By our conduct in this matter, we have created a situation that has grown past the stage where it is an internal matter and have in fact created a situation where the Supreme Court must intervene to correct our error, if we ourselves do not have the courage and integrity to do so.

One final argument which must be considered is that of due process. Because we have always placed great importance on due process, courts have consistently held that even actions of this House in House resolutions are reviewable by our courts to determine if they provide at least minimal due process. In *Barry* v. *United States ex rel. and Cunninghan* 279 U.S. 597 at 260 (1929), the U.S. Supreme Court held that this House could not act arbitrarily and exercise its power improvidently so as to deny due process of law.

This House's decision not to seat Mr. McIntyre was, by the standard set forth in the Barry case, clearly arbitrary. In the last 50 years, every candidate with a certificate of election which was not contested by his own State authorities has been seated, at least conditionally, in the House of Representatives. In the McIntyre/McCloskey matter, this House has ignored its modern precedents, this arbitrarily disenfranchising the voters of the Eighth Congressional District of Indiana.

While this House may not have actually prohibited the citizens of the eighth district from exercising their right to vote, through its actions of January 3, 1985, as well as subsequent actions, this House has managed to achieve precisely the same result. Allow me to explain.

Indiana's voters cast their ballots and had them counted according to State law as is their constitutional right. Yet, this House, by its arbitrary refusal to accord Indiana's certification the presumption of validity which is granted to every other State, has created a situation in which the voters' ballots, and the counting of those ballots, is of no weight whatsoever: The net result is the same as if the exercise of their right to vote had been prohibited from the outset. All this has occurred in the complete absence of any allegation of fraud or irregularity.

After we cut through all the rhetoric, the tragic result of this body's flagrant disregard for our Constitution is that we have, unilaterally and with total indifference to the principle of due process taken away the right of over a half million citizens of the Eighth District of Indiana to vote effectively and to be represented in this body.

My distinguished and wise senior colleague, the majority leader, has repeated the claim of others that hundreds of contested ballots control the fate of this election. A look at the results of the election with the recounts to date defies this assertion. It is true that in the latest recount both candidates have lost a number of votes. But at only one point—when the votes from two precincts in Gibson County were double-counted—did Mr. McCloskey ever lead the election. Once this error was corrected, Mr. McIntyre was certified as the winner.

In every other case of the full recount, both candidates lost votes to ballot errors but Mr. McIntyre still maintained a winning margin. Both candidates suffered as a result of the scrutiny of the largely Democratic-controlled election boards. In short, there is no evidence whatsoever to support any allegation that Mr. McIntyre in any way benefitted from the efforts of the election boards in any of the vote counts.

CONCLUSION

By way of conclusion let me summarize by saying I believe that the issues

which we must resolve in the matter of Mr. McIntyre and Mr. McCloskey are really quite simple:

First. Has there been a properly certified winner of the election? Yes, Mr. McIntyre.

Second. Did Mr. McCloskey pursue his rights under Federal Contested Election Act? No. They expired on January 14, 1985.

Third. Do political theory doctrines, for example, political question, judicability, and equal protection, preclude Mr. McIntyre relief? No. See for example *Powell* v. *McCormack*, *Karcher* v. *Daggett*, (——— U.S. ———. 103 S. Ct. 2653, 77 L.ED.2d. 133 (1983)).

Fourth. Do "equal protection" and "due process" and the concept "equal justice under law" demand Mr. McIntyre be seated? Yes. See Id. Also, the U.S. Constitution.

Fifth. Should the House of Representatives immediately seat Mr. McIntyre and then let any investigation into any alleged irregularity of Mr. McIntyre's election continue? Yes. See U.S. Constitution.

Sixth. In the unfortunate event that the 435 Representatives, actually the 434 of us, do not seat Mr. McIntyre should the U.S. Supreme Court order it? Yes.

Finally, I would like to close by directing your attention to the Federal Rules of Civil Procedure which are the rules which this Congress established to govern the procedure to be followed in any civil action including the civil action now pending in the U.S. Supreme Court involving the Eighth Congressional District of Indiana.

Rule 68 of the Federal rules of Civil Procedure affords each of us as parties to the law suit now pending in the Supreme Court the opportunity to rectify our mistake ourselves rather than waiting for the U.S. Supreme Court to rectify our mistake for us.

Specifically rule 68 provides that "at any time more than 10 days before the trial begins a party defending against a claim may serve upon the adversed party an offer to allow judgment to be taken against him for the money or property or to the effects specified in his offer, with cost then accrued. If within 10 days after the service of the offer to adverse party served written notice that the offer is accepted, either party may then file the offer and notice of acceptance together with the proof of service thereof, and thereupon the Clerk shall enter judgment."

I urge each of you to join me in offering judgment in favor of the plaintiff in this case so that the individual certified as the duly elected Representative of the Eighth Congressional District of Indiana may immediately take his seat in this distinguished body and the principles of one man—one vote, equal protection, and due process can be preserved as the law of our land.

[In the Supreme Court of the United States, October Term, 1984]

No. 102 Original

STATE OF INDIANA, IN ITS OWN RIGHT; AND STATE OF INDIANA, AS PARENS PATRIAE FOR ITS CITIZENS, RESIDENTS, TAXPAYERS, AND VOTERS RESIDING IN THE EIGHTH CONGRESSIONAL DISTRICT OF INDIANA, PLAINTIFF, *v.* UNITED STATES OF AMERICA; UNITED STATES HOUSE OF REPRESENTATIVES; THOMAS P. O'NEILL, JR.; BENJAMIN J. GUTHRIE; JACK RUSS; AND JAMES T. MALLOY, DEFENDANTS.

MOTION FOR LEAVE TO FILE COMPLAINT

The State of Indiana, by its Attorney General, ask leave of the Court to file its complaint against the United States of America, the United States House of Representatives, Thomas P. O'Neill, Jr., Benjamin J. Guthrie, Jack Russ and James T. Malloy, submitted herewith.

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[In the Supreme Court of the United States, October Term, 1984]

No. , Original

STATE OF INDIANA, IN ITS OWN RIGHT; AND STATE OF INDIANA, AS PARENS PATRIAE FOR ITS CITIZENS, RESIDENTS, TAXPAYERS, AND VOTERS RESIDING IN THE EIGHTH CONGRESSIONAL DISTRICT OF INDIANA, PLAINTIFF, *v.* UNITED STATES OF AMERICA; UNITED STATES HOUSE OF REPRESENTATIVES; THOMAS P. O'NEILL, JR.; BENJAMIN J. GUTHRIE; JACK RUSS; AND JAMES T. MALLOY, DEFENDANTS.

COMPLAINT

JURISDICTION

1. The jurisdiction of this Court is invoked under Art. III, § 2, cl. 2 of the Constitution of the United States, and under 28 U.S.C. § 1251(b)(2).

PARTIES

2. The Plaintiff State of Indiana since the 16th day of December, 1816, to the present has been and is a State of the United States.

3. Defendant United States House of Representatives is one house of the United States Congress, the legislative branch of government of the Defendant United States of America.

4. Defendant Thomas P. O'Neill, Jr., is Speaker of the House of Representatives of the 99th Congress of the United States, and as such is responsible for administering the Oath of Office to United States Representatives.

5. Defendant Benjamin J. Guthrie is Clerk of the House of Representatives and, as such, is charged with informing the Speaker of the Members-elect whose certificates of election indicate they are eligible to receive the oath of office, granting Members offices in the House Office Building, providing Members with the emoluments and privileges of office, and performing for Members those services and duties to which they are entitled, including the payment of monies under the Clerk Hire Allowance for salaries and other funds necessary to maintain a congressional staff.

6. Defendant Jack Russ is the Sergeant-at-Arms of the House of Representatives and, as such, is charged with keeping the accounts for the expenses and the mileage of Members and Paying them accordingly.

7. Defendant James T. Malloy is the Doorkeeper of the House of Representatives and, as such, is charged with admitting Members to the Hall of the House for purposes of voting and addressing the House.

FACTS

1. Richard S. McIntyre was duly elected as the Representative from Indiana's Eighth Congressional District to the 99th Congress of the United States at the November 6, 1984, general election.

2. On December 13, 1984, Indiana Secretary of State Simcox, as directed by Ind. Code § 3-1-26-9, certified McIntyre as winner of the election based upon duly sworn and corrected certificates of election from the fifteen counties that comprise the Eighth Congressional District. All nine other Members-elect from Indiana—Lee H. Hamilton, Peter J. Visclosky, Phillip R. Sharp, John Hiler, Daniel R. Coats, Elwood H. Hillis, Dan Burton, John T. Myers, and Andrew Jacobs, Jr.—were certified in the same manner pursuant to Ind. Code § 3-1-26-9.

3. On December 13, 1984, pursuant to Ind. Code § 3-1-26-9, Indiana Governor Robert Orr signed McIntyre's certificate of election and sent it to defendant Guthrie.

4. Pursuant to his duties under House Rule III, Guthrie entered McIntyre's name upon the roll of the Members-elect of the 99th Congress. As Guthrie stated in opening the 99th Congress:

Representatives-elect to the 99th Congress, this being the day fixed by the 20th amendment of the Constitution for the meeting of the 99th Congress, the Clerk of the House has prepared the official roll of the Representatives-elect.

Certificates of election covering the 435 seats in the 99th Congress have been received by the Clerk of the House of Representatives, and the names of those persons whose credentials show that they were regularly elected as Representatives in accordance with the laws of their respective States and the United States will be called.

131 Cong. Rec, H1 (daily ed. Jan. 3, 1985, p. 377).

5. In accordance with his status as the duly certified Member-elect from the Eighth Congressional District, McIntyre's name was entered on the electronic voting board in the Hall of the House of Representatives, he answered the rollcall opening the 99th Congress, and he cast his vote for Robert H. Michel for Speaker of the House of Representatives.

6. McIntyre meets the constitutional requirements for membership in the House of Representatives in that he has attained the age of twenty-five years, has been a citizen of the United States for more than seven years, and is a resident of the State of Indiana, all as required by U.S. Const. Art. I, § 2.

7. On January 3, 1985, the House of Representatives passed House Resolution 1, which states:

Resolved. That the question of the right of Frank McCloskey or Richard McIntyre to a seat in the Ninety-ninth Congress from the Eighth Congressional District of Indiana shall be referred to the Committee on House Administration, when elected, and neither Frank McCloskey nor Richard McIntyre shall be sworn until the Committee on House Administration reports upon and the House decides such question. For each day during the period beginning on the date on which this resolution is agreed to and ending on the day before the date on which the House decides such question,

Frank McCloskey and Richard McIntyre shall each be paid an amount equal to the daily equivalent of the annual rate of basic pay payable to a Member of the House.

For the period beginning the date on which this resolution is agreed to and ending on the date on which the House decides such question, the Clerk of the House shall provide for clerical Assistants in the manner provided by law for the case of death or resignation of a Member and shall otherwise perform full administrative functions with respect to the Eighth Congressional District of Indiana. There shall be paid from the contingent fund of the House such sums as may be necessary to carry out this resolution.

8. House Resolution 1 contained no charges or allegations impugning the election processes and vote-counting results pursuant to which McIntyre was duly certified by the State authorities, and contained no direction or instruction to the committee to investigate or receive evidence.

9. The vote on House Resolution 1 denying McIntyre the right to take the oath of office and, thus, excluding him from membership in the House, was by a party-line vote of 238 Democratic Members to 177 Republican Members. Eleven (11) Members were listed as not voting. 131 Cong. Rec, (Jan. 3, 1985, pp. 387 and 388). Pursuant to House Resolution 1, McIntyre was not permitted to take the oath of office.

10. Since the passage of House Resolution 1, McIntyre, acting as a duly certified Member, has attempted to fulfill the constitutional duties of a Member of the House of Representatives. The defendants have wrongfully prohibited McIntyre from fulfilling such duties.

11. On February 7, 1985, Minority Leader Robert H. Michel introduced House of Representatives Resolution Number 52 ("House Resolution 52") which states:

Whereas, Richard D. McIntyre won the November 8, 1984, election in the Eighth Congressional District of Indiana by 34 votes according to the certificates of election filed by the county clerks from the District's 15 counties; and

Whereas, the Indiana Secretary of State, Edwin J. Simcox, acting in accordance with his duties as set forth in the Indiana Code (Ann. Sec. 3-1-26-9), certified Richard D. McIntyre as the Representative from Indiana's Eighth Congressional District; and

Whereas the Clerk of the House stated on January 3, 1985 in opening the 99th Congress that he had "prepared the official roll of the Representatives-elect" which included McIntyre's name. The Clerk stated: "Certificates of election covering the 435 seats in the 99th Congress have been received by the Clerk of the House of Representatives, and the names of these persons whose credentials show that they were regularly elected as representatives in accordance with the laws of their respective States and of the United States will be called." McIntyre's name was called and he cast his vote for Robert H. Michel as Speaker of the House of Representatives; and

Whereas the majority of the House of Representatives on January 3, 1985 voted in House Resolution 1 not to seat Richard D. McIntyre as Representative from Indiana's Eighth Congressional District despite has [sic] certificate of election issued pursuant to the laws of Indiana; and

Whereas House Resolution 1 is contrary to the precedents of the House of Representatives in that the holder of a certificate of election not tainted by fraud or irregularities has previously been granted a prima facie right to a seat with the final right being referred to the Committee on House Administration; and

Whereas Richard D. McIntyre received 418 votes more than Francis X. McCloskey in a recount of the ballots cast in Indiana's Eighth Congressional District pursuant to Indiana Code (Ann. Sec. 3-1-27 et seq.); Now, therefore be it

Resolved, That the Speaker is hereby authorized and directed to administer the oath of office to the gentleman from Indiana, Mr. Richard D. McIntyre.

Resolved, That the question of the final right of Mr. McIntyre to a seat in the 99th Congress is referred to the Committee on House Administration.

12. Congressman Wright moved to refer House Resolution 52 to the Committee on House Administration, the effect of which would be, if passed, to preclude McIntyre from receiving the oath of office. The motion to refer was adopted by a vote of 221 to 180 with one Member answering "Present" and 30 not voting. All of the 221 votes to refer House Resolution 52 were cast by Democratic Members. 131 Cong. Rec., Feb. 7, 1985, p. 2231). Accordingly, McIntyre remains excluded from the House, and Indiana's Eighth Congressional District remains unrepresented in the House of Representatives, now for over eight weeks.

13. In judging the elections of its Members pursuant to Article 1, Section 5 of the United States Constitution, the House must follow due-process requirements, including its own established procedures, because of the judicial nature of that function. Failure to follow such requirements, as reflected in the precedents of the House itself, renders any House action so taken null and void. This is particularly so when that failure is based in whole or in part on partisan political considerations.

14. Modern precedents of the House since 1933 are that in 81 of 82 challenged seatings of Members-elect, the Member-elect who has been certified as the winner pursuant to the laws of his State has been seated pending House investigation of the election. In the one exception which occurred in 1961, the State authorities had issued conflicting certificates.

15. Congress has passed no law under U.S. Const. Art. I, § 4, cl. 1, altering Indiana's prescription of the time, place, and manner of holding elections for representatives.

16. Neither of the two candidates opposing Mr. McIntyre had filed a notice of contest under the Federal Contested Elections Act, 2 U.S.C. § 381 *et seq.;* nor has any person filed any protest or memorial with the House itself; nor have there been any allegations from any source of fraud or other irregularity in connection with the November 6, 1984 election in the Eighth Congressional District of Indiana.

17. The official acts of the properly constituted State authorities in certifying the winners of elections for the office of Representative in Congress are entitled, as a matter of comity, to a presumption of validity and correctness.

18. Defendant Guthrie has wrongfully excluded and threatens to continue wrongfully excluding McIntyre from occupying an office in a House Office Building to which he is entitled. Defendant Guthrie has also wrongfully refused and threatens to continue wrongfully refusing to perform for McIntyre certain other services and duties to which McIntyre is entitled, including the payment of monies under the Clerk Hire Allowance for salaries and other funds necessary to maintain a congressional staff.

19. Defendant Russ has wrongfully refused and threatens to continue wrongfully refusing to keep for McIntyre the accounts for, and to pay to him, the expenses and mileage to which he is entitled.

20. Defendant Malloy has wrongfully refused and threatens to continue wrongfully refusing to admit McIntyre to the Hall of the House for purposes of voting and addressing the House.

COUNT I

21. Plaintiff incorporates by reference the allegations contained in paragraphs 1-27 of this Complaint.

22. The course of conduct described above in paragraphs 1-27 contravenes the presumption of validity of its official acts to which, as a matter of comity between the States and the Federal government, the State of Indiana is entitled, and furthermore deprives the State of Indiana of its right to prescribe the time, place, and manner of holding elections for representatives, in violation of Article I, § 4, cl. 1 of the United States Constitution.

COUNT II

23. Plaintiff incorporates by reference the allegations contained in paragraphs 1-27 of this Complaint.

24. The course of conduct described above in paragraphs 1-27 deprives the citizens, residents, taxpayers, and voters of the Eighth Congressional District of Indiana of their right of free speech and association, their right to vote in federal elections, and their right to due process of law by denying them their right to representation in the 99th Congress by their duly certified and elected Representative, in violation of Article I, § 5 of, and the First and Fifth Amendments to, the Constitution of the United States.

Wherefore, Plaintiff State of Indiana respectfully prays the Court to:

1. Adjudge and decree House Resolution 1 and the referral of House Resolution 52 to the Committee on House Administration null and void on the grounds that they violate the presumption of validity of its official acts to which the State of Indiana, as a matter of comity, is entitled, and that they further violate the State of Indiana's right to prescribe the time, place, and manner of holding elections for representatives as guaranteed by Art. I, § 4, cl. 1 of the United States Constitution; and that they further violate the rights to free speech and association, to vote, and to due process of law of the citizens, taxpayers, residents, and voters of the Eighth Congressional District of Indiana, as guaranteed by Article I, § 5 of, and Amendments 1 and 5 to, the Constitution of the United States;

2. Enter an order enjoining the defendants, their agents, servants, officers, employers, employees, subordinates, attorneys, and all other persons acting in concert with them from excluding Mr. McIntyre from the House of Representatives;

3. Issue a permanent injunction restraining all Defendants from denying Mr. McIntyre his seat as the duly elected Representative of the Eighth Congressional District of Indiana to the 99th Congress, duly certified as such by the State authorities;

4. Enjoin Defendant O'Neill from refusing to administer the oath of office to Mr. McIntyre as a member of the 99th Congress;

5. Enjoin Defendants Guthrie, Russ, and Malloy, from denying McIntyre any of the

rights, privileges, powers, emoluments, and services, including admission to the House for the purposes of voting and addressing the House, to which the duly elected and certified winner of the State of Indiana's November 6, 1984, election to the office of U.S. Representative for the Eighth District of Indiana is entitled; and

6. Award such other and further relief as may be deemed proper.

The State of Indiana.

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[In the Supreme Court of the United States, October Term, 1984]

No. , Original

STATE OF INDIANA, IN ITS OWN RIGHT; AND STATE OF INDIANA, AS PARENS PATRIAE FOR ITS CITIZENS, RESIDENTS, TAXPAYERS, AND VOTERS RESIDING IN THE EIGHTH CONGRESSIONAL DISTRICT OF INDIANA, PLAINTIFF, *v.* UNITED STATES OF AMERICA; UNITED STATES HOUSE OF REPRESENTATIVES; THOMAS P. O'NEILL, JR.; BENJAMIN J. GUTHRIE; JACK RUSS; AND JAMES T. MALLOY, DEFENDANTS.

BRIEF IN SUPPORT OF MOTION FOR LEAVE TO FILE COMPLIANT

JURISDICTION

The jurisdiction of this Court is invoked under Article III, § 2, cl. 2 of the Constitution of the United States, and under 28 U.S.C. § 1251(b)(2).

QUESTION PRESENTED

May the House of Representatives refuse to seat a Member-elect, who has been duly certified as elected by the proper State authorities, when there have been no allegations of fraud or other irregularity in connection with the election and when such action deviates from the precedents of the House without sufficient cause?

NATURE OF THE CONTROVERSY

This is an action by the State of Indiana against the United States of America, the United States House of Representatives, Thomas P. O'Neill, Jr., Benjamin J. Guthrie, Jack Russ and James T. Malloy. The purpose of the proposed action is to establish Indiana's right to determine the time, place, and manner of holding elections for representatives in Indiana, and the rights of its citizens, residents, voters and taxpayers of Indiana's Eighth Congressional District to be represented in Congress by the person of their choice. The original jurisdiction of this Court is invoked since this is an action in which Indiana seeks relief against the United States.

On November 6, 1984, a general election was held in Indiana and the nation. Among the offices contested at that election was that of United States Representative for the Eighth District of Indiana. The election for that office was extremely close and the Secretary of State of Indiana and the Governor of Indiana issued no certificate of election until certain tabulation errors in one county (Gibson County) were corrected. After these errors were corrected, a certificate of election was issued on December 13, 1984, by the State authorities to Richard D. McIntyre. Recounts in all fifteen counties have been completed, but they did not change the results. As of this date the State authorities have issued one and only one certificate of election, that issued on December 13, 1984, to Richard D. McIntyre.

Despite the fact that the State authorities had certified Mr. McIntyre as the winner of the election for the office of U.S. Representative from the Eighth District of Indiana, on January 3, 1985, on motion by Congressman Wright of Texas, the House denied Mr. McIntyre the right to take the oath of office, to assume the seat to which he had been elected, or to exercise any of the functions of the office of U.S. Representative from the Eighth District of Indiana. The right of Mr. McIntyre to hold the seat was referred to the Committee on House Administration.

Despite the fact that there are no allegations of fraud or irregularity in connection with Mr. McIntyre's certification by the State authorities, the Defendants have refused to permit Mr. McIntyre to assume the seat to which he has been elected, thus depriving the voters and residents of the Eighth District of Indiana of their right to representation in the House, and depriving the State of Indiana of the presumption of validity of its official acts to which it is entitled, and of its right to determine the time, place and manner of electing representative in Congress from Indiana.

Defendants, it is believed, may invoke Article I, Section Five, Clause I of the United States Constitution, which provides that "each House shall be the judge of the elections . . . of its own members . . ." and attempt to argue that this dispute is exclusively within the power of the House to determine. Plaintiff will contend that this clause must be construed in harmony with those clauses in the Constitution protecting the State's right to determine the time, place, and manner of holding elections to the House of Representatives, protecting the people's right to freedom of speech and association, and to vote in Federal elections, and the State will further contend that the House in exercising its power under Art. I, § 5, cl. I is bound to accord due process of law.

ARGUMENT

I. This controversy presents a justiciable issue and should therefore be heard by this court

The Defendants will undoubtedly contend that the refusal to seat Mr. McIntyre (pending the House's determination of the outcome of the election in the Eighth Congressional District of Indiana) was taken under Article I, § 5, cl.1 of the United States Constitution, which provides that each House of Congress "shall be the judge of the elections, returns, and qualifications of its members." Thus, the argument will run, such action is impervious to review by the Courts. Such a conclusion, however, would be a *non sequitur.*

The fact that a particular power is granted to the House, in this case a power "to judge the elections" of its members, does not imply that such power may be exercised in a manner inconsistent with, or violative of, other provisions of the Constitution. Indeed, precisely the opposite is the case, as it clearly established by *Powell* v. *McCormack,* 395 U.S. 486 (1969). In that case the House refused to seat plaintiff Powell on the grounds that he was not qualified for membership. This Court held that Powell's claim was indeed justiciable, despite the House's Article I, § 5, cl. 1 power to judge the "elections, returns, and qualifications of its members," and, citing *Barry* v. *United States ex rel. Cunningham,* 279 U.S. 597 (1929), noted that "actions allegedly taken pursuant to Art. I, § 5, are not automatically immune from judicial review." 395 U.S. at 486 fn. 40. The Court then determined that, by attempting to require qualifications beyond those prescribed by Article I, § 2 for House membership, the House had exercised its Article I, § 5 powers in an unconstitutional fashion.

In determining that a complaint alleging that the House's Article I, § 5 powers have been exercised in an unconstitutional manner presents a justiciable issue, the *Powell* court referred to *Barry, supra.* In *Barry* the Court addressed the question of the Senate's power to issue a warrant to bring before it a person whose testimony was sought in connection with an Article I, § 5 investigation of a senatorial election. The plaintiff in *Barry* challenged the Senate's warrant by initiating a federal habeas corpus proceeding. On appeal to the Supreme Court the central question was the Senate's power under the Election Clause to issue the warrant. 279 U.S. at 613.

The Supreme Court noted that the power to judge elections is not legislative, but judicial in nature. 279 U.S. at 613. The exercise of that authority is "subject only to the restraints *imposed by or found in the implications of the Constitution.*" 279 U.S. at 614 (emphasis supplied). The Court in *Barry* then addressed the merits of Plaintiff's claim, first noting that the Senate's exercise of the power to judge the elections of its members included "the incidental power of compelling the attendance of witnesses." 279 U.S. at 619. The Court concluded that the exercise by the Senate of that power did not constitute "such an arbitrary and improvident use of the power as will constitue a denial of due process of law." 279 U.S. at 620. A claim that Congress had exercised its power in such fashion as to constitute a due process violation would clearly, therefore, be justiciable under *Barry* in essence that was the claim which the Supreme Court *did* adjudicate in that case, albeit not in the plaintiff's favor.

Thus *Barry* and *Powell* both make clear that the power exercised by either house of Congress under Article I, § 5, cl. 1 must be exercised in conformity to the other provisions of the Constitution in a manner that does not constitute a denial of due process. The Plaintiff State of Indiana alleges that the refusal to seat McIntyre (1) conflicts with other provisions of the Constitution and (2) denies due process of law to Indiana's citizens, residents, taxpayers, and voters in the Eighth Congressional District. Such a claim is clearly justiciable: *Powell* and *Barry* are dispositive of any issue of justiciability.

II. The failure to seat McIntryre infringes the State's right to determine the time, place, and manner of holding elections for Representatives

The United States Constitution, Article I, § 4, cl. 1, provides that: "The times, places, and manner of holding eletions for senators and representatives, shall be prescribed in each state by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing senators." Thus Congressional elections in each state are conducted under the laws and procedures established by that state, unless Congress "by law" alters the state procedure. The appropriate state officials certify the outcome of the election in each district to the Clerk of the House of Representatives, who in turn, places "the names of those persons, and

those persons only, whose credentials show that they were regularly elected in accordance with the laws of their respective States" on the roll of the Representatives-elect. 2 U.S.C. § 26. Thus the very organization of the House presumes the validity of the certificate of election issued to a member by the appropriate state authorities.

Congress has recognized the *prima facie* validity of the results of the state's election processes by another statute as well. Under the Federal Contested Elections Act, 2 U.S.C. § 381 *et seq.*, a person who wishes to contest the result of the state election process has thirty days following the state certification to file a notice of contest with the House. 2 U.S.C. § 382. The winner certified by the state becomes the contestee; the person challenging the result of the state's election is the contestant. Significantly, the burden is explicitly placed on the contestant to prove that the election results entitle him to the contested seat. 2 U.S.C. § 385. The same section makes clear that the burden remains on the contestant, even if the contestee fails to respond to the notice of contest, *i.e.*, the contestant cannot gain the seat merely by default on the part of the contestee. The entire statutory scheme for deciding contested elections for representatives in Congress thus begins with a presumption that the final result of the State election process, the certification of a winner by the appropriate state authorities, is correct. This, of course, is only appropriate in a federal system.

In our federal system, there is a "constitutional policy that Congress may not exercise power in a fashion that impairs states' integrity or their ability to function effectively in a federal system." *Fry* v. *United States*, 421 U.S. 542, 547 n.7 (1975). The election of representatives is clearly a function that is exercised at that point where state and federal sovereignties meet, and the Constitution, by Article I, § 4, cl. 1 has committed control of that process to the State, unless Congress "by law" alters the state's scheme. Congress, of course, has passed no law invalidating or overriding the provisions of Indiana law governing the election of representatives, including its provisions for the tabulating and counting of votes and certification of results, and including also its provisions for recount procedures, which are "an integral part of the Indiana election process," *Roudebush* v. *Hartke*, 405 U.S. 15, 25 (1972).

If state courts are presumed to act constitutionally, and they are: Dombrowski v. Pfister, 380 U.S. 479 (1965); if state administrative agencies, as creatures of state legislatures, are presumed to act constitutionally, and they are: Olson v. Board of Education of Union Free School District No. 12, Malverne, New York, 250 F. Supp. 1000 (E.D.N.Y. 1966), appeal denied, 367 F.2d 565; if even municipal officers, officers of a state's political subdivisions, are presumed to act in accordance with their duty, and they are Barnard and Bush v. City of Pulaski, 327 F.2d 911 (6th Cir. 1964); then surely the State's highest authorities, its state officers, the Governor and Secretary of State, are entitled to a presumption that their acts in issuing a Certificate of election to Mr. McIntryre on December 13, 1984, were valid and in accordance with their duty. This is particularly so when they are acting in an area specifically placed within the State's sphere (in the absence of conflicting federal legislation) by Article 1, § 4, cl. 1. Both as a matter of comity under our federal system, and in recognition of the powers granted the State by Article 1, § 4, cl. 1, the federal authorities must allow the state's certification of election results a presumption of validity.

In the present controvery, there are no conflicting certificates, as there were in the Roush-Chambers dispute following the 1960 general election. There has been one and only one certificate of election: that issued to Mr. McIntyre by the state authorities on December 13, 1984. A state recount has been completed, and did not change the result of the Indiana election. There have been no allegations of fraud or other irregularity in connection with the election. On these facts, the House's refusal to seat Mr. McIntyre destroys the integrity of the State's explicit constitutional power, where Congress has enacted no superceding law, to conduct elections for representatives, and vitiates the presumption of validity which must be accorded the certification of Mr. McIntyre by the responsible state authorities, and all of this without any evidence or adjudicatory proceeding, either in the House under Article I, § 5, or in any other forum, which might supply any reason whatever to suppose that the State's certification should be disregarded. The result is to make a mockery of the state's power to conduct elections, and of the people's power under Article 1, § 2, cl. 1 to choose their representatives.

III. The refusal to seat McIntyre infringes the right of the citizens, taxpayers, voters, and residents of Indiana's Eighth Congressional District to due process of law

Barry, supra, and *Powell, supra*, make clear that the House of Representatives' powers under Article I, § 5, cl. 1 of the Constitution cannot be exercised in a manner inconsistent with or violative of other provisions of the Constitution. Every governmental power "must be exercised in subordination to the applicable provisions of the Constitution." *United States* v. *Curtiss-Wright Corp.*, 299 U.S. 304, 320 (1936). Any exercise of the House's powers under Art. I, § 5 must comply, specifically, with the due process guarantees of the Constitution, since "there cannot be under the American flag any governmental authority untrammeled by requirements of due process." *Calero-Toledo* v. *Pearson Yacht Leasing Co.*, 416 U.S. 663, 669 n.5 (1974), *rehearing denied*, 417 U.S. 977, quoting *Mora* v. *Mejias*, 206 F.2d 377, 382 (1st Cir. 1953). Judicial review is available when an exercise of the House's Art. I, § 5 power constitutes "such an arbitrary and improvident use of the power as will constitute a denial of due process of law." *Barry, supra*, at 279 U.S. 620.

Even the exercise of a discretionary power must meet due process requirements, and does so only if "it is not arbitrarily and capriciously exercised." *Public Utilities Commission* v. *Pollak*, 343 U.S. 451, 465 (1952). Thus, the broad grant of prosecutorial discretion to the Executive, if exercised in an arbitrary or capricious manner, would violate the fifth amendment's guarantee of due process of law. *See United States* v. *McClintock*, No. 82-1480, slip op. at 5 (9th Cir Dec. 5, 1984). *Accord, Luther* v. *Molina*, 627 F.2d 71, 76 (7th Cir. 1980) (Parole Commission's exercise of discretion cannot be arbitrary under the due process clause). It has also been held that the Executive power over passports, as exercised by the Secretary of State, cannot be arbitrary; "[d]iscretionary power does not carry with it the right to its arbitrary exercise." *Schachtman* v. *Dulles*, 225 F.2d 938, 941 (D.C. Cir. 1955).

An exercise of discretion is arbitrary if it is inconsistent with similar prior exercises and unaccompanied by a reasonable explanation for the variance. Thus, numerous such exercises of discretion have been struck down for being arbitrary or capricious. *See, e.g., Motor Vehicle Manufacturers Assoc.* v. *State Farm Mutual Automobile Ins. Co.*, 103 S.Ct. 2856 (1983) (National Highway Traffic Safety Administration's inadequately explained reversal of position as to requiring airbags in automobiles is arbitrary and capricious under the Administrative Procedure Act); *Baltimore & Annapolis RR* v. *Washington Metropolitan Area Transit Comm'n*, 642 F.2d 1365, 1370 (D.C.Cir. 1980) (failure to justify departure from prior determinations is arbitrary or capricious); *Local 777, Democratic Union Organizing Comm., Seafarers Int'l Union* v. *N.L.R.B.*, 603 F.2d 862, 882 (D.C. Cir. 1978) (Even though the NLRB may change its policy, such action is arbitrary if "as here, it announces no principled reason for such a reversal"); *Schachtman* v. *Dulles, supra*, 225 F.2d at 943 (Secretary of State must give sufficient reasons for denial of passport); *Contractors Transport Corp.* v. *United States*, 537 F.2d 1160, 1162 (4th Cir. 1976) (inconsistent treatment of "similar situations lacks rationality and is arbitrary").

The House's decision not to seat Mr. McIntyre was, by this standard, clearly arbitrary. In the last fifty years, *every* candidate with a certificate of election which was not contested by his own state authorities has been seated, at least conditionally, in the House of Representatives. The House thus ignored its modern precedents, arbitrarily disenfranchising the voters of the Eighth Congressional District of Indiana.

The right of the voters to cast their ballots and have them counted has always been vigorously championed by this Court, which has held that "No right in a free country is more precious than the right to have a voice in the election of those who make the laws under which, as good citizens, we must live." *Wesberry* v. *Sanders*, 376 U.S. 1, 17 (1964). All qualified voters have a constitutionally protected right "to cast their votes and to have them counted at Congressional elections." *Gray* v. *Sanders*, 372 U.S. 368, 380 (1963). Furthermore, this Court has noted that "the right of suffrage can be denied by debasement or dilution of the weight of a citizen's vote just as effectively as by wholly prohibiting the free exercise of the franchise." *Reynolds* v. *Sims*, 377 U.S. 533, 555 (1964), *rehearing denied*, 379 U.S. 870.

Indiana's voters have cast their ballots, as is their constitutional right. They have had them counted according to state law, as is their constitutional right. The House, by its arbitrary refusal to accord Indiana's certification the presumption of validity which by statute and precedent attaches to it, has created a situation in which the voters' ballots, and the counting of those ballots, is of no weight whatsoever: just as if the exercise of the franchise had been prohibited. They have cast their votes, but they have been denied the right "to cast their votes *effectively*." *Illinois State Board of Elections* v. *Socialist Workers Party*, 440 U.S. 173, 184 (1979) (emphasis supplied), citing *Williams* v. *Rhodes*, 393 U.S. 23, 30 (1968). Their rights to speak and associate together for the advancement of their political beliefs and to cast their votes effectively have been infringed, arbitrarily and contrary to House precedent, in the complete absence of any allegations of fraud or irregularity, in violation of their right to due process of law.

CONCLUSION

This case presents an actual controversy between the State of Indiana and the United States and its legislative branch of government with respect to the House's refusal to seat the duly certified winner of the election for United States Representative in Indiana's Eighth Congressional District. The dispute is of serious magnitude, and the interests asserted by the State are asserted in it sovereign capacity. Those interests are Indiana's constitutional power and duty to conduct elections for representative, and its interest on behalf of its citizens in securing to them the rights to speak freely, to associate together for advancement of their political beliefs, to cast their votes effectively, and to have their votes counted.

In view of these facts the Attorney General, on behalf of the State of Indiana, respectfully urges this honorable Court that the Motion for leave to file the complaint submitted herewith be granted.

Respectfully submitted,

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[In the Supreme Court of the United States, October Term, 1984]

No. 102 Original

STATE OF INDIANA, IN ITS OWN RIGHT; AND STATE OF INDIANA, AS PARENS PATRIAE FOR ITS CITIZENS, RESIDENTS, TAXPAYERS, AND VOTERS RESIDING IN THE EIGHTH CONGRESSIONAL DISTRICT OF INDIANA, PLAINTIFF *v.* UNITED STATES OF AMERICA; UNITED STATES HOUSE OF REPRESENTATIVES; THOMAS P. O'NEILL, JR.; BENJAMIN J. GUTHRIE; JACK RUSS; AND JAMES T. MALLOY, DEFENDANTS

offer of judgement

The undersigned each of whom are defendants in the above styled case by virtue of their status as Members of the United States House of Representatives, offer judgement to be taken against said defendants by plaintiffs, pursuant to Rule 68 of the Federal Rules of Civil Procedure, for the relief sought therein, to wit:

1. Adjudge and decree House Resolution 1 and the referral of House Resolution 52 to the Committee on House Administration null and void on the grounds that they violated the presumption of validity of its official acts to which the State of Indiana, as a matter of comity, is entitled, and that they further violate the State of Indiana's right to prescribe the time, place, and manner of holding elections for representatives as guaranteed by Art. I 4, cl. 1 of the United States Constitution; and that they further violate the rights to free speech and associations, to vote, and to due process of law of the citizens, taxpayers, residents, and voters of the Eight Congressional District of Indiana, as guaranteed by Article I, 5 of, and Amendments 1 and 5, to the Constitution of the United States;

2. Enter an order enjoining the defendants, their agents, servants, officers, employers, employees, subordinates, attorneys, and all other persons acting in concert with them from excluding Mr. McIntyre from the House of Representatives;

3. Issue a permanent injunction restraining all Defendants from denying Mr. McIntyre his seat as the duly elected Representative of the Eighth Congressional District of Indiana to the 99th Congress, duly certified as such by the State authorities;

4. Enjoin Defendant O'Niell from refusing to administer the oath of office to Mr. McIntyre as a member of the 99th Congress;

5. Enjoin Defendants Guthrie, Russ, and Malloy, from denying McIntyre any of the rights, privileges, powers, emoluments, and services, including admission to the House for the purposes of voting and addressing the House, to which the duly elected and certified winner of the State of Indiana's November 6, 1984, election to the office of U.S. Representatives for the Eighth District of Indiana is entitled; and

6. Award such other and further relief as may be deemed proper.

Signed: Member of the 99th Congress.

MINIMUM DRINKING AGE LEGISLATION

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

Mr. JEFFORDS. Mr. Speaker, in 1971, after prolonged national debate, the official age to vote and of adulthood was lowered to 18 by the States and the Federal Government. We judged that those old enough to die for our country are old enough for all rights, obligations, and privileges of citizenship.

In the stealth of a summer evening in 1984, the Congress lured away, by financial pressure on the States, one of these privileges—the right of young adults to join their elders in the social amenities of alcohol use. No recorded vote was held in the House. The final coup de grace was by unanimous consent at 1 a.m. after all legislative business had been completed. What an example to our new voters?

Today, I am introducing three bills in hopes of causing a reconsideration of this hastily conceived policy.

The first bill is introduced solely to demonstrate that the uniformity of drinking ages argument is not without serious deficiencies. Vermont presently has an 18-year-old drinking age. Its largest youth population is in Burlington, a mere 45 miles from the Canadian border, which also has an 18-year-old law and no propensity to change it. The same is true for many other States along our northern border with Canada and southern border with Mexico. This bill would allow the State to create their own buffer zones if they so desired. Within the context of the Federal mandate to the States, the second bill is designed to demonstrate that there may be more sensible and logical ways to face the serious problem of the spreading of teenage drinking and the abuse of alcohol while driving. It allows the States the option of restricting drinking by 18- to 20-year-olds to the purchase and consumption of alcoholic beverages on the premises of certain establishments. It also rewards States that combine this policy with training and education to ease the 18- to 20-year-old population into safe social drinking prior to driving.

Finally, the third bill gets at the very core of what role the Federal Government should play in this issue. Without diminishing the seriousness of the problem of drunk driving, this legislation returns this debate back to the States. It removes the "stick" and presents "carrots" to the States to take positive actions on this issue.

The rights of our young adults were hard fought and it is a shame to see them stripped away with so little debate and discussion. To my knowledge, the extent of formal dialog on this issue amounted to 1 day of testimony presented during hearings on last year's Surface Transportation Act. There is no committee report on this legislation and there was no real debate associated with any vote on this measure.

The major arguments presented in support of a national minimum drinking age centered on the notion that a uniform drinking age would eliminate driving to cross State lines to drink. This concept may be true for most States, but for the States with international borders it creates an entirely new problem and new set of circumstances. As I pointed out earlier, the largest city in Vermont with a college population of 13,400 is a quick drive to the Quebec Province where the drinking age is 18. This situation exists all across the northern tier where cities such as Buffalo, Detroit, Duluth, Grand Forks, Spokane, and Seattle, with an estimated combined population of 180,000 18- to 21-year-olds, are all within striking distance of Canadian provinces where the drinking age is less than 20. Along our Mexican border, cities such as Brownsville, Corpus Christi, El Paso, Tucson, and San Diego are all within easy reach of a drinking age less than 21. The combined population of 18- to 21-year-olds in these cities is approximately 152,000. All in all, the total 18 to 21 population that will be tempted to cross international borders is probably close to a half million.

The proposal I present today to correct this situation in border States may be a debatable policy, but it does grant each border State the prerogative to establish its own strategy to address problems created by a national minimum drinking age. This may include establishing a buffer zone around its large youth population centers, where young adults may be allowed to drink on the premises of certain establishments. I offer this legislation not so much as a solution, but rather to highlight the inappropriateness of our actions on this issue.

What troubles me most about these actions is that of all the options open

to the Federal Government to influence the States on this issue, strong arming the States to accept a minimum drinking age of 21 should not have been the final outcome. In even the most superficial study of this issue, it becomes quickly clear that a drunk driver of any age is a drunk driver. We should be addressing this problem and not creating a band-aid solution by eliminating the rights of a certain group.

We are all aware of the statistic that 18- to 21-year-olds make up 9 percent of the country's drinking population, yet they are involved in 17 percent of all alcohol-related accidents. This figure is high, but what of the remaining 83 percent of the accidents?

On a national basis, under 20-year-old drivers account for a high percentage of all fatal car accidents, alcohol-related or not. This can be explained in part by their inexperience and propensity to drive with a heavy foot. The insurance companies certainly see it this way and adjust their rates accordingly. I know this for a fact—I pay for my son's car insurance.

When looking at raising the drinking age to reduce the number of car accidents involving individuals under 20, I think we have to realize that this group, historically, are problem drivers. Data for all fatal car accidents in 1970 show that drivers less than 20 accounted for 15 percent of all accidents. This is of course prior to the time the drinking age was generally reduced to 18 across the country. In 1983, this group still accounted for 15 percent of all fatal accidents.

A few other statistics of interest are worth noting at this time. In 1983, 17- to 20-year-olds were involved in 18.8 percent of all alcohol-related fatal accidents. In this same year, 21- to 24-year-olds accounted for 22.2 percent of these accidents. Figures from my own State of Vermont show roughly the same relationship with 17- to 20-year-old drivers accounting for 22 percent of alcohol-related fatal accidents and 21- to 24-year-olds accounting for 27 percent. If the answer to drunk driving is raising the drinking age, shouldn't we be looking at raising the age to 24? Or, is not the more logical answer to direct educational and other special programs toward our younger generation?

This country's temperance experiments in the 1920's proved that the prohibition technique does not work. A partial prohibition, as is being suggested, is less likely to work. Taking the right to drink away from young adults will only lead to unsupervised drinking and a greater disrespect for current laws. I fear that the type of drinking activities that will take place will result in more drinking and driving accidents. If one wants to drink they will find a way. In fact, the removal of this right may make the activity just that much more attractive. This can lead to backyard parties, illegal social clubs, and driving around in the car with a few drinks. I do not think these are activities we necessarily wish to encourage.

My second proposal is designed to address these very concerns within the parameters of the Federal mandate to set the drinking age at 21. In addition, it suggests a reasonable solution to what is a grave concern of parents, teachers, and law enforcement officials. I am referring to 13- to 17-year-olds being furnished with alcohol by their teenage friends of legal drinking age. Given the Federal ground rules, this second bill suggests a positive approach to the issue of drunk driving and teenage drinking. Restricting young adults to drinking in only supervised settings creates an excellent situation for these individuals to learn to drink responsibly. This will be a controlled situation. I have heard from numerous law enforcement officials, parents, and teachers that their greatest concern and fear is that young teens have access to alcohol through their older, drinking-aged friends. By allowing this drinking population to only purchase and consume alcohol on location, we are addressing this access issue in an effective way. If a young teen's older friend cannot provide the "goods," we are shutting down an important supply line. Furthermore, we are not forcing 18- to 20-year-olds to obtain their alcohol illegally.

Education programs can be established for owners, employees, and patrons of establishments to heighten the awareness of the effects of alcohol and drunk driving. These programs could be coordinated with special egress requirements from an establishment to flag those individuals who should not be allowed to get behind a wheel; such as breathalyzer tests, and so forth. Of course, this will require a concerted effort by all involved. But, I feel that with an issue as dangerous as drunk driving, it is worth it for the entire community to do all it can to get all drunks of all ages off the road.

This brings me to the most basic question on this issue: What should be the appropriate role of the Federal Government in influencing this debate? The States are perplexed by this question. They see the 21st amendment of the Constitution as giving them jurisdiction over such matters, yet last summer's actions seem to belie such thinking. The Council of State Governments and the National Governor's Association both are on record opposing this Federal intrusion. Confusion over this authority has led the State of South Dakota to sue the Federal Government in an effort to get a straight answer. Since filing their suit they have been joined by my own State of Vermont with others expected to join.

I do not see the actions of these States and organizations as counterproductive to addressing the problem of drunk driving. This type of issue has been traditionally handled by the States and rightfully so.

The debate surrounding whether or not raising the drinking age will solve this problem is very complex and controversial. There are credible arguments on both sides. The correct forum for this debate, however, should be at the State level. If the decision is made to raise the drinking age as part of a campaign to reduce drunk driving, so be it, but let this decision be made by the individual States. In my estimation, the appropriate role for the Federal Government in this situation should be positive: encouraging the States to address all the elements of alcohol abuse, encouraging programs to develop responsible drinking habits, and efforts to rid our roads of all drunk drivers.

With these points in mind, the third initiative I am introducing today repeals those sections of the Surface Transportation Act regarding the mandate for a national minimum drinking age; returning this authority to the States. In place of this mandate, I am proposing that the Federal Government offer incentive grants to States to develop comprehensive campaigns to address this problem, including: stiffer penalties for offenders of drunk driving laws; restricting young adults to drinking in only controlled atmospheres; comprehensive educational efforts and programs to encourage the responsible drinking and sale of alcoholic beverages; and, programs to ease young adults into joining their elders in social imbibement.

The Congress should use its powers of funding blackmail sparingly, if at all. When it invades the traditional perogatives of the States it usually makes things worse, especially when it does it without significant debate in the middle of the night. The present law with its funding straightjacket and its multimillion dollar strings and chains will stifle any innovative thought and methods to alleviate the serious problem of alcohol abuse on the highways and in our schools.

INTRODUCTION OF THE AMERASIAN RELIEF ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. SMITH] is recognized for 10 minutes.

Mr. SMITH of New Jersey. Mr. Speaker, today I am introducing a bill known as the "Amerasian Children Relief Act of 1985."

This bill would amend the Immigration and Nationality Act to provide

preferential treatment in the admission of Amerasian children—that is, those children parented by U.S. citizens—and who have been or will be adopted by Americans.

Mr. Speaker, 2 years ago Congress attempted to address the plight of the Amerasians by passing what became Public Law 97-359. This laudable piece of legislation has not however, met the need and the need is indeed compelling. In Vietnam alone estimates run as high as 20,000 Amerasians remaining and some estimate put the figure even higher. Other reliable estimates put the number of Amerasian children in the entire region—including Vietnam, Korea, Thailand, and Kampuchea—at approximately 100,000. Yet since this act went into effect, only 87 of the many thousands of Amerasian children have been able to emigrate to this country under provisions of Public Law 97-359.

Over the past 4 years Mr. Speaker, the majority of those Amerasians who have arrived in this country have come as refugees. A total of 1983 Amerasian children and relatives have come to this country as refugees since fiscal year 1982.

□ 1400

As refugees, though, Mr. Speaker, these children are not accorded the appropriate status due progeny of U.S. citizens. Clearly it would be much more desirable in my view for these children to be sponsored by someone who can help them acclimatize themselves to their new home.

It is for this reason that Congress passed Public Law 97-359, a well-intentioned remedy but wholly inadequate, and it is with this in mind that I introduce the Amerasian Children Relief Act of 1985 to truly reform our statutes relevant to the status of these children.

The bill which I introduce today will open the door for still more Amerasian children of adoptable age to enter the United States. At present, stringent requirements can make immigration very difficult, if not impossible, for these kids.

Currently, if a child is not orphaned or abandoned, he or she cannot in most cases be brought to the United States for adoption. My bill, however, would change the law by allowing mothers or guardians to release the Amerasian for adoption provided they irrevocably release the child for emigration and adoption.

Amerasian children are currently the object of either official or unofficial discrimination in the countries where they now reside. Vietnamese officials have called the problem of Amerasian children a burden, saying that their living conditions are generally worse than other Vietnamese children.

As we know, most Asian cultures, Mr. Speaker, promote the organization of the family unit and strict adherence to the responsibilities inherent within the family. The children belong to the father in those cultures. It is from the father that the child receives his or her name, nationality, ancestry, clan, and family relationships. The father is key to a child's social acceptance. Since the Amerasian child has been abandoned by his or her American father, the opportunities for social acceptance, a good education, job, and marriage are almost nonexistent.

I believe that we, as Americans, and we, as our brother's keeper, must fulfill our moral obligation to the children born of U.S. citizens. After all, these children are our children and must not be left out in the cold. These children are Americans, and they are wanted—wanted by many who wish to adopt them and love them.

Mr. Speaker, again I say that today I am introducing the Amerasian Children Relief Act of 1985. I urge my colleagues to support this effort in aiding the plight of the Amerasian children, and I ask for its prompt consideration by this body.

COMMUNICATIONS FROM THE CHIEF OF POLICE OF THE U.S. CAPITOL POLICE

The SPEAKER pro tempore laid before the House the following communications from the Chief of Police of the U.S. Capitol Police.

U.S. CAPITOL POLICE,
Washington, DC, March 15, 1985.

Hon. THOMAS P. O'NEILL, JR.,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to inform you, pursuant to the provisions of House Rule L (50), that Ruth B. Micer, Officer, U.S. Capitol Police, has received a Subpoena from the Superior Court of the District of Columbia, in the matter of *United States District of Columbia* v. *David McClanahan,* Criminal Docket Number F-6756-84.

After consulting with counsel, I have determined that compliance with this subpoena is consistent with the privileges and rights of the House.

Sincerely,

JAMES J. CARVINO,
Chief of Police.

U.S. CAPITOL POLICE,
Washington, DC, March 19, 1985.

Hon. THOMAS P. O'NEILL, JR.,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to inform you, pursuant to the provisions of House Rule L (50), that Karen M. Nash, Officer, U.S. Capitol Police, has received a Subpoena from the Superior Court of the District of Columbia, in the matter of *United States District of Columbia* v. *David McClanahan,* Criminal Docket Number F-6756-84.

After consulting with counsel, I have determined that compliance with this subpoena is consistent with the privileges and rights of the House.

Sincerely,

JAMES J. CARVINO,
Chief of Police.

WE MUST STOP DRINKING WATER CONTAMINATION NOW

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. MADIGAN] is recognized for 30 minutes.

● Mr. MADIGAN. Mr. Speaker, on September 18 of last year, the U.S. House of Representatives passed the Safe Drinking Water Act Amendments of 1984, which I introduced, by a vote of 366 to 27. Unfortunately, this sorely needed legislation to strengthen our existing program to regulate drinking water supplies was not considered by the other body. Today, I am proud to be joined by our colleagues HENRY WAXMAN, DENNIS ECKART, and NORMAN LENT in introducing the exact bill that passed the House last year by that overwhelming margin.

We must act now to diminish the growing risks to public health from contamination of our drinking water supplies. This bill would do that by modifying our current regulatory program to require quick promulgation of new national pollution standards, greatly strengthening the enforcement provisions, and establishing a new framework for State planning of ground water resources. I would like to briefly discuss the need for this legislation as well as some of its key provisions. A complete summary of the bill will follow my remarks.

The need for this legislation is obvious. In a recent EPA random survey of metropolitan water systems, 28 percent were found to be contaminated by one or more toxic organic chemicals. In another random survey, 63 percent of the rural water supplies were also found to be contaminated. Our surface water supplies are polluted by over 700 synthetic organic chemicals, heavy metals, pesticides and other pollutants. The condition of our ground water suppies, which account for 50 percent of our drinking water, is also threatened. Ground water is subject to approximately 30 different sources of chemical contamination. These include hazardous waste landfills, surface impoundments, septic tanks and cesspools, and our latest cause for concern—leaking underground storage tanks. It is clear that we cannot solely rely on cleanup which is often technically or economically infeasible. Prevention of contamination is the only viable, long-term remedy for the problem.

I would like to briefly describe some of the key provisions of this bill. The legislation is divided into two main titles. The first is regulation of public

water supplies, the second is a program for the protection of underground sources of drinking water.

The Safe Drinking Water Act is based on a system of mandatory national standards set to limit contaminant levels so as to protect public health. This is the cornerstone of the regulation of public water supplies. Unfortunately, progress in establishing these national maximum contaminant levels has been unacceptably slow. To date, EPA has promulgated less than 20 drinking water standards, and these to not include many toxic organic chemicals of greatest concern to the American public.

Standard setting would be greatly expedited under this bill. EPA is given strict timeables in which to decide whether or not to regulate two lists of contaminants which the Agency already has identified as potential health threats in drinking water. This bill does not, however, make regulatory decisions for EPA. The Administrator is given full flexibility to weigh the health evidence before him and decide if there is sufficient evidence to constitute a rational basis to act. The bill also requires control technologies which are the best available, taking costs into consideration, rather than the best generally available as in current law. These technologies must be field tested, however, not merely proven in a laboratory. This bill also streamlines regulatory procedures under the act by eliminating the designation of "interim" standards and requiring that maximum contaminant level goals, formerly known as recommended maximum contaminant levels, be promulgated simultaneously with national primary drinking water regulations.

My bill contains several additional improvements in the regulation of public drinking water supplies. A program is established requiring water companies to monitor for unregulated contaminants. The results of this monitoring would be made available to the public. The bill greatly strengthens the authority to enforce the drinking water standards. EPA is given authority to issue administrative orders and to take actions to address violations in primacy States, where the State is not diligently pursuing an enforcement action. EPA is given the authority to promulgate reasonable public notification requirements to relieve water companies from overly burdensome rules while preserving the rights of the water consumer to know of violations which may exist. Finally, stringent criminal sanctions are instituted for those who may tamper with a public water system.

Title II of the bill establishes a program to protect our vital underground sources of drinking water. Along with mandating the promulgation of national drinking water regulations, I consider this the most significant aspect of the legislation. Injection of hazardous wastes above or into a drinking water source is banned by this bill, except in conjunction with a Superfund cleanup action. Monitoring of underground injection wells is instituted to ensure that there is no migration of waste as required by existing EPA regulations. Enforcement of UIC regulations is also greatly strengthened.

Several of our Federal environmental laws, including the Clean Air Act and the Coastal Zone Management Act, require States to develop a formal, legally enforceable strategy on the use of precious natural resources. In the area of ground water, such planning activities are lacking in many States. My bill rectifies this by requiring each State to develop and adopt a plan to protect underground sources of drinking water from contamination which may adversely affect the health of persons. Each plan must be approved by EPA.

The plan must contain a number of criteria to be approved. Among these are the designation of regulations, including best management practices [BMP's], to protect ground water supplies. States with oil and gas exploration must have provisions to protect against contamination from brine disposal. I know that some groups are fearful that Federal involvement in matters such as this can lead to Federal land use management and other undesirable intrusions. A close examination of this provision, however, shows that it affords a State maximum flexibility in formulating a sensible strategy to protect public health from ground water contamination. EPA must approve a State's plan unless it clearly does not meet the requirements of the provision. I want to emphasize that in no way does this requirement preempt ongoing State activities and responsibilities in the area of water planning, water rights, or water distribution. The State is specifically authorized to categorize aquifers and provide differing levels of protection. This planning requirement complements rather than preempts State water resources and ground water protection laws.

My bill also provides for voluntary State and local plans to protect sole source aquifers, or those aquifers which supply all of the drinking water for a community. If these valuable resources are lost, the citizens of that area have no other supply of drinking water. Again, however, this does not constitute Federal land use planning or impede States' water rights in any way. This program is completely voluntary on the part of local communities.

Mr. Speaker, it is time to declare war on contamination of our drinking water supplies. This legislation strikes a sound balance between the flexibility required to regulate the Nation's 69,000 different water systems and the active direction needed to provide consistently high quality drinking water throughout the country. I hope that many of my colleagues will soon be joining Congressmen WAXMAN, ECKART, LENT, and I in sponsoring this legislation.

A brief summary of all of the provisions of the bill follows:

SAFE DRINKING WATER AMENDMENTS OF 1985, SECTION-BY-SECTION ANALYSIS

TITLE I

Section 101—Standard setting

Interim regulations which have been promulgated pursuant to 1412(a)(1) of the Act are deemed "national primary drinking water regulations." This simplifies the statutory framework as there are no "revised" regulations, but all regulations can be amended under existing statutory conditions. (Sec 101(a))

Within twelve months after enactment, the bill would require the EPA to simultaneously propose MCL goals and national primary drinking water regulations for 14 volatile organic compounds (VOCs) listed by EPA in the Federal Register for which there is a rational basis to believe there may be any adverse effect on the health of persons, or publish in the Federal Register a determination that there is not sufficient evidence to constitute a rational basis to believe that the contaminant may have any adverse effect on the health of persons. (Sec. 101(b)(1)(A))

Within thirty-six months after enactment of the bill, the same procedure would be followed for contaminants listed in Volume 44 of the Federal Register, page 45502. (Sec. 101(b)(1)(B))

The same procedure would be followed for any substance which the Administrator determines may have an adverse effect on the health of persons. On January 1, 1988, and yearly thereafter, EPA must publish a list establishing priorities and criteria for review of substances which may require regulation to prevent known or anticipated adverse health effects. Within three years of listing a contaminant, the above regulatory procedure must be followed. (Sec. 101(b)(1)(C))

MCL goals are set at a level in which no known or anticipated adverse effects on health occur, with an adequate margin of safety. National regulations specify a level as close to an MCL goal as feasible (costs are considered). Granular Activated Carbon technology is specifically determined to be feasible for the control of synthetic organic chemicals. Technology and treatment techniques must be determined to be "feasible" under field conditions and not solely under research lab conditions.

Filtration or equivalent treatment techniques shall be proposed for raw surface water sources unless it can be shown on the basis of a sanitary treatment survey it is not needed. Disinfection treatment technique regulations are to be promulgated for all public water systems. Variances from both requirements are available.

Section 102—Monitoring for unregulated contaminants

EPA, by rule, shall establish a program of monitoring for unregulated contaminants. Monitoring frequency is based on number of persons served and contaminants likely to

be found, with minimum requirements. EPA shall list unregulated contaminants to be monitored for, but States can add or delete from the list based on an approved assessment of the contaminants likely to be found which is approved by EPA. EPA shall reimburse the costs of monitoring for systems with less than 150 connections.

Section 103—Enforcement of regulations

In primacy States, the EPA is required to commence civil action or to issue an administrative order to a public water system to comply with a standard, if the State has not acted before the thirtieth day after notification of violation. In non-primacy States, no notice is needed, and the EPA is required to issue an order or commence a civil action whenever there is non-compliance by a public water system.

Administrative orders are available in lieu of civil actions, but in primacy States may only be issued after consultation with the States and public hearing.

Civil penalties of up to $25,000 per day are available.

Section 104—Public notification

The bill mandates EPA to prescribe by rule within 12 months the form, manner and frequency of the notice. All notices must be no less than on an annual basis. EPA is also given authority to differentiate between serious and non-serious violations for purpose of notice. Serious violations must be noticed in a newspaper of general circulation every 3 months, provide an explanation of the violation, corrective steps being taken and which groups should seek alternative water supplies.

Section 105—Variances

Variances are available from the BAT standard depending on certain factors. A schedule of compliance is prescribed at the time the variance is granted.

Section 106—Exemptions

The bill adds a possible extension of three years to comply with an exemption schedule if certain criteria are met. Systems with less than 500 service connections can possibly gain an additional two years if financial assistance is needed.

Section 107—Tampering with public water systems

This section provides for criminal penalties for persons who introduce a contaminant into, or otherwise tamper with, a public water system, with the intention of harming persons. Tampering can result in a $50,000 fine and 5-year sentence, attempted tampering a $20,000 fine and a 3-year sentence.

Section 108—Technical assistance for small systems

The Administration must provide technical assistance to small public water systems such as "circuit rider" programs and operator training. A total of $10 million a year for 4 years is authorized to be appropriated to carry out this section.

TITLE II

Section 201—UIC

The injection of hazardous wastes above or into drinking water sources would be banned except that injection of contaminated groundwater into the aquifer from which it was withdrawn may be allowed pursuant to RCRA or Superfund criteria and procedures. The prohibition takes effect six months after enactment except in States with identical requirements.

The bill requires EPA to revise UIC regulations to require monitoring of underground injection wells in such manner and location as EPA deems appropriate to detect fluid migration. An EPA-State inventory of hazardous waste wells is also mandated.

Section 202—Enforcement of UIC

The bill allows EPA, 30 days after notice of violation and after notice to the State, to issue an order enforcing a UIC requirement if the State does not. Civil penalties of up to $25,000 per day are available.

Section 203—State plans

The bill requires States to develop and adopt comprehensive plans to protect underground sources of drinking water from contamination that may adversely affect the health of persons. These plans must be developed within 36 months and meet five listed criteria to be approved by the EPA. The State plan must at a minimum:

(1) specify a lead agency for implementing the plan;

(2) identify each source of underground drinking water to be protected, its quality and quantity, and known or potential sources of contamination;

(3) describe for the sources identified in (2) the location and types of human development which can occur without resulting in degradation to the sources;

(4) contain implementing regulations including best management practices (BMPs);

(5) provide for alternative drinking water supplies if needed.

Procedures for public participation in developing a groundwater plan through citizen advisory committees is encouraged. Oil and gas exploration States must have provisions for protection from contamination from brine disposal. Sources of drinking water to be protected are broadly defined.

State plans initially rejected may be revised and resubmitted. States failing to have plans approved within the time limitations cannot receive assistance to implement their Section 1422 State UIC enforcement responsibility. The State will also be subject to citizen suits under Section 1449. Federal agencies must assure that their activities affecting critical recharge areas are conducted in a manner consistent with the State plan.

Each State is eligible to receive federal grants for 50 percent of the costs of development and implementation of the approved plan.

Section 204—Protection of sole or principal source groundwater recharge areas

The bill provides a procedure by which municipalities, pursuant to 1424(e), may petition the governor to apply to EPA to be designated as a special protection area (SPA). This petition will propose boundaries and evaluate whether:

(a) the SPA recharges large amounts of potential drinking water;

(b) the above water is of high quality;

(c) the SPA is contaminated with various contaminants;

(d) maintenance of high quality water in the SPA would have significant benefits; and

(e) if not maintained, would have significant costs.

The governor considering the above criteria approves or disapproves the petition and if approved the governor proposes the boundary of the SPA, establishes a planning entity to develop a mangement plan and public participation procedures. The EPA then approves or disapproves the petition based on the above criteria.

The planning entity prepares a plan for the SPA—designed to maintain natural vegetative and hydrogeological conditions to the maximum extent possible. This plan incudes:

(a) the SPA's groundwater quality;

(b) identification of point and non-point sources of groundwater degradation;

(c) requirements needed to meet drinking water standards;

(d) a map of the SPA;

(e) assessment of the development the SPA can sustain and still protect water quality;

(f) limits on federal, state and local government activities which may degrade the capability of the SPA to purify groundwater;

(g) land use and contingency planning to maintain drinking water standards;

(h) actions to avoid adverse impacts on recharge capacity and water quality;

(i) consideration of specific techniques to meet this section's objectives;

(j) consideration of establishing a development transfer credit system;

(k) state and local implementation;

(l) pollution abatement measures, if appropriate; and

(m) adequate personnel, funding and authority.

The governor approves the plan if it protects the SPA from contamination which adversely affects the health of persons. EPA then approves or disapproves the plan.

Grants of 50 percent of the cost of preparing the petition are available (60 percent in municipalities with less than 10,000 people). Grants of 50 percent of the costs of implementing the plan are available (60% in municipalities with less than 10,000 people).

The EPA will establish criteria to determine what areas are eligible for SPA status under 1424(e).

The bill allows the EPA (or States with primary enforcement responsibility) to bring actions against:

(a) any person causing or contributing to the presence of a contaminant in a 1424(e) area which reasonably may or does supply a public water system; and

(b) this contaminant may adversely affect the health of persons unless the water is treated or alternate water supplies are provided. Such person may be required to supply alternative drinking water.

A federal district court review of this order is possible. Violation or refusal to comply with orders subjects the person to fines.

TITLE III

Section 301—Authorization of appropriations

Studies Section (1442(a)(2)(B))—$11.3 million per year, fiscal year 1986-89.

Technical Assistance—$47 million per year, fiscal year 1986-89.

State Public Water System Supervision—$45 million per year, fiscal year 1986-89.

Underground Water Source Protection—$28 million per year, fiscal year 1986-89.

Development of State Plans under new Section 203—$50 million for fiscal year 1986-89.

Development of Special Protection Area Plans under Sec. 204—$10 million for fiscal year 1986-89.

Implementation of Special Protection Area Plans under Sec. 204—$25 million for fiscal year 1986-89.●

● Mr. ECKART of Ohio. Mr. Speaker, it has become increasingly apparent that the quality of our Nation's drinking water sources, particularly those sources supplied by underground

aquifers, is one of the most urgent environmental and health problems facing us today. I believe that the issue is so critical that, if we are fortunate, it will only be the environmental issue of the decade; if we fail, ground water contamination and contaminated drinking water supplies will be the environmental issue of the century. Consider the growing examples of ground water contamination:

In one EPA study, 29 percent of the larger cities supplied by underground sources of drinking water were found to have at least one volatile organic chemical in their water.

EPA's own statistics show that in fiscal year 1983 there were 63,860 violations of drinking water standards or monitoring requirements, and the required notice was given in only 13,600 cases.

A Cornell University study showed that nearly one-sixth of public water systems violated even the most basic of water treatment requirements—that water be disinfected to destroy disease-carrying pathogens. The report estimated that a half-million rural homes might have bacterial levels in their drinking water greater than levels permitted for public beaches.

A recently released OTA report estimated that there are 340,000—170,000 closed and 170,000 operating—surface impoundments in the country used for the storage of industrial, municipal, and other wastes. Even though their contents may be hazardous, most of them are unlined. It has been estimated that two-thirds lie within 1 mile of a source of drinking water.

Incidents of contamination are occurring with increasing and alarming frequency, and have now been reported in every one of the 50 States, and more than one authoritative study has reported ground water contamination from toxic chemical sources in 34 States.

Unfortunately, EPA is not up to the task of ensuring that drinking water supplies in this country are kept safe for human consumption. EPA promulgated interim drinking water standards in 1975 after the 1974 passage of the Safe Drinking Water Act, but has yet to revise these standards into final form. EPA has issued these interim standards for fewer than two dozen substances during the last 10 years, and even the interim standards are based largely on the 1962 Public Health Service recommendations and technology that were generally available in 1974.

Because of this slipshod performance, I introduced safe drinking water legislation last year with my colleagues Mr. MADIGAN and Mr. WAXMAN. The Subcommittee on Health and the Environment held several days of hearings and took testimony from leaders of the environmental community, officials of the public and private water systems, and members of affected industries. My colleagues and I have been impressed repeatedly by the crying need to pass legislation in this area; we must bring our drinking water protections into the 1980's. Accordingly we are reintroducing legislation to reauthorize the Safe Drinking Water Act of 1974.

This bill, a reintroduction of H.R. 5959, which passed the House overwhelmingly in the waning days of the 98th Congress, is a truly bipartisan effort deserving of broad bipartisan support. Each of the affected groups—environmentalists, the water treatment industry, and other industries—has argued that the act should be reauthorized and amended. Our present law is ineffective in guaranteeing potable water supplies for our people. We are introducing a bill which will push EPA to do its job, provide help to the small water systems that need it so much, promote efforts by States to plan for the protection of underground sources of drinking water, and protect the health of the people of this Nation.

I was heartened last year by the many positive responses to this bill we received from members of the public and the affected interest groups. I look forward to working with those and other interested parties this year, and with my distinguished colleagues in the House, so that we may once again move forward with this vital legislation.●

● Mr. LENT. Mr. Speaker, I am very pleased today to join my colleagues ED MADIGAN, HENRY WAXMAN, and DENNIS ECKART in introducing the Safe Drinking Water Act Amendments of 1985. This sorely needed legislation will modify the existing drinking water program at the Environmental Protection Agency [EPA] and will diminish the growing risks to public health from contamination of our drinking water supplies. Congress first passed the Safe Drinking Water Act in 1974, but EPA has regulated less than 20 pollutants in drinking water in that 11-year period. This bill will eliminate these unacceptable delays.

Several recent surveys show that surface water supplies are contaminated by over 700 pollutants. Ground water, which supplies slightly over half of our drinking water, is similarly threatened. This bill would force EPA to face up to this fact and begin setting acceptable levels within a strict timeframe for several contaminants which have already been identified as potential health problems.

I will not attempt to explain the many important provisions of this bill, as Congressman MADIGAN has already submitted a detailed summary of the legislation for the RECORD. I would like instead to highlight one section of the bill, section 204, dealing with the protection of sole source ground water recharge areas.

It is crucial that we move to protect those aquifers that serve as the sole supply of drinking water for a community. If these valuable resources are lost, the citizens of that area have no other supply to turn to. Long Island, NY, is one of several communities faced with this threat.

Section 204 of my bill would provide a procedure whereby municipalities may petition the Governor to apply to EPA to be designated as a "special protection area." Such a designation would be based on specific, strict criteria. If EPA agrees to so designate an area, a local planning entity would prepare a plan designed to maintain national vegetative and hydrogeological conditions to the extent possible. This plan would include such provisions as identification of sources of ground water degradation; an assessment of the development the area can sustain and still protect water quality; a list of actions to avoid adverse impacts on recharge capacity and water quality; and pollution abatement measures, if appropriate. Federal grants of up to 50 percent of the cost of preparing the petition and implementing the plan would be available. The program is clearly voluntary for the community, but for those who rely on one source for their drinking water supply, the availability of this type of Federal program is necessary to guarantee safe and healthful drinking water for future generations.

Mr. Speaker, there has been much focus in the past few years on the implementation and reauthorization of our major hazardous waste laws, the Resource Conservation and Recovery Act [RCRA] and Superfund. As important as these laws are, I believe that it is unfortunate that the Safe Drinking Water Act has become the "poor sister" of environmental laws. It has received little attention and the reauthorization is now 2½ years overdue. All of these laws are intricately related, and one of the primary goals of both RCRA and Superfund is to protect our precious drinking water resources. This cannot be done without a strong Safe Drinking Water Act.

Other legislation has been introduced this year to protect sole source aquifers, but I am strongly supporting this comprehensive reauthorization package because I am confident that it will be the Safe Drinking Water Act vehicle that moves through the House. This very bill passed the House last September 18 by the overwhelmingly wide margin of 366 to 27. We must again move this important legislation quickly through both Houses of Congress.

I urge my colleagues to join us in cosponsoring this crucial legislation.●

● Mr. CARNEY. Mr. Speaker, I am happy to join my colleagues today in introducing the Safe Drinking Water Act Amendments of 1985.

I believe this legislation deserves the highest priority of every Member of this body. As laid before you today, this bill is a long-overdue reauthorization and updating of the Safe Drinking Water Act. It was approved overwhelmingly in the same form by this body last fall.

I am extremely pleased that the authors of this measure have again included a section to establish a demonstration project to develop management plans for the protection of sole-source aquifers, leading to a comprehensive national policy for this much-ignored resource. For far too long our Nation's supplies of clean ground water have been overlooked in national legislation and policy—a problem "out of sight and out of mind."

In my district on Long Island, 2.3 million people are totally dependent on an underground supply for their drinking water. Nationwide, 90 percent of our rural citizens, and millions in our urban and suburban centers, also depend on aquifers, rather than on surface waters. The Environmental Protection Agency estimates that ground water reserves are 50 times that of our annual flow of surface water. Clearly, protection of such a vast and critical resource is in the best interests of all.

The dependency of ground water is clearly a national concern and is not unique to New York. Besides the Nassau/Suffolk aquifer, the Environmental Protection Agency has designated aquifers from Florida to Guam and from Texas to Montana that would be eligible for special protection status and the demonstration project created by this measure.

While not meaning to slight our efforts to control acid rain and clear our skies of pollutants, we must provide the resources to ensure that our communities and homes enjoy a clean and safe drinking water supply. All of the major sections of this bill share that common goal.

Mr. Speaker, the ground water concepts contained in this bill are the seeds of a far-reaching and critically needed national policy and I am optimistic that the 99th Congress will bring them to fruition.●

COMMITTEE IMPROVEMENT AMENDMENTS OF 1985

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Mississippi [Mr. LOTT] is recognized for 30 minutes.

● Mr. LOTT. Mr. Speaker, today I am introducing the Committee Improvement Amendments of 1985, a package of seven House rules amendments designed to make our committee system more manageable, responsive, and representative. I have introduced similar packages in the last two Congresses, but to date the Rules Committee has not seen fit to report or even seriously consider any of these suggested rules changes.

Mr. Speaker, 20 years ago Congressman Bolling wrote a book entitled, "House Out of Order," in which he suggested that the House was not functioning responsibly and responsively because power was too concentrated in the committee chairmen. He went on to suggest that power be redistributed to a stronger Speaker and more active membership through the Democratic caucus. What followed was the House revolution of the seventies during which Mr. Bolling's fondest prescriptions were more than fulfilled; if anything, the House overdosed on democracy and decentralization. Not only was a long overdue committee bill of rights incorporated into House rules, but an even more far-reaching subcommittee bill of rights was guaranteed under the Democratic caucus rules.

The House rapidly evolved from 21 individual power centers—the standing committee chairmen—to nearly 150 collective power centers—the standing subcommittees. What followed is history: With the proliferation of subcommittees came more staff, more overlapping jurisdictions, duplication of effort, turf tangles, phantom legislative devices such as proxy voting and one-third quorums, the dissipation of Members energies and interests, and the dissolution of a deliberative, responsive and representative legislative process at its most critical stage—the committee system.

Consider the fact that a decade ago, in the 93d Congress (1973-74), House committees reported 906 public bills and joint resolutions, passed 923 such measures, and enacted 649. Yet, in the 98th Congress (1983-84), our committees only reported 734 bills and joint resolutions, a 19-percent decrease from the 93d Congress; the House passed 978 such measures, and 623 were enacted into law. Over that same decade, the number of House standing subcommittees increased from 119 to 146, a 22-percent increase; the number of subcommittee seats increased from 1,642 to 1,721; the number of Members with 5 or more subcommittee assignment increased from 154 to 198; and committee staff shot up from 848 to 1,732, a 104-percent increase. In summary, while subcommittees and staff were proliferating, committee productivity was actually declining.

Ironically, the "House Out of Order" of the previous decade had come full circle and then some: It was now a House in shambles—so cluttered, chaotic and crumbling that it threatened to come tumbling in on itself from its sheer weight and internal stresses. As a response to the excesses of the House revolution of the seventies, I have proposed a restoration for the eighties which I have previously referred to as a "Blueprint for a House that Works." I have no illusions that these seven rules changes alone will work miracles in restoring our House to a proud and productive institution; that will ultimately depend on the will and dedication of our membership working together to reverse past trends and put our House back in order. But these simple changes can help lay a sound foundation for that House restoration effort.

THE BLUEPRINT

The Committee Improvement Amendments of 1985 go to the heart of the problem I have described by limiting all committees, except Appropriations, to no more than 6 subcommittees and all Members to no more than four subcommittee assignments. This would result in the elimination of 15 subcommittees in the 99th Congress, from the present 147 down to 132, a 10.2-percent decrease. In addition, based on data from the last Congress, nearly 200 Members would have to give up one or more subcommittee assignments.

With the reduction in subcommittees and Member assignments, the House should also be able to reduce the number of committee staff. Under my proposal, the House would be forced at the beginning of each year to adopt an overall committee staff ceiling before any committee funding resolutions could be considered. The funding resolutions would then have to conform to that ceiling in allocating investigative staff to each committee. It would be my expectation that we could reduce committee staff by at least 10 percent, 173 people, in the first year since we would be eliminating that percent of subcommittees.

To help reduce overlap and duplication in our committee system and further reduce the need for our present subcommittees and staff, I am proposing that we eliminate the joint referral of bills to two or more committees. While split and sequential referrals would be retained, the Speaker would be required to designate one committee as the committee of principal jurisdiction in order to better assign accountability for legislation.

The reduction in subcommittees and Member assignments should also make it possible for us to eliminate the phantom legislative procedures which have only contributed to unrepresentative and often slipshod legislation. My proposal would abolish the practice of proxy voting and replace the present one-third quorum rule for conducting business with the old majority quorum requirement.

To further ensure that our committees and subcommittees are turning

out legislation that is more representative of the House as a whole, my package would require that the majority to minority party ratios on each committee and subcommittee be the same as the party ratio of the House. In the 98th Congress the minority party was slighted some 23 committee seats and 62 subcommittee seats due to inequitable party ratios. In this Congress we have been slighted some 17 committee seats and, it appears, are being even more discriminated against at the subcommittee level. There can be no excuse in a representative democracy such as ours for effectively disenfranchising millions of Americans at such a crucial point in the legislative process.

Finally, my package would revise existing oversight rules to insure that our committees take this important responsibility more seriously. Committees would be required to formally adopt their oversight agendas at the beginning of each Congress and would be held accountable for those plans in their final legislative activity reports at the end of a Congress. Too often committee oversight of executive branch agencies and programs is the neglected stepchild of legislation. And yet our spending and reauthorizing decisions must be based on better information on executive performance if we are to act prudently and frugally. Effective oversight is the key to such sound legislative decisions.

Mr. Speaker, it is my hope that the Rules Committee will undertake a comprehensive review of our committee system in this Congress and in the process give serious consideration to this package of seven committee improvement amendments. The package is not offered with any partisan gain in mind, but rather has been developed with the larger interests of the House as an institution at heart. For if this House out of order does not adopt a new blueprint for a House that works, it will matter little which party had the edge when the walls came tumbling down; our democracy will be the ultimate loser.

At this point in the RECORD, Mr. Speaker, I include a brief summary of the Committee Improvement Amendments of 1985. The summary follows:

BRIEF SUMMARY OF LOTT COMMITTEE IMPROVEMENT AMENDMENTS OF 1985 (H. RES. 110, 99TH CONGRESS, INTRODUCED ON MARCH 21, 1985)

1. *Oversight.*—House Rule X, clause 2(c) would be amended to require that each House standing committee, not later than March 1 in the first session of each Congress, formally adopt oversight plans for that Congress and submit them to the Committee on Government Operations.

No later than March 15, the Committee on Government Operations, after consultation with the bipartisan leadership of the House, shall submit the plans to the House with any recommendations it or the leadership group might make to assure effective coordination of the plans.

The Speaker would be authorized to appoint special ad hoc oversight committees from the membership of committees having overlapping jurisdictions for the purpose of reviewing specific matters within the jurisdictions of those committees.

House Rule XI, clause 1(d) would be amended to require that each committee include in its final report at the end of each congress a separate section on its oversight activities with specific reference to its original oversight plans and a summary of actions taken or recommendations made with respect to those plans and any additional oversight activities undertaken.

2. *Multiple Referral Limitation.*—House Rule X, clause 5(c) would be amended to eliminate the joint referral of bills to more than one committee. Sequential and split referrals would be retained, but the Speaker would designate only one committee as the committee of principal jurisdiction.

3. *Party Ratios.*—House Rule X, clause 6 would be amended to require that party ratios on all House committees (except Standards of Official Conduct), subcommittees, select committees, task forces, subunits, and conference committees shall reflect the party ratio in the House as a whole.

4. *Subcommittee Limits.*—House Rule X, clause 6 would be amended to limit each House standing committee (except Appropriations) to no more than six subcommittees, and limit each House Member to no more than four subcommittee assignments.

5. *Proxy Voting Ban.*—House Rule XI, clause 2(f) would be amended to prohibit proxy voting by any Member in any committee or subcommittee.

6. *Majority Quorum.*—House Rule XI, clause 2(h)(2) would be amended to require a majority quorum on committees and subcommittees for the transaction of any business.

7. *Staff Ceiling.*—House Rule XI, clause 5 would be amended to prohibit the adoption of any committee funding resolution until the House had adopted a resolution reported from the House Administration Committee establishing an overall limit on committee staff personnel for that year.

In developing the committee funding resolutions, the Committee on House Administration shall specify in the resolution the number of staff positions authorized by the resolution and shall indicate in the report that the figure is in conference with the overall committee staff ceiling adopted by the House.

In no event shall the total number of additional staff positions authorized in such funding resolution, together with the total number of statutory staff already authorized by House Rule XI, clause 6, exceed the ceiling established by the House for that year.

No supplemental committee funding resolutions may be adopted which provide for staff in excess of the ceiling adopted by the House unless such resolutions are adopted by a two-thirds vote.●

THE 164TH ANNIVERSARY OF GREEK INDEPENDENCE DAY

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

● Mr. ANNUNZIO. Mr. Speaker, on March 25, 1821, the Greeks embarked on their long and arduous struggle for self-determination, for it was on that date, known today as Greek Independence Day, that the Greek people began a series of uprisings against their Turkish oppressors.

In 1814, Greek merchants formed a secret organization known as the Society of Friends to plan a methodical conspiracy for a general uprising of all Greek inhabitants of the European section of the Sultan's Empire. Seven years later, in 1821, the revolution broke out achieving successes from the beginning, especially in the Peloponnese, central Greece, and the Aegean Islands.

The nucleus of the liberation army of the Greeks consisted of small battle-hardened groups of guerrillas known as "klephtes," which despite their isolation and lack of coordination, had been fighting against Turkish power for centuries. Thousands of inexperienced Greeks joined these guerrilla groups and received training in the art of warfare.

On January 1, 1822, at Epidaurus, the national assembly met to proudly proclaim Greek independence, and introduced a constitution, while the Greek military continued to fight the Turks. The broad spirit of Greek nationalism, almost unique in history, roused the people of Europe, and Philhellenism became a movement of great force in the United States as well. Thousands of soldiers, politicians, intellectuals, and scientists, moved and enraptured by the heroic struggle of the Greeks in revolt, came to Greece and fought bravely with the Greek people, while at the same time special committees were set up in various European countries to collect money and supplies for the Greeks and aid them in their fight to live freely.

When the Sultan attempted to oppose the diplomatic representatives of Great Britain, France, and Russia, the united fleets of these countries provided a final military solution, attacking and decimating the Turkish fleet at the Battle of Navarino on October 20, 1827. Beginning with diplomatic notes, and ending with a peace treaty, the Sultan was forced to concede national political independence to the Greek revolutionaries.

Mr. Speaker, the civilization which flourished in Athens in the millenium before the birth of Christ gave rise to the democratic principles which we cherish in the free world today, and Greek philosophy, art, literature, and science have had a lasting impact on Western civilization. Greece's golden age has truly left a rich legacy which has helped to shape our own traditions, and Greek immigrants who have come to American shores have contributed mightily to our national life in many fields. The ties of friendship that have linked our two nations over the decades have grown stronger and

we have stood together in war and peace.

It is therefore a pleasure for me to extend my greetings to Americans of Greek descent in the 11th Congressional District of Illinois which I am honored to represent, and Greek Americans in Chicago and throughout our Nation, who are commemorating this inspiring event in the history of freedom.●

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. THOMAS of California, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. GONZALEZ, 60 minutes, today.

Mr. GONZALEZ, 60 minutes, March 25.

Mr. GONZALEZ, 60 minutes, March 27.

Mr. GONZALEZ, 60 minutes, March 28.

(The following Members (at the request of Mr. MCKERNAN) to revise and extend their remarks and include extraneous material:)

Mr. EDWARDS of Oklahoma, for 60 minutes, April 2.

Mr. SMITH of New Jersey, for 10 minutes, today.

Mr. MADIGAN, for 30 minutes, today.

Mr. ROWLAND of Connecticut, for 5 minutes, today.

Mr. LOTT, for 30 minutes, today.

Mr. COBEY, for 5 minutes, today.

(The following Members (at the request of Mr. ALEXANDER) to revise and extend their remarks and include extraneous material:)

Mr. PANETTA, for 5 minutes, today.

Mr. ALEXANDER, for 5 minutes, today.

Mr. HAMILTON, for 5 minutes, today.

Mr. WEAVER, for 60 minutes, today.

Mr. LAFALCE, for 10 minutes, today and March 26.

Mr. TAUZIN, for 30 minutes, March 27.

Mr. PICKLE, for 30 minutes, April 22.

(The following Member (at the request of Mr. SWINDALL) to revise and extend his remarks and include extraneous material:)

Mr. BURTON of Indiana, for 30 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. MCKERNAN) and to include extraneous matter:)

Mr. CAMPBELL.

Mr. MCMILLIAN in two instances.

Mr. LIGHTFOOT in two instances.

Mr. SCHULZE.

Mrs. BENTLEY.

Mrs. VUCANOVICH.

Mr. GREEN.

Ms. SNOWE.

Mr. SHUSTER.

Mrs. JOHNSON.

Mr. FAWELL.

Mr. MICHEL in two instances.

(The following Members (at the request of Mr. ALEXANDER) and to include extraneous matter:)

Mr. FUSTER in two instances.

Mr. CONYERS.

Mr. PENNY.

Mr. MILLER of California.

Mr. FRANK in two instances.

Mr. BEILENSON.

Ms. OAKAR in two instances.

Mr. ROE in two instances.

Mr. WISE in two instances.

Mr. KANJORSKI.

Mr. JACOBS.

Mrs. BURTON of California.

Mr. GRAY of Illinois in two instances.

Mr. LOWRY of Washington.

Mr. WYDEN.

Mr. LEVINE of California.

Mr. EVANS of Illinois.

Mr. GARCIA.

Mr. FLORIO.

Mr. HOYER.

Mr. WEISS.

Mr. HALL of Ohio.

Mr. ROEMER.

Mr. DICKS.

Mr. ATKINS.

Mr. MRAZEK.

SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 91. Joint resolution to designate March 21, 1985, as "Afghanistan Day"; to the Committee on Foreign Affairs and the Committee on Post Office and Civil Service.

JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. ANNUNZIO, from the Committee on House Administration, reported that that committee did on March 20, 1985, present to the President, for his approval, a joint resolution of the House of the following title:

H.J. Res. 85. Joint resolution to designate the week of March 24, 1985, through March 30, 1985, as "National Skin Cancer Prevention and Detection Week."

ADJOURNMENT

Mr. SMITH of New Jersey. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 4 minutes p.m.), under its previous order, the House adjourned until Monday, March 24, 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:

812. A letter from the Assistant Secretary of the Air Force (Manpower, Reserve Affairs and Installations), transmitting a draft of proposed legislation to amend section 1448 of title 10, United States Code, to provide more equitable treatment under the Survivor Benefit Program for the surviving spouses of certain commissioned officers of the Armed Forces; to the Committee on Armed Services.

813. A letter from the Adjutant General, Veterans of Foreign Wars of the United States, transmitting proceedings of the 85th National Convention of the Veterans of Foreign Wars of the United States, held in Chicago, IL, August 17-24, 1984, pursuant to 36 U.S.C. 118; 44 U.S.C. 1332 (H. Doc. No. 99-42); to the Committee on Armed Services and ordered to be printed.

814. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 6-15, "D.C. Housing Finance Agency Act Amendment Temporary Act of 1985," pursuant to Public Law 93-198, section 602(c); to the Committee on the District of Columbia.

815. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 6-14, "D.C. Commission on Baseball Amendment Act of 1985," report, pursuant to Public Law 93-198, section 602(c); to the Committee on the District of Columbia.

816. A letter from the Chairman, National Arthritis Advisory Board, transmitting the Board's 1984 annual report; to the Committee on Energy and Commerce.

817. A letter from the Chairman, Securities and Exchange Commission, transmitting a draft of proposed legislation to amend the Securities Act of 1933, the Securities Exchange Act of 1934, the Public Utility Holding Company Act of 1935, the Trust Indenture Act of 1939, the Investment Company Act of 1940, and the Investment Advisors Act of 1940 to make certain technical, clarifying, and conforming amendments; to the Committee on Energy and Commerce.

818. A letter from the Chairman and Chief Executive Officer, Consolidated Rail Corporation, transmitting the Consolidated Rail Corporation's annual report for 1984, pursuant to Public Law 93-2436, section 307(b) (90 Stat. 99); to the Committee on Energy and Commerce.

819. A letter from the Director, Defense Security Assistance Agency, transmitting a report on the status of each loan and contract of guaranty or insurance to which there remains outstanding any unpaid obligation or potential liability and the status of each extension of credit for the procurement of defense articles or services, pursuant to 22 U.S.C. 2765(a); to the Committee on Foreign Affairs.

820. A letter from the Acting Assistant Secretary of State for Legislative and Intergovernmental Affairs, transmitting a report of political contributions by Fernando Enrique Rondon of Virginia, to be Ambassador Extraordinary and Plenipotentiary to the Republic of Ecuador, pursuant to Public Law 96-465, section 304(b)(2); to the Committee on Foreign Affairs.

821. A letter from the Acting Assistant Secretary of State for Legislative and Intergovernmental Affairs, transmitting a report

of political contributions by Faith Ryan of Pennsylvania to be Ambassador Extraordinary and Plenipotentiary to Switzerland, pursuant to Public Law 96-465, section 304(b)(2); to the Committee on Foreign Affairs.

822. A letter from the Director, Peace Corps, transmitting a draft of proposed legislation to enable the Peace Corps to continue its efforts on behalf of world peace and friendship for fiscal years 1986 and 1987; to the Committee on Foreign Affairs.

823. A letter from the Comptroller General, General Accounting Office, transmitting a list of all reports issued by GAO during February, pursuant to 31 U.S.C. 719(h); to the Committee on Government Operations.

824. A letter from the Administrator, Veterans' Administration, transmitting an evaluation of activities under the Freedom of Information Act, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

825. A letter from the Assistant Secretary for Administration, Department of Commerce, transmitting an evaluation of activities under the Freedom of Information Act, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

826. A letter from the Chairman, National Capital Planning Commission, transmitting an evaluation of activities under the Freedom of Information Act, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

827. A letter from the Director, Office of Personnel Management, transmitting as evaluation of activities under the Freedom of Information Act, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

828. A letter from the Director, Selective Service System, transmitting an evaluation of activities under the Freedom of Information Act, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

829. A letter from the Director, Office of Managment and Budget, transmitting a draft of proposed legislation to extend and revise the authority of the President under chapter 9 of title 5, United States Code, to transmit to the Congress plans for the reorganization of the agencies of the executive branch of the Government; to the Committee on Government Operations.

830. A letter from the Assistant Secretary for Water and Science, Department of the Interior, transmitting a proposed contract with Yuma County Water Users Association, Yuma Project, AZ, for drainage works and minor construction over $200,000, pursuant to the act of June 13, 1956, chapter 382, to the Committee on Interior and Insular Affairs.

831. A letter from the Commissioner, Bureau of Reclamation, Department of the Interior, transmitting notification of the necessity to make structural modifications to the Jackson Lake Dam, Minidoka Project, Wyoming-Idaho, pursuant to Public Law 95-578, section 5; to the Committee on Interior and Insular Affairs.

832. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a draft of proposed legislation to amend the Atomic Energy Act of 1954, as amended, to eliminate duplicative Federal Register notices relating to the Commission's Agreement State Program; to the Committee on Interior and Insular Affairs.

833. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a draft of proposed legislation to amend the Atomic Energy Act to clarify that the Nuclear Regulatory Commission is authorized to protect from public disclosure certain sensitive generic safeguards information, the disclosure of which could negate or compromise site specific security measures; to the Committee on Interior and Insular Affairs.

834. A letter from the Commissioner, Immigration and Naturalization Service, transmitting a report on waivers granted from certain admissibility requirements for refugees, pursuant to INA, section 207(c)(3) (94 Stat. 103); to the Committee on the Judiciary.

835. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a draft of proposed legislation to amend title 18 of the United States Code to make it a criminal offense to kill or forcibly assault, resist, oppose, impede, imtimidate or interfere with an NRC employee who is performing his official duties; to the Committee on the Judiciary.

836. A letter from the Chairwoman, Personnel Appeals Board, General Accounting Office, transmitting the Board's annual report; to the Committee on Post Office and Civil Service.

837. A letter from the Acting Assistant Secretary, Department of the Interior, transmitting a draft of proposed legislation authorizing appropriations to the Secretary of the Interior for services necessary to the nonperforming functions of the John F. Kennedy Center for the Performing Arts, and for other purposes; to the Committee on Public Works and Transportation.

838. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend the National Climate Program Act to authorize appropriations for fiscal years 1986 and 1987; to the Committee on Science and Technology.

839. A letter from the Administrator, Veterans' Administration, transmitting a draft of proposed legislation to increase the statutory rates of disability compensation for veterans and rates of dependency and indemnity compensation for surviving spouses and children of veterans; to the Committee on Veterans' Affairs.

840. A letter from the Under Secretary of Labor, transmitting the 10th annual report of the activities and financial statements of the Pension Benefit Guaranty Corporation, pursuant to Public Law 93-406, section 4008; jointly, to the Committees on Education and Labor and Ways and Means.

841. A letter from the Comptroller General of the United States, transmitting a report entitled "Debentures Not Serving Purposes HUD Intended—Legislative Changes Could Help Increase Effectiveness And Minimize Interest Costs," (GAO/RCED-85-38, March 13, 1985); jointly, to the Committees on Government Operations and Banking, Finance and Urban Affairs.

842. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a draft of proposed legislation to amend section 206 of the Energy Reorganization Act of 1974, as amended, to clarify notification requirements for noncompliance; jointly, to the Committees on Interior and Insular Affairs and Energy and Commerce.

843. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a draft of proposed legislation to amend the Atomic Energy Act to provide criminal sanctions for an act of sabotage of a nuclear powerplant during its construction which could affect the public health and safety were it to go undetected; jointly, to the Committees on Interior and Insular Affairs and the Judiciary.

844. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a draft of proposed legislation to provide applicants for, or holders of a production facility license or a utilization facility license with access to certain Federal criminal history records; jointly, to the Committees on Interior and Insular Affairs and the Judiciary.

845. A letter from the Comptroller General of the United States, transmitting a report entitled "Effects of Liabilities Assessed Employers Withdrawing From Multiemployer Pension Plans" (GAO/HRD-85-16, March 14, 1985); jointly, to the Committees on Government Operations, Education and Labor, and Ways and Means.

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. JONES of Oklahoma:

H.R. 1641. A bill to amend title II of the Social Security Act and related provisions of law to make minor improvements and necessary technical changes; to the Committee on Ways and Means.

By Mr. AKAKA:

H.R. 1642. A bill to modify the navigation project for Honolulu Harbor, HI, to direct the Army Corps of Engineers to maintain a 23-foot depth in Kalihi Channel, and for other purposes; to the Committee on Public Works and Transportation.

H.R. 1643. A bill to authorize the Secretary of the Army to construct certain flood control and navigation projects in the State of Hawaii, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. ARMEY (for himself, Mr. FUSTER, Mr. GALLO, Mr. CONTE, Mr. BARTON of Texas, Mr. SHELBY, Mr. SOLOMON, Mrs. JOHNSON Mr. LIPINSKI, Mr. GROTBERG, Mr. DELAY, Mr. COMBEST, Mr. LOTT, Mr. BOULTER, and Mr. YOUNG of Alaska):

H.R. 1644. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for contributions to education savings accounts and to provide that amounts paid from such an account for educational expenses shall never be subject to income tax; to the Committee on Ways and Means.

By Mr. BEILENSON:

H.R. 1645. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 to require manufacturers of passenger cars to furnish information relating to the crashworthiness of the cars to prospective car buyers; to the Committee on Energy and Commerce.

By Mr. BIAGGI:

H.R. 1646. A bill to amend the Federal Aviation Act of 1958 to require commercial passenger-carrying aircraft to be equipped with smoke detectors and automatic fire extinguishers in all aircraft lavatories and galley areas; to the Committee on Public Works and Transportation.

H.R. 1647. A bill to amend the Federal Aviation Act of 1958 to encourage inflight emergency medical care aboard passenger-carrying aircraft; to the Committee on Public Works and Transportation.

By Mr. BONKER (for himself, Mr. ANTHONY, Mr. ALEXANDER, Mr. AUCOIN, Mr. BORSKI, Mr. CALLAHAN,

Mr. CHANDLER, Mr. CRAIG, Mr. DICKINSON, Mr. DICKS, Mr. FOLEY, Mr. HUBBARD, Mr. LOWRY of Washington, Mr. MCKERNAN, Mr. MORRISON of Washington, Mr. RAHALL, Mr. ROBINSON, Mr. DENNY SMITH, Ms. SNOWE, Mr. STALLINGS, Mr. SWIFT, Mr. TALLON, Mr. WATKINS, Mr. WEAVER, Mr. MILLER of Washington, Mr. WILLIAMS, and Mr. WYDEN):

H.R. 1648. A bill to amend the Trade Act of 1974 to promote expansion of international trade in wood products, and for other purposes; to the Committee on Ways and Means.

By Mr. DORNAN of California (for himself, Mr. SILJANDER, Mr. DAUB, Mr. WEBER, Mr. BLAZ, Mr. WILSON, Mr. CRANE, Mr. BADHAM, and Mr. SHUMWAY):

H.R. 1649. A bill to provide for the withdrawal of the United States from treaties and international agreements violated by Communist regimes, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MADIGAN (for himself, Mr. WAXMAN, Mr. ECKART of Ohio, Mr. LENT, Mr. CARNEY, Mr. FOLEY, Mr. TAUKE, Ms. MIKULSKI, Mr. OXLEY, Mr. SIKORSKI, Mr. RINALDO, Mr. LELAND, Mr. BOEHLERT, and Mr. DOWNEY of New York):

H.R. 1650. A bill to amend the Safe Drinking Water Act; to the Committee on Energy and Commerce.

By Mr. DORNAN of California (for himself, Mr. SILJANDER, Mr. DAUB, Mr. WEBER, Mr. BLAZ, Mr. WILSON, Mr. CRANE, Mr. BADHAM, and Mr. SHUMWAY):

H.R. 1651. A bill to prohibit the importation into the United States of articles of foreign businesses that export certain goods and technology from Communist regimes, and for other purposes; to the Committee on Ways and Means.

By Mr. ERDREICH:

H.R. 1652. A bill to amend the Internateral Revenue Code of 1954, concerning the requirement for separate mailings of IRS 1099 statements; to the Committee on Ways and Means.

By Mr. FUSTER:

H.R. 1653. A bill to amend the Food Stamp Act of 1977 to repeal the noncash benefit requirement for the Puerto Rico Nutrition Assistance Program carried out under such act and to require that the maximum amount of the block grant payable to Puerto Rico be adjusted to reflect food price changes in Puerto Rico; to the Committee on Agriculture.

H.R. 1654. A bill to amend title 38, United States Code, to extend for 1 year the authority of the Veterans' Administration to provide certain contract medical services in Puerto Rico and the Virgin Islands; to the Committee on Veterans' Affairs.

By Mr. GEJDENSON:

H.R. 1655. A bill to authorize funds for fiscal year 1986 for carrying out the International Travel Act of 1961; to the Committee on Energy and Commerce.

By Mr. GLICKMAN:

H.R. 1656. A bill to provide price and income protection for farmers; to make persons who produce agricultural commodities on highly erodible land ineligible for certain agriculture-related programs; to require the collection and dissemination of financial information with respect to certain grain storage facilities; and for other purposes; to the Committee on Agriculture.

By Mr. GREEN:

H.R. 1657. A bill to amend the Internal Revenue Code of 1954 to disregard, in the valuation for estate tax purposes of certain items created by the decedent during his life, any amount which would have been ordinary income if such item has been sold by the decedent at its fair market value, to allow a charitable deduction based on the fair market value of such items, and for other purposes; to the Committee on Ways and Means.

By Mr. GUARINI (for himself, Mr. STARK, and Mr. FRENZEL):

H.R. 1658. A bill to amend the Internal Revenue Code of 1954 with respect to the treatment of business development companies; to the Committee on Ways and Means.

By Mr. HAMILTON (for himself, Mr. COURTER, Mr. MITCHELL, Mr. BERMAN, Mr. BEDELL, Mrs. BOXER, Mr. FASCELL, Mr. FAZIO, Mr. HUGHES, Mr. LANTOS, Mr. MILLER of California, Mr. OLIN, Mr. RAHALL, Mr. ROE, Mr. ROSE, Mr. DENNY SMITH, Mr. SMITH of Florida, and Mr. VENTO):

H.R. 1659. A bill to amend section 1105 of title 31, United States Code, relating to the President's budget to require it to separately set forth the annual budget of the Federal Reserve System; to the Committee on Government Operations.

By Mr. WISE:

H.R. 1660. A bill to amend the Solid Waste Disposal Act and the Toxic Substances Control Act to prevent releases of toxic and hazardous substances which are presently not adequately controlled, to establish a community right to know of the risks associated with hazardous substances to which they may be exposed, to protect the rights of individuals exposed to hazardous substances, and for other purposes; to the Committee on Energy and Commerce.

H.R. 1661. A bill to amend the Clean Air Act to provide for the control of hazardous air pollutants from stationary and mobile sources; to the Committee on Energy and Commerce.

By Mr. HUNTER (for himself and Mr. LUNGREN):

H.R. 1662. A bill to reaffirm the policy in current law concerning construction of U.S naval vessels on the Pacific coast and to direct the President to report to Congress on the implementation of that policy; to the Committee on Armed Services.

By Mr. JEFFORDS:

H.R. 1663. A bill to amend title 23, United States Code, to repeal the national minimum drinking age and to authorize certain education programs to be eligible for alcohol traffic safety grants; to the Committee on Public Works and Transportation.

H.R. 1664. A bill to amend title 23, United States Code, to authorize under the national minimum drinking age provision a State adjacent to a foreign country to allow the purchase and consumption of an alcoholic beverage on the premises of certain establishments by any person who is 18, 19, or 20 years old, and for other purposes; to the Committee on Public Works and Transportation.

H.R. 1665. A bill to amend title 23, United States Code, to authorize a State under the national minimum drinking age provision to allow the purchase and consumption of an alcoholic beverage on the premises of certain establishments by any person who is 18, 19, or 20 years old, and for other purposes; to the Committee on Public Works and Transportation.

By Mrs. JOHNSON (for herself, Mr. BOLAND, Mr. DONNELLY, Mr. MORRISON of Connecticut, Mr. FRANK, Mr. ROWLAND of Connecticut, Mr. ST GERMAIN, and Mrs. KENNELLY):

H.R. 1666. A bill to recognize and grant a Federal charter to the Franco-American War Veterans, Inc.; to the Committee on the Judiciary.

By Mrs. KENNELLY:

H.R. 1667. A bill to allow a deduction for certain freight forwarder operating authorities; to the Committee on Ways and Means.

By Mr. LEVINE of California (for himself, Mr. GILMAN, Mrs. SCHNEIDER, Mr. UDALL, Mrs. SCHROEDER, Mr. HORTON, Mr. JONES of Oklahoma, and Mr. FROST):

H.R. 1668. A bill to amend title 39, United States Code, to provide that change-of-address order forms submitted to the Postal Service may be furnished to the appropriate State authority for purposes relating to voter registration; to the Committee on Post Office and Civil Service.

By Mr. LOWRY of Washington (for himself and Mr. LEACH of Iowa):

H.R. 1669. A bill to establish a National Endowment for the Homeless; to the Committee on Banking, Finance and Urban Affairs.

By Ms. MIKULSKI:

H.R. 1670. A bill to amend title 4 of the United States Code to complete the official seal of the United States; to the Committee on the Judiciary.

By Mr. MITCHELL:

H.R. 1671. A bill to prohibit the Commodity Credit Corporation from extending any loans, credits, guarantees, or other financing to the Republic of South Africa; to the Committee on Foreign Affairs.

By Ms. OAKAR:

H.R. 1672. A bill to amend the Federal Food, Drug, and Cosmetic Act to strengthen the authority of the Food and Drug Administration to control the use of drugs which present risks to the public and to secure data on adverse reactions to drugs, and for other purposes; to the Committee on Energy and Commerce.

H.R. 1673. A bill to require that diet drugs containing phenylpropanolamine be dispensed only upon prescription; to the Committee on Energy and Commerce.

H.R. 1674. A bill to provide financial assistance for programs for the prevention, identification, and treatment of elder abuse, neglect, and exploitation, to establish a National Center on Elder Abuse, and for other purposes; jointly, to the Committees on Education and Labor and Energy and Commerce.

By Mr. OWENS:

H.R. 1675. A bill to provide for fair and nonpartisan administration of Federal elections; to the Committee on House Administration.

H.R. 1676. A bill to amend title 38, United States Code, to provide that surviving spouses of enlisted members of the Armed Forces who served during a period of war before World War II and who died of a service-connected disability shall be entitled to dependency and indemnity compensation [DIC] at no less than the rates for the surviving spouses of veterans whose highest pay grade was E-3; to the Committee on Veterans' Affairs.

H.R. 1677. A bill to provide a deduction for employment expenses which are incurred by the taxpayer for the care of certain individuals in the home or in a dependent care center if such care is necessary for the gainful employment of the taxpayer or a member of the household of which any

such individual is a member; to the Committee on Ways and Means.

H.R. 1678. A bill to amend the Internal Revenue Code of 1954 to provide that consolidated returns may not be filed by certain corporations which are dominant in any market with respect to any product; to the Committee on Ways and Means.

By Mr. REGULA:

H.R. 1679. A bill to establish as an executive department of the Government of the United States a Department of Trade, and for other purposes; to the Committee on Government Operations.

By Mr. ST GERMAIN (for himself and Mr. WYLIE) (by request):

H.R. 1680. A bill to strengthen and refine the provisions of the Federal Home Loan Bank Act, the Home Owners' Loan Act of 1933 and the National Housing Act, to provide for more flexible premium assessment procedures, to improve insurance of accounts provisions, to establish priorities among claimants against the estates of failed institutions, to improve and clarify enforcement authority, to strengthen holding company provisions, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mrs. SCHROEDER (for herself, Mr. ATKINS, Mr. FAUNTROY, Mr. RAHALL, Mrs. BURTON of California, Mr. WHEAT, Mrs. BOXER, and Mr. LANTOS):

H.R. 1681. A bill to improve benefits for military families; to the Committee on Armed Services.

By Mr. SKELTON:

H.R. 1682. A bill to amend title XVIII of the Social Security Act to provide for payment of hospitals under the DRG prospective payment system on the basis of a blend of hospital-specific rates and a national rate, depending on the degree of variation of costs within specific diagnosis-related groups; to the Committee on Ways and Means.

By Mr. SMITH of New Jersey:

H.R. 1683. A bill to remove the limitation of 5 years on the service of Peace Corps employees; to the Committee on Foreign Affairs.

H.R. 1684. A bill to amend the Immigration and Nationality Act to provide preferential treatment in the admission of certain children of U.S. citizens, which children have been or will be adopted by U.S. citizens; to the Committee on the Judiciary.

By Ms. SNOWE (for herself and Mr. MCKERNAN):

H.R. 1685. A bill to establish a permanent boundary for the Acadia National Park in the State of Maine, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mrs. VUCANOVICH:

H.R. 1686. A bill to designate certain National Forest System lands in the State of Nevada for inclusion in the National Wilderness Preservation System, and for other purposes; jointly, to the Committees on Interior and Insular Affairs and Agriculture.

By Mr. WHITTEN:

H.R. 1687. A bill to restore rights accorded private citizens against slander and libel to public officials and candidates for public office; to the Committee on the Judiciary.

H.R. 1688. A bill to provide for determination through judicial proceedings of claims for compensation on account of disability or death resulting from disease or injury incurred or aggravated in line of duty while serving in the active military or naval service, including those who served during peacetime, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WILLIAMS (for himself, Mr. RICHARDSON, Mr. ECKART of Ohio, Mr. DORGAN of North Dakota, Mr. LELAND, Mr. OWENS, Mr. YATRON, and Mr. HALL of Ohio):

H.R. 1689. A bill to create an American Boxing Corp.; jointly, to the Committees on Education and Labor and Energy and Commerce.

By Mr. WYDEN (for himself, Mr. GEPHARDT, and Mr. SCHUMER):

H.R. 1690. A bill to provide for a demonstration program in which a limited number of States would be permitted to provide unemployment compensation to individuals for the purpose of funding self-employment; to the Committee on Ways and Means.

By Mr. ANDERSON:

H.J. Res. 199. Joint resolution designating the period beginning April 8, 1986, and ending May 6, 1986, as "Bataan-Corregidor Month"; to the Committee on Post Office and Civil Service.

By Mr. DICKS (for himself and Mr. CONTE):

H.J. Res. 200. Joint resolution designating October 1985 as "National Head Injury Awareness Month"; to the Committee on Post Office and Civil Service.

By Mr. WHITTEN:

H.J. Res. 201. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. HAMILTON:

H. Con. Res. 92. Concurrent resolution to commend Lt. Gen. Lincoln D. Faurer for exceptionally distinguished service to the United States of America; considered and agreed to.

By Mr. DURBIN:

H. Con. Res. 93. Concurrent resolution urging the extension of the voluntary restraint agreement affecting imports of Japanese-built motor vehicles; to the Committee on Ways and Means.

By Mr. FRANK:

H. Con. Res. 94. Concurrent resolution to request that the President issue a proclamation designating July 4 of each year as the principal national permanent legal holiday; to the Committee on Post Office and Civil Service.

By Mr. HAWKINS (for himself, Mr. KILDEE, Mr. CONTE, Mr. CLAY, Mr. BIAGGI, Mr. MURPHY, Mr. FORD of Michigan, Mr. MARTINEZ, Mr. OWENS, Mr. BOUCHER, Mr. HAYES, Mr. PERKINS, Mr. SOLARZ, Mr. DYMALLY, Mr. ATKINS, Mr. CARR, Mr. PETRI, Mr. GAYDOS, Mr. MCKERNAN, Mr. HENRY, Mr. TAUKE, Mr. CHANDLER, and Mr. WILLIAMS):

H. Con. Res. 95. Concurrent resolution commemorating the 20th anniversary of Head Start; to the Committee on Education and Labor.

By Mr. MRAZEK:

H. Con. Res. 96. Concurrent resolution declaring it to be the sense of Congress that any freeze of cost-of-living adjustments which may be imposed during 1985 as a deficit reduction measure should not apply to Social Security beneficiaries who were born in 1917 or thereafter and who (because of their date of birth) are already suffering from the adverse effects of the "notch" created by the Social Security Amendments of 1977; to the Committee on Ways and Means.

By Mr. OWENS:

H. Con. Res. 97. Concurrent resolution expressing the sense of the Congress regarding the use of Federal funds to purchase a portrait or any other artwork depicting any Federal officers or employees; to the Committee on Government Operations.

By Mr. LOTT:

H. Res. 110. Resolution to amend the Rules of the House to make the committee system more manageable, representative, and responsive by reducing the number of subcommittees and member subcommittee assignments, eliminating the joint referral of bills and proxy voting, restoring equitable party ratio and majority quorum requirements, placing limits on the number of committee staff, and improving congressional oversight; to the Committee on Rules.

By Mr. BATES:

H. Res. 111. Resolution to amend the Rules of the House of Representatives to prohibit the consideration in the House of legislation providing for the designation of commemorative days or other periods; to the Committee on Rules.

By Mr. SCHULZE (for himself and Mr. GRAY of Pennsylvania):

H. Res. 112. Resolution establishing the House of Representatives Minority Student Intern Program; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII memorials were presented and referred as follows:

45. By the SPEAKER: Memorial of the Legislature of the State of Hawaii, relative to sugar; to the Committee on Agriculture.

46. Also, memorial of the Legislature of the State of Arkansas, relative to the Soil Conservation Service; to the Committee on Agriculture.

47. Also, memorial of the Legislature of the State of New Hampshire, relative to pay to Federal legislators; to the Committee on the Judiciary.

48. Also, memorial of the Legislature of the State of Washington, relative to Willfried and Ilona Schorno; to the Committee on the Judiciary.

49. Also, memorial of the Legislature of the State of Idaho, relative to a new lock at Bonneville Dam; to the Committee on Public Works and Transportation.

50. Also, memorial of the Legislature of the State of North Dakota, relative to bankruptcy and Federal tax; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GOODLING:

H.R. 1691. A bill for the relief of Mohammed H. Quader, and his wife Nurjehan K. Quader; to the Committee on the Judiciary.

H.R. 1692. A bill for the relief of Joseph Willbroad Mayanja; to the Committee on the Judiciary.

By Mr. LANTOS:

H.R. 1693. A bill for the relief of Enrique Montano Ugarte; to the Committee on the Judiciary.

By Mr. McCANDLESS:

H.R. 1694. A bill for the relief of Viola P. Warbis; 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. 4: Mr. PORTER.

H.R. 26: Mr. MITCHELL, Mrs. JOHNSON, Mr. COLEMAN of Texas, Mr. RITTER, Mr. KOLBE, and Mr. FORD of Tennessee.

H.R. 36: Mr. LEHMAN of California and Mr. DIXON.

H.R. 56: Mr. DARDEN, Mr. MOORE, Mr. BONER of Tennessee, Mr. DOWDY of Mississippi, Mr. ANTHONY, Mr. JENKINS, Mr. JONES of North Carolina, Mr. MITCHELL, and Mr. DUNCAN.

H.R. 99: Mr. AUCOIN.

H.R. 429: Mr. SILJANDER, Mr. KRAMER, Mr. STRANG, Mr. DREIER of California, Mr. CRANE, Mr. FORD of Michigan, Mr. FRENZEL, Mr. MARTINEZ, Mr. YOUNG of Florida, Mr. DAVIS, Mrs. BENTLEY, Mr. MITCHELL, Mr. MORRISON of Washington, and Mr. PASHAYAN.

H.R. 431: Mr. WORTLEY, Mr. SMITH of Florida, Mr. DUNCAN, Mr. GOODLING, Mr. KILDEE, Mr. ASPIN, Mr. KASICH, Mr. MCGRATH, Mr. STRATTON, Mr. WILSON, Mr. BOEHLERT, and Mr. HENDON.

H.R. 465: Mr. FASCELL, Ms. MIKULSKI, Mr. WEAVER, Mrs. LLOYD, Mr. GUARINI, Mr. ANDERSON, and Mr. FAZIO.

H.R. 555: Mr. TAUKE, Mr. HUNTER, Mr. CRAIG, Mr. BIAGGI, Mr. RINALDO, Mr. BARTON of Texas, Mr. EMERSON, Mr. COBEY, Mr. DAUB, Mr. DEWINE, Mr. CRANE, and Mr. LIVINGSTON.

H.R. 600: Mr. ROTH, Mr. ARMEY, Mrs. JOHNSON, Mr. FRANKLIN, Mr. SILJANDER, Mr. MONSON, Mr. LOEFFLER, Mr. SCHUETTE, Mr. MACK, Mr. NELSON of Florida, Mr. HAYES, Mr. FASCELL, Mr. NOWAK, Mr. FEIGHAN, Mr. MCCANDLESS, Mr. SWINDALL, Mr. HAMMERSCHMIDT, Mr. KASICH, Mr. HUNTER, Mr. SHELBY, Mr. TALLON, Mr. LIPINSKI, Mrs. HOLT, Mr. FISH, Mr. CHANDLER, Mrs. VUCANOVICH, Mr. BARNES, Mr. BRUCE, Mr. BATEMAN, Mr. SHARP, Mr. OBEY, Mr. ORTIZ, Mr. ANDERSON, and Mr. BOSCO.

H.R. 605: Mr. KASICH, Mr. WORTLEY, Mr. SMITH of New Hampshire, Mrs. BENTLEY, Mr. LIPINSKI, and Mr. DIOGUARDI.

H.R. 632: Mr. CLAY, Mr. ANDREWS, Mr. RANGEL, Mr. DIXON, and Mr. MARTINEZ.

H.R. 635: Ms. MIKULSKI.

H.R. 639: Mr. MARTINEZ and Mr. FASCELL.

H.R. 640: Mr. MARTINEZ.

H.R. 816: Mr. LIVINGSTON.

H.R. 880: Mr. ROWLAND of Connecticut, Mrs. SCHNEIDER, and Mr. MORRISON of Washington.

H.R. 882: Mr. IRELAND, Mr. REID, Mr. FORD of Tennessee, Mr. RICHARDSON, and Mr. YOUNG of Florida.

H.R. 901: Mr. DELLUMS, Mr. TOWNS, Mr. WIRTH, Mr. MARTINEZ, Mr. REID, and Mr. FORD of Tennessee.

H.R. 913: Mr. DWYER of New Jersey.

H.R. 988: Mr. WEISS, Mr. LAFALCE, Mr. MAZZOLI, Mrs. BOXER, Mr. SMITH of New Jersey, Mr. SHARP, and Mr. PURSELL.

H.R. 1000: Mr. YOUNG of Alaska.

H.R. 1017: Mr. OBERSTAR.

H.R. 1046: Mr. HUCKABY and Mr. LIVINGSTON.

H.R. 1082: Mr. CHENEY.

H.R. 1090: Mr. MAVROULES, Mr. RODINO, Ms. MIKULSKI, Mr. MORRISON of Connecticut, Mr. GLICKMAN, Mrs. COLLINS, and Mrs. KENNELLY.

H.R. 1142: Mr. HANSEN.

H.R. 1161: Mr. ECKART of Ohio, Mr. GLICKMAN, Mr. KILDEE, Mr. EVANS of Illinois, Mr. O'BRIEN, Mr. RANGEL, Mr. ROSE, and Mr. STAGGERS.

H.R. 1213: Mr. WHITLEY and Mr. HOYER.

H.R. 1257: Mr. DREIER of California, Mr. KOLBE, Mr. SCHULZE, Mr. PEASE, and Mr. WORTLEY.

H.R. 1263: Mr. DELAY, Mr. SILJANDER, Mr. LAGOMARSINO, Mr. SENSENBRENNER, Mr. FUSTER, Mr. FIELDS, Mr. UDALL, Mr. WEBER, Mr. BLAZ, Mr. THOMAS of Georgia, Mr. GALLO, Mr. GARCIA, Mr. DANIEL, Mr. CRANE, AND Mr. LOTT.

H.R. 1272: Mr. BERMAN, Mr. PANETTA, Mr. SMITH of Florida, Mrs. BURTON of California, Mr. DICKS, and Mr. SAXTON.

H.R. 1294: Mr. ADDABBO.

H.R. 1347: Mr. CRANE.

H.R. 1348: Mr. LEVINE of California.

H.R. 1392: Mr. RICHARDSON and Mr. WHITLEY.

H.R. 1395: Mr. EVANS of Illinois, Mr. MILLER of Washington, Mr. SMITH of New Jersey, Mr. MCGRATH, Mr. RITTER, Mr. BEREUTER, Mr. LIGHTFOOT, Mr. WHITEHURST, Mr. KOLBE, Mr. GLICKMAN, Mr. STENHOLM, Mrs. BENTLEY, Ms. SNOWE, and Mr. CRANE.

H.R. 1436: Mr. STOKES and Mr. RICHARDSON.

H.R. 1442: Mr. WEISS, Mr. HOWARD, and Mr. FOGLIETTA.

H.R. 1523: Mr. TOWNS, Mr. ROYBAL, Mr. SAVAGE, Mr. GLICKMAN, Mr. RODINO, Mr. BARNES, Mr. FORD of Tennessee, Mr. ROE, Mr. YOUNG of Missouri, Mr. SMITH of Florida, and Mrs. BURTON of California.

H.R. 1524: Mr. CLAY, Mr. DELLUMS, Mr. SAVAGE, Mr. ATKINS, Mr. BIAGGI, Mr. SMITH of Florida, Mr. GARCIA, Mr. BERMAN, Mrs. BOXER, Mr. STOKES, and Mr. RICHARDSON.

H.R. 1615: Mr. CRANE and Mr. DORGAN of North Dakota.

H.J. Res. 25: Mr. PEPPER, Mr. WAXMAN, Mr. BONIOR of Michigan, Mr. PANETTA, Mr. RODINO, Mr. ORTIZ, Mr. NIELSON of Utah, Mr. MOORE, Mr. BROOKS, Mr. STANGELAND, Mr. MORRISON of Connecticut, Mr. STRANG, Mr. TALLON, Mr. TOWNS, Mr. SIKORSKI, Mr. COURTER, Mr. GRAY of Pennsylvania, Mr. JEFFORDS, Mr. LEVIN of Michigan, Mr. DORNAN of California, Mr. GUARINI, Mr. OLIN, Mr. TRAXLER, Mr. SKELTON, and Mr. MICHEL.

H.J. Res. 27: Mr. STALLINGS, Mr. CHAPPIE, Mr. VALENTINE, Mr. BEREUTER, Mr. DORNAN of California, Mr. DERRICK, Mr. FAWELL, Mr. MONSON, Mr. MCMILLAN, Mr. LIGHTFOOT, Mr. SNYDER, Mr. ROBERTS, and Mr. SKELTON.

H.J. Res. 91: Mr. SMITH of New Jersey, Mr. COBEY, and Mr. DAUB.

H.J. Res. 94: Mr. DEWINE and Mr. YOUNG of Florida.

H.J. Res. 100: Mr. ADDABBO, Mr. ANNUNZIO, Mr. APPLEGATE, Mr. BATEMAN, Mr. BEVILL, Mr. BIAGGI, Mr. BLILEY, Mr. BONER of Tennessee, Mr. BOUCHER, Mr. BUSTAMANTE, Mrs. BYRON, Mr. CALLAHAN, Mrs. COLLINS, Mr. COUGHLIN, Mr. CROCKETT, Mr. DANIEL, Mr. DAVIS, Mr. DYMALLY, Mr. EDGAR, Mr. EMERSON, Mr. FASCELL, Mr. FAUNTROY, Mr. FLIPPO, Mr. FOWLER, Mr. FRENZEL, Mr. GREEN, Mr. RALPH M. HALL, Mr. HARTNETT, Mr. HAYES, Mr. HOYER, Mr. JEFFORDS, Mr. JENKINS, Mr. KASTENMEIER, Mr. KEMP, Mr. KOSTMAYER, Mr. LIVINGSTON, Mr. LOWRY of Washington, Mr. LUNDINE, Mr. LUNGREN, Mr. MCGRATH, Mr. MCKERNAN, Mr. MOORE, Mr. NATCHER, Mr. NOWAK, Mr. O'BRIEN, Mr. ORTIZ, Mr. RAHALL, Mr. ROGERS, Mr. ROWLAND of Georgia, Mr. ST GERMAIN, Mr. SCHUMER, Mr. SHELBY, Mr. SHUMWAY, Mr. SLAUGHTER, Mr. SMITH of New Hampshire, Mr. SNYDER, Mr. SOLARZ, Mr. STUMP, Mr. SYNAR, Mr. TORRICELLI, Mr. TOWNS, Mr. WHEAT, and Mr. WILSON.

H.J. Res. 135: Mr. NEAL, Mr. FEIGHAN, Mr. JENKINS, Mr. WAXMAN, Mr. MORRISON of Washington, Mr. HEFTEL of Hawaii, Mr. BERMAN, Mr. BUSTAMANTE, Mr. KANJORSKI, Mr. REID, Mr. MOAKLEY, Mr. EMERSON, Mr. DARDEN, Mr. FOWLER, Mr. STRATTON, Mr. BARNARD, Mr. WRIGHT, Mr. WOLPE, Mr. GUARINI, Mr. DONNELLY, Mr. HATCHER, Mr. CROCKETT, Mr. WEISS, Mr. MOODY, Mr. RICHARDSON, Mr. LAGOMARSINO, Mr. ROE, and Mr. FROST.

H.J. Res. 151: Mr. HUGHES, Mr. BRYANT, Mr. PETRI, Mr. ROE, Mr. JENKINS, Mr. WAXMAN, Mr. MADIGAN, Mr. KILDEE, Mr. HOWARD, Mr. LAGOMARSINO, Mr. AKAKA, Mr. RITTER, Mr. DINGELL, Mr. REID, Mr. DUNCAN, Mr. ANDREWS, Mr. VOLKMER, Mr. DE LA GARZA, Mr. BLILEY, and Mr. DANIEL.

H.J. Res. 153: Mr. MARTINEZ and Mr. BLAZ.

H.J. Res. 161: Mr. VALENTINE.

H.J. Res. 175: Mr. WEISS, Mr. HAYES, Mr. CHAPPIE, Mr. WAXMAN, Mr. DYMALLY, Mr. SMITH of Iowa, Mr. HENRY, Mr. FLORIO, Mr. MCGRATH, Mr. HUGHES, Mr. CARR, Mr. KOLTER, Mr. FEIGHAN, Ms. MIKULSKI, Mr. PRICE, Mr. ROE, Mr. FAUNTROY, Mr. DYSON, Ms. KAPTUR, Mr. FISH, Mr. RANGEL, Mr. VOLKMER, Mr. OWENS, Mr. FAZIO, and Mr. RICHARDSON.

H.J. Res. 188: Mr. JEFFORDS, Mr. BOLAND, Mr. MILLER of California, Mr. RANGEL, Mr. WORTLEY, Mr. GEKAS, Mr. MCDADE, Mr. SCHEUER, Mr. NOWAK, Mr. BURTON of Indiana, Mr. HENRY, Mr. VANDER JAGT, Mr. HILER, Mr. HAMMERSCHMIDT, Mr. BROOMFIELD, Mr. MICHEL, Mr. EVANS of Iowa, Mr. DORNAN of California, Mr. CHANDLER, Mr. QUILLEN, Mr. TAUKE, Mr. DAUB, Mr. HUNTER, Mr. PACKARD, Mr. RITTER, Mr. NIELSON of Utah, Mr. LIVINGSTON, Mr. MOORE, Mrs. SMITH of Nebraska, Mrs. BENTLEY, Mr. BEREUTER, Mr. MOORHEAD, Mr. DEWINE, Mr. MARTIN of New York, Mr. HANSEN, Mrs. BURTON of California, Mr. COYNE, Mr. KOSTMAYER, Mr. DELLUMS, Mr. CONYERS, Mr. SCHUMER, Mr. SYNAR, Mr. FRANK, Mr. MORRISON of Connecticut, Mr. LATTA, Mr. HAYES, Mr. BONER of Tennessee, Mr. TRAFICANT, Mr. MACK, Mr. VOLKMER, Mr. DASCHLE, Mr. DICKS, Mr. BARTLETT, Mr. HUTTO, Mr. BROWN of California, Mr. GROTBERG, Mr. COATS, Mr. LENT, Mr. JACOBS, Mr. PURSELL, Mr. LOWRY of Washington, Mr. ANDERSON, Mr. DARDEN, Mr. OBERSTAR, Mr. DIOGUARDI, Mr. RAHALL, Mr. HOYER, Mr. KASTENMEIER, Mr. CROCKETT, Mr. SMITH of Florida, Mr. SAVAGE, Mr. CARPER, Mr. HORTON, Mr. DIXON, Mr. BARTON of Texas, Mr. FAUNTROY, Mr. BLAZ, Mr. PORTER, Mr. FRENZEL, Mr. PETRI, Mr. HILLIS, Mr. IRELAND, Mr. FAZIO, Mr. SLAUGHTER, Mr. TAYLOR, Mr. MCCAIN, Mr. ROEMER, Mr. ROE, Mr. SWINDALL, Mr. BATEMAN, Mr. HYDE, Mr. PASHAYAN, Mr. JONES of North Carolina, Mr. LUNDINE, Mr. MAZZOLI, Mr. AKAKA, Mr. MCCANDLESS, Mr. EVANS of Illinois, Mr. BOSCO, Mr. LOWERY of California, Mr. PRICE, Mr. LUNGREN, Mr. FRANKLIN, Mr. MURPHY, Mr. LUKEN, and Mrs. HOLT.

H. Con. Res. 32: Mr. BARTON of Texas.

H. Con. Res. 34: Mr. BARNES, Mr. BATEMAN, Mrs. BENTLEY, Mr. BILIRAKIS, Mr. BORSKI, Mrs. BYRON, Mr. CALLAHAN, Mr. CHENEY, Mr. CRANE, Mr. DANIEL, Mr. DAUB, Mr. EDGAR, Mr. FLIPPO, Mr. FORD of Tennessee, Mr. GEPHARDT, Mr. HARTNETT, Mr. JONES of Oklahoma, Mr. KRAMER, Mr. LOWERY of California, Mr. LUJAN, Mr. OBEY, Mr. PETRI, Mr. SENSENBRENNER, Mr. SHELBY, Mr. SILJANDER, Mr. SUNDQUIST, Mr. WALGREN, Mr. WEBER, and Mr. WOLF.

H. Con. Res. 35: Mr. SWINDALL.

H. Con. Res. 60: Mr. BOEHLERT and Mr. DE LA GARZA.

H. Con. Res. 69: Mr. DUNCAN, Mr. ROE, and Mr. STUMP.

H. Con. Res. 82: Mr. LAGOMARSINO, Mr. MICA, Mr. NELSON of Florida, Mr. BEREUTER, Mr. BARNES, Mr. EDGAR, Mr. DYMALLY, Mr. ERDREICH, Mr. TOWNS, Mr. DOWNEY of New York, Mr. BERMAN, Mr. MOODY, Mr. STOKES, Mr. HALL of Ohio, Mr. HOWARD, Mr. OWENS, Mr. MACK, Mr. MCGRATH, Mr. LENT, Mr. CONYERS, Mr. FROST, Mr. DORNAN of California, Mr. DWYER of New Jersey, Mr. BONER of Tennessee, Mr. STARK, Mr. GONZALEZ, Mr. CARPER, Mrs. COLLINS, Ms. KAPTUR, and Mr. HAYES.

PETITIONS, ETC.

Under clause 1 of rule XXII,

63. The SPEAKER presented a petition of the Council of the County of Hawaii, Hilo, HI, relative to sugar support; which was referred to the Committee on Agriculture.

EXTENSIONS OF REMARKS

IMPROVED IN-FLIGHT MEDICAL CARE WILL SAVE LIVES

HON. MARIO BIAGGI
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. BIAGGI. Mr. Speaker, today I am reintroducing a bill to encourage improved in-flight emergency medical care aboard passenger-carrying aircraft.

This bill, which is a modified version of a measure I authored in 1983, directs the Federal Aviation Administration to require that domestic commercial aircraft with 30 or more seats carry a medical kit containing "medical supplies and equipment for rendering emergency medical care." Specific items to be included in such a medical kit would be left to the discretion of the FAA. In addition, the bill has a Good Samaritan clause, which would protect licensed medical personnel and airline employees who treat in-flight medical emergencies from liability, provided they do not act recklessly or in a grossly negligent manner.

Mr. Speaker, I am pleased to report that last week the FAA proposed a similar regulatory requirement. In general, I have no problem with the contents of that regulation. Basically, it would provide the same improved in-flight emergency medical care that I have been seeking, along with the distinguished Senator from Arizona, Mr. GOLDWATER.

However, despite the FAA's commendable action last week, there are important reasons for reintroducing my bill. First, it should be noted that the FAA has been surprisingly reluctant to act on this issue. In fact, if not for a petition filed several years ago by the Aviation Consumer Action Project, there is a good chance that the FAA would not have acted to correct this serious air safety deficiency. The reintroduction of this bill is designed to keep the FAA's feet to the fire and ensure that this proposed rule becomes final. This bill is a reminder to the FAA that a proposed rule is not enough to satisfy an impatient flying public; they must follow through on this proposal in a timely fashion.

Second, the proposed FAA regulations do not include a Good Samaritan provision, which is a key component of my legislation. It is important for the Congress to act on this aspect of the in-flight medical care issue, even if the FAA proposal becomes final. The importance of a Good Samaritan provision is easily explained. Surveys indicate that a doctor is on board in three out of four flights involving medical emergencies. However, those doctors, or any other licensed medical person or airline employee, might be reluctant to act without certain guarantees that they will not be held liable if the victim dies. Let me emphasize, though, that the Good Samaritan protection contained in my bill would not apply in cases where the licensed medical person or airline employee acts recklessly or in a grossly negligent manner.

Thus, Congress should not mistakenly assume that the issue of in-flight emergency medical care has already been addressed. It has not. However, we should take note of the positive action that the FAA has taken. According to their proposed rule, one medical kit: "would be required on each passenger-carrying flight and should contain equipment and drugs required to provide basic life support during medical emergencies that might occur during flight time, such as myocardial infarction, severe allergic reactions, acute asthma, insulin shock, protracted seizures, and childbirth."

Among the specific items to be included in the medical kits would be a stethoscope, a sphygmomanometer—to measure blood pressure—equipment necessary to establish a tracheal airway, scalpel, syringes and needles, atropine sulphate—for acute diarrhea—and epinephrine—to treat acute allergic reactions which can often be fatal. The approximate cost of each medical kit would be a very modest $300.

While the names of these medical tools may not be familiar to the layman, let me assure my colleagues that they represent the barest of necessities when providing effective emergency medical care treatment. Yet, as simple as this proposed medical kit may be, it is literally decades ahead of the current medical kit now required on commercial aircraft. In fact, the current medical kit requirement—which includes nothing but bandages, splints, antiseptic swabs, burn ointment, and ammonia inhalants—was first issued in 1924. It is beyond my comprehension that with all the medical advancements over the last 60 years, the in-flight medical kits remained unchanged.

The actual number of in-flight deaths each year is uncertain since no such records are now required. The FAA, however, estimates that approximately 21 deaths occur in-flight each year, with public estimates ranging as high as 100 deaths per year. Based on these numbers, the FAA estimates that 2 to 10 lives—or 10 percent of all in-flight deaths—will be saved each year by upgrading airline medical kits. That is a noble goal and one that we should all work to achieve.

Finally, I want to thank the Aviation Consumer Action Project, and the International Airline Passenagers Association, of which I am a member, for assisting in my legislative effort, and for pressuring the FAA to act on this issue.

At this time, Mr. Speaker, I wish to insert a copy of my bill:

H.R. 1647

A bill to amend the Federal Aviation Act of 1958 to encourage in-flight emergency medical care aboard passenger-carrying aircraft

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 "In-Flight Medical Emergencies Act".

SEC. 2. (a) Title XI of the Federal Aviation Act of 1958 is amended by adding at the end of the following new section:

"IN-FLIGHT MEDICAL EMERGENCIES

"REQUIREMENT THAT CERTAIN MEDICAL EQUIPMENT BE ON AIRCRAFT

"SEC. 1118. (a)(1) The Administrator of the Federal Aviation Administration shall require each air carrier to have on any aircraft having 30 or more seats during each flight involving the carriage of passengers in air commerce sufficient medical supplies and equipment for rendering emergency medical care. The Administration shall also require that such supplies and equipment be made available to any licensed medical personnel and any qualified employee of such carrier for purposes of rendering emergency medical care on board such aircraft.

"(2) The Administrator shall issue final rules to carry out paragraph (1) not later than 180 days after the date of enactment of this section.

"RELIEF FROM LIABILITY FOR RENDERING EMERGENCY MEDICAL CARE

"(b) Any licensed medical personnel or any qualified employee of an air carrier who in good faith renders emergency medical care to a person—

"(1) aboard an aircraft of such carrier at any time after such person has boarded such aircraft as a passenger for a flight in air commerce and before such person disembarks from such aircraft, or

"(2) in transit from such aircraft, after receiving emergency medical care described in paragraph (1), to a medical facility for further medical treatment,

shall not be liable for damages in any action brought in State or Federal court as a result of any act or omission in rendering such care, other than any such act or omission done recklessly or in a grossly negligent manner.

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

"RELIEF FROM LIABILITY FOR CARRIAGE AND PROVISION OF MEDICAL EQUIPMENT AND SUPPLIES

"(c) An air carrier and any employee of an air carrier shall not be liable for damages in any action brought in State or Federal court by reason of—

"(1) the carriage of medical supplies and equipment required pursuant to subsection (a) of this section, or

"(2) the provision of such supplies and equipment to any person presenting himself as a licensed medical personnel or a qualified employee of the air carrier,

if such carriage and provision is in accordance with regulations promulgated under subsection (a).

"DEFINITIONS

"(d) For purposes of this section, the term—

"(1) 'good faith' means a reasonable opinion (even if mistaken) that a situation is such that the rendering of medical care is needed and should not be postponed;

"(2) 'licensed medical personnel' means any person who is licensed to render medical care in any State;

"(3) 'qualified employee' means an employee of an air carrier who is qualified to use emergency medical supplies and equipment, as determined by the Administrator; and

"(4) 'State' means a State, the District of Columbia, and each territory or possession of the United States.".

(b) That portion of the table of contents of the Federal Aviation Act of 1958 which appears under the center heading "TITLE XI—MISCELLANEOUS" is amended by adding at the end thereof

"Sec. 1118. In-flight medical emergencies.
"(a) Requirement that certain medical equipment be on aircraft.
"(b) Relief from liability for rendering emergency medical care.
"(c) Relief from liability for carriage and provision of medical equipment and supplies.
"(d) Definitions.".●

AMBASSADOR PAUL NITZE SUPPORTS MX

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. MICHEL. Mr. Speaker, Ambassador Paul H. Nitze, special adviser to the President and Secretary of State on arms control matters, says that the MX missile is "important to carrying out our basic foreign policy goals, to maintaining Western cohesion, to sustaining our leadership position with our allies, and to protecting our prospects for success in arms reduction negotiations. It is therefore essential that we proceed with this program."

This distinguished American is a firm believer in arms reduction. He supports the MX because of, not despite, that belief. His support of MX cannot be ignored by any of us.

At this point I wish to insert in the RECORD "MX—The Advantages," by Paul H. Nitze, in the Baltimore Sun, March 19, 1985:

Deployment of the MX Peacekeeper missile would significantly strengthen our strategic deterrent posture.

It is the only way we can quickly begin to redress two serious U.S. disadvantages.

First, our strategic forces, especially our land-based missiles, are much in need of modernization; the Soviets have added three new ICBMs to their arsenal since we deployed Minuteman III and are developing two more.

Second, the Soviets, with their SS-18 and SS-19 ICBMs, pose a major threat to the entire range of U.S. targets, while we possess no comparable capability.

Just as important, however, are the implications of MX for U.S. foreign policy and arms control prospects.

American military power and diplomacy cannot be artificially separated. Our ability to pursue our fundamental foreign policy objectives—to protect ourselves, our allies, our values and interests, and to build a safer, freer and more prosperous world—is intrinsically linked to our military power.

The experience of the last 15 years indicates that Soviet perceptions of their military capability in comparison to U.S. determination and capabilities has had a bearing on the Soviet ability to challenge our interests around the globe. A strong U.S. military posture, coupled with demonstrated U.S. resolve, helps to inhibit the Soviets from attempting to exploit regional instabilities.

We must also be mindful of the impact of our actions on our allies. By proceeding with MX production, we would demonstrate to our alliance partners an America that is resolved to maintain the strategic balance as a solid basis for its commitment to peace and international security. By failing to proceed, we would invite allied uncertainty about our ability to lead.

In late 1983, in accordance with the 1979 NATO dual-track decision, our European allies began deployments of Pershing II and ground-launched cruise missiles on their territories. They proceeded with these deployments, despite significant domestic opposition and in the face of an intense Soviet propaganda barrage, because of a shared recognition that the alliance had to take the steps necessary to ensure itself an adequate deterrent. As the leader of the alliance, we should not do less than our partners in assuring an adequate deterrent as a basis for our joint security.

Concurrent with our programs to modernize our nuclear deterrent are our efforts to achieve effective and verifiable arms reduction agreements. As Secretary of State George Shultz told Soviet Foreign Minister Andrei Gromyko in Geneva, we believe that the strategic relationship can be made more stable and secure, and that stability and security can be maintained at significantly lower levels of armaments, if regulated through effective and mutual arms control. Accordingly, we are pursuing the negotiations in Geneva in serious and constructive manner, prepared to deal with the full range of issues and to take account of legitimate Soviet concerns.

At the same time, however, our prospects for success in Geneva will depend on our determination, and Soviet recognition of that determination, to maintain an adequate deterrent for ourselves and our allies with or without arms control.

As with the previous negotiations, the Soviets will pursue these talks with a dual strategy. They will employ tough bargaining at the negotiating table while simultaneously conducting a hard-nosed public propaganda campaign designed to undercut support for U.S. positions and force unilateral concessions. Only when it becomes evident that the propaganda campaign is not working—that is, that U.S. concessions will not be made unilaterally—will the Soviets be prepared to compromise.

It is thus vital to our prospects for success in Geneva that we demonstrate to the Soviets that, as a country and an alliance, we stand united. The new Soviet propaganda campaign has already begun. We must convince them as soon as possible that it will not succeed and that they should get down to serious bargaining at the negotiating table.

A decision to continue MX production will send just such a message to Moscow. It will send a strong signal of national resolve and will greatly strengthen our hand in Geneva.

In sum, in addition to its military benefits, MX is important to carrying out our basic foreign policy goals, to maintaining Western cohesion, to sustaining our leadership position with our allies, and to protecting our prospects for success in arms reduction negotiations. It is therefore essential that we proceed with this program.●

COPS IN TOUCH IN THE BRONX

HON. ROBERT GARCIA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. GARCIA. Mr. Speaker, I'd like to commend the Bronx police force of the 52d precinct for its successful implementation of a program to get patrol officers back in touch with their communities. The Community Patrol Officer Program has fostered a fruitful alliance between the Bronx police force and the community it serves. By walking the beat, patrol officers are beginning to realistically understand problems adversely affecting the quality of life of many Bronx citizens. Establishing a comfortable relationship between these two parties has resulted in a mutual friendship with increasingly favorable results.

Prior to the development of radio car technology, a patrol officer walking the streets of the Bronx was a common sight. But unfortunately the technological development of the 911 emergency call system inevitably has resulted in a situation in which efficiency is given priority over an acceptable level of rapport between the police force and its community. The Community Patrol Officer Program is a commendable one as it has restored good relations between the two parties. By reincarnating the practice of cops walking the beat, it has successfully filled the vacuum created by the departure of officers from the streets.

The program has restored public faith in the police force by demonstrating that cops can provide service to the "good guys" instead of always being caught up in making arrests. The idea of uniforms in the street has translated into a much greater sense

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of security for the people of the community. Undoubtedly the program is a step in the right direction toward fostering a resurrection of the attitudes of the citizens of the Bronx toward the officers who enforce its law.

[Two newspaper articles follow:]

BUMPURS' NEIGHBORS LAUD COP'S INDICTMENT

(By Ivonne Kelly and John Rearick)

Neighbors of Eleanor Bumpurs, the 66-year-old Sedgwick resident who was shot and killed by police during an eviction proceeding last fall, enthusiastically greeted last week's news that one of the officers involved in the slaying was indicted on criminal charges.

"I'm so happy that he was indicted," said Caridad Mali, a 12-year resident of the apartment house at 1551 University Ave. "The whole building should be jumping for joy!"

Emergency Services Officer Stephen Sullivan, 43, pleaded innocent to second-degree manslaughter charges that were handed up Thursday by a Bronx grand jury. Sullivan faces up to 15 years in prison if convicted. Police Commissioner Benjamin Ward suspended Sullivan without pay after the indictment, but later reassigned him to a desk job.

John Harris, vice president of the Sedgwick tenants association, called the indictment "fantastic," saying it was "about time" action was taken against the officer.

Other residents were more reserved in their reactions, although they also were supportive of the grand jury's decision.

"The indictment isn't going to bring her back," said Lee Patterson, 23, whose family lives next door to the Bumpurs apartment. "He (Sullivan) is going to have to live with that."

According to Patterson, who was discharged from the Marine Corps four months ago, Bumpurs had difficulty walking and could have been subdued without harm.

"I saw her walking and wobbling before," he said. "She was carrying groceries, and I asked her if she needed help. She said no."

"I believe that anyone who breaks the law should be brought to justice," said Morgan Godfrey, another 12-year resident of the apartment house. "I am quite sure the neighbors feel more satisfaction with him (Sullivan) brought to justice."

Another neighbor, who refused to give her name, said indicting Sullivan was "just justice."

"I hope he gets time," the women said angrily. "She wasn't dangerous; she was an old lady."

Mali insisted that the shooting was racially motivated, and that Bumpurs' corpse was not treated in a dignified manner.

"That was wrong," she said. "They shot her twice like she was a dog. Then they took her out with no clothes on!"

"The fact that they (the jury) found probable cause that a crime took place would mean that they concluded that unlawful force was used," Mayor Koch said at a news conference. "Now, it's up to a jury to find him guilty beyond a reasonable doubt."

ANOTHER BRONX BEAT: COPS KEEP IN TOUCH

(By Katherine King)

A young Hispanic couple, the woman's pregnancy apparent beneath her jacket, stopped on the corner of Gunhill Road and Decatur Ave. to say hello to a policeman.

Office Thomas Zielinski asked them with surprise, "What are you guys doing here?" He had arrested them only the week before for possession of drugs.

The couple were out on bail, and they didn't appear to hold any grudges against Zielinski for the arrest. After all, he is their neighborhood cop.

"He's a good guy," said the young man, "but serious, really serious."

Zielinski's job is part of the reincarnation in streamlined form of an almost abandoned practice: cops walking the neighborhood beats.

Called the Community Patrol Officer Program, the concept was tested in Brooklyn in July, 1984 and was expanded to the 52nd Precinct in the Bronx last month.

"It's the beat cop, plus," said Michael Farrell, associate director of the Vera Institute for Justice, the organization that conceived the program.

Farrell, himself a beat cop 30 years ago, explained that this new concept is a total community service project. That means not just walking the beat, but also getting involved, Farrell said.

"This is a brand new system to forge an alliance between police and the community," he said.

Before the advent of radio car technology in the 1960's, the neighborhood cop walking his beat was a common sight in the Bronx. But as the 911 emergency call system developed, patrol officers began to lose touch with their communities' "quality of life" problems—such as graffiti, loud music, children hanging out on street corners, and vandalism.

The Community Patrol Officer Program was designed to fill the vacuum left when the officers went to the patrol cars. Because the Brooklyn pilot program proved so popular both among the community and the officers, the concept was introduced in the Bronx, officials said.

Thirteen officers volunteered for the CPO Program at the 52nd Precinct. They cover nine community areas during flexible eight-hour shifts, alternating days and nights according to the particular problems of their communities.

Zielinski, 26, spent his first three years on the force in a patrol car. Now he divides his time among walking the beat, introducing himself to local merchants and community members and meeting with already existing community groups.

"My legs are really starting to get built up," joked Zielinski. He said his other activities on the beat may vary as widely as helping to fix a leaky roof or checking up on the local beauty shop that had been burglarized the week before.

The community reaction, after only three weeks, has been tremendous, said Zielinski.

"These guys are beautiful," said Rudy McDonald, a retiree who has lived in the neighborhood near Jerome Ave. for 41 years.

"When the kids selling dope on the street see him coming, they scatter," McDonald said, laughing.

Steve Rosenberg, director of the Mosholu/Montefiore Community Center, said just having the uniforms on the street gives the community a greater sense of security.

"The perception is what counts," said Rosenberg. "We can see cops providing service to the good guys instead of just arresting the bad guys."

The beat officer has to walk a fine line, said Zielinski. "We aren't social workers, we're cops. There is a lot of money in drugs in this area, and if you walk into a big drug deal, that's when you can get yourself killed."

But Zielinski and his colleagues at the 52nd said they chose to join the program because of its challenge and its greater rewards.

"You can really help people this way," Zielinski said. "It gives you a sense of satisfaction."●

DETROIT'S OWN DIAMOND, CITY COUNCIL PRESIDENT ERMA HENDERSON: A POSITIVE FORCE FOR CHANGE

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. CONYERS. Mr. Speaker, I rise to bring to the attention of my colleagues the distinguished public service record of the Honorable Erma Henderson, president of the Detroit City Council. For the past 13 years she has served on that body, ably representing our community on a local, national, and international level. As we prepare to honor her this Friday evening, March 22, 1985, at a testimonial reception at Detroit's Roostertail Supperclub, I would like to take this opportunity to reflect on her accomplishments in the hope that Erma's example will serve as an inspiration to all who share with her the privilege and responsibilities of elective office.

Long before Erma Henderson began her career on the city council, she had established herself as a social and political activist with rather impressive credentials.

Erma became widely known as a force for change within Detroit's criminal justice system when in 1968 she became executive director of the Equal Justice Council, Inc. Under her leadership, that organization monitored courts, compiled data on the conduct of judges, attorneys, and defendants. Through the establishment of this Court Watching Program cases of improper treatment received by poor and minority defendants were documented. As a result, the Equal Justice Council, with the assistance of the University of Michigan School of Social Work, was able to release a major report on Detroit's criminal courts which led to numerous positive improvements.

During the early 1970's, Erma Henderson worked to found the Women's Conference of Concerns, a community service organization geared to the needs of minority women in particular and all persons generally. Through conducting seminars and panel presentations, the women's conference explores such topics as employment, education, health, the media, and international affairs. Problems confronting the community are addressed through programs which involve citizens directly in the solution.

Erma Henderson's involvement in politics began in the 1950's when she became active as an organizer building coalitions for blacks seeking public office. In 1958, she coordinated the campaign which elected Detroit's first black city councilman, Bill Patrick. Fourteen years later, in 1972, she became the first black woman to serve on that same body when she defeated her opponent in a citywide race to fill a vacant seat. In 1973, she was reelected and began serving her first 4-year term. As the result of her receiving the highest number of votes cast in the 1977 council election, Erma became the first black to attain the powerful position of Detroit City Council president, the office she continues to hold today.

Shortly after her election to the council, Erma dared to take on the financial institutions in Michigan which are engaged in the practice of "redlining." This is where insurance companies, banks, savings and loan associations, and mortgage brokers deny insurance or loans to credit worthy individuals and businesses simply because they live or are located in a particular neighborhood. Erma organized the Michigan Statewide Coalition Against Redlining which was directly responsible for the Michigan Legislature adopting the most comprehensive antiredlining laws in the Nation today.

Erma Henderson has been active in or affiliated with numerous civic and social organizations. Most notably she has served on the boards of the National League of Cities, the National Conference on Crime and Delinquency, the Michigan Municipal League, the Detroit Economic Growth Corp., and the Detroit Symphony Orchestra. Erma has been a member of the Elks for over 40 years and has served the past 28 years as national director of public relations for the Grand Temple and Women of the Order.

In the international arena, Erma Henderson is active in efforts to promote trade between African nations and Michigan's public and private sectors. She presently serves on the national board of the Continental African Chamber of Commerce, and is chairman of the Board of Africa/Michigan Partners-in-Trade.

The awards and honors that have been bestowed on Erma by both local and national organizations are too numerous to list, but they serve as a clear indication that the many years of service that she has given to the public is widely acknowledged and appreciated.

Finally, Mr. Speaker, Erma Henderson has demonstrated exceptional leadership ability and a strong sense of compassion for her fellow man. She has devoted her life to making the Detroit community and our Nation a better place to live. As we look toward the future, and ponder by who and by what means the problems of the world will be solved, I think that we can be certain that Erma will be active, working with all her ability, to be a force for positive change.

I respectfully ask that my colleagues join with me in congratulating Erma Henderson as her many friends gather tomorrow night at the Roostertail to honor her as Detroit's own "Diamond."●

DAVIDSON: A TOWN THAT'S DOING ITS SHARE

HON. J. ALEX McMILLAN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. McMILLAN. Mr. Speaker, President Reagan has submitted a plan to the Congress to freeze Federal spending next year in order to reduce our $200 billion annual deficit. Except for the interest on the national debt, we would spend no more in 1986 than we do in 1985.

In the President's proposal, there are some increases in spending—particularly in national defense—and there are some decreases in spending. Some programs are targeted for elimination.

One program President Reagan would like to eliminate is revenue sharing. On the surface, revenue sharing sounds like a great idea. The Federal Government, through grants, gives money to State and local governments to use as they please. This year, the Federal Government will spend $4.6 billion on revenue sharing. But, revenue sharing was enacted in 1972, when there were immediate prospects for a budget surplus.

Now, there is no revenue in the Federal Treasury to share. So, in effect, we are deficit sharing with our local governments, rather than revenue sharing.

Local communities simply do not get back the money they send to the Federal Treasury. Therefore, local citizens pay taxes to the Federal Government. Then part of the money is used to pay bureaucrats to decide where the money will be used. Finally, part—only part—of the money the local citizens sent to Washington comes back to the local community.

It is, of course, money. That's why town and city governments all over the country have been screaming loudly not to eliminate revenue sharing. It's the same story—everyone wants to cut the deficit, but no one is willing to sacrifice their portion of the Government pie. This attitude simply must stop. Somewhere along the line, we all have to bite the bullet and say, "OK, I'm willing to make the sacrifices necessary to keep our country economically sound."

The town of Davidson, NC, has that kind of courage. Recently, Mr. Speaker, the town board of commissioners and the mayor passed a resolution calling for an end to the Revenue Sharing Program. This town of 3,384 will receive $33,850 this year from the Federal Government. They now say they don't want it any more. I commend them all for showing the willingness to do their share in reducing the Federal deficit.

Furthermore, I would like to submit the resolution for the RECORD so that my colleagues in the Congress will have a chance to read it also:

TOWN OF DAVIDSON

A RESOLUTION

Whereas, the Mayor and Board of Commissioners of the Town of Davidson, North Carolina, are deeply concerned about the past and future federal deficits and are desirous of having the Town of Davidson act responsibly in the present federal deficit crisis;

And whereas, the said Mayor and Board of Commissioners believe it is in the best interest of these United States for all local governments to finance their government functions and municipal affairs without receiving federal revenue sharing funds;

And whereas, the said Mayor and Board of Commissioners desire to express their spirit of cooperation during the present federal financial crisis and to inform the Members of Congress from North Carolina of their genuine concern and to urge the President and Congress to eliminate all subsidies of every kind and nature from the federal budget;

Now, therefore be it resolved That the Mayor and Board of Commissioners of the Town of Davidson, North Carolina, go on record as opposed to further federal revenue sharing with local governments and in favor of the elimination of all federal subsidies of every kind and nature from the federal budget;

And be it further resolved, That the Mayor of the Town of Davidson send a copy of this resolution to the President of the United States and to each Senator from North Carolina and to each Member of Congress from North Carolina.

This 12th day of February, 1985

RUSSELL B. KNOX,
Mayor, Town of Davidson.●

GRENADA: AMERICANS ARE AS POPULAR AS EVER

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. MICHEL. Mr. Speaker, President Reagan's decision to join with the Eastern Caribbean States to rescue American students—and the people of Grenada—from the anarchy that existed there after the Marxist-Leninist thugs killed each other is one of the great success stories in recent American history.

Critics who savagely abused President Reagan even as Americans were

fighting on Grenada will probably be the only ones who will be surprised to learn that the overwhelming majority of the people of that island still revere President Reagan and love our Nation for what we did for them.

At this point, I wish to insert in the RECORD, "Legacy of Grenada Invasion: Popularity of U.S. Still High," by Joseph B. Treaster, the New York Times, Monday, March 18, 1985.

The article follows:

LEGACY OF GRENADA INVASION: POPULARITY OF U.S. STILL HIGH

(By Joseph B. Treaster)

ST. GEORGE'S, Grenada, March 16.—Nearly a year and a half after United States forces invaded this Caribbean island and were welcomed as liberators, American popularity seems to be as strong as ever.

The Grenadians were delighted by the visit of Vice President Bush last week even though he brought what was regarded by many here as bad news: the United States is going ahead with the withdrawal of the last of its military policemen by the middle of June.

"It doesn't please me that they're leaving," said Anthony Charles, a 52-year-old carpenter. "But I'm not mad at the Americans. Mr. Bush said if we have problems they'll come back. And I believe him."

Francis Alexis, the Minister of Labor, noted the apparent warmth of the Vice President and his strong assurances of continued United States support for Grenada and said the visit had been "fantastic."

The few critics of the United States here, who are not very vocal, appear to be those who were close to the former leftist Government or were in the army or militia and lost their jobs when the Americans came in.

THOUSANDS WELCOMED BUSH

To receive Mr. Bush, a group of Grenadian businessmen and civic leaders built an amphitheater on a soccer and cricket field by stacking steel cargo containers in an arc and draped the containers with a huge American flag flanked by banners with handpainted slogans. Several thousand Grenadians attended the ceremonies and cheered Mr. Bush.

On one banner the word "Grenadans" was followed by a drawing of a big heart and the letters, "U.S.A." One, with crossed United States and Grenadian flags, said, "U.S.-Grenada, A Winning Team."

A banner with linked hearts in one corner and a pair of big red lips in another read, "Say Hello to Reagan for us."

Another carried the legend, "Thank God for the 'Cowboy.'"

"That's what a lot of people here call Reagan," said Wilfred Alexander, a taxi driver who sports a Reagan-Bush bumper sticker on his car and Grenadian and United States flags on his dashboard.

The Grenadians have been predicting for months that President Reagan would pay the island a visit himself, and they are still optimistic.

"I think the President will be here shortly," said Andre Cherman, the president of the Grenada Hotel Association.

"Maybe not this year," he said, "but before the end of his term."

He said he thought Mr. Reagan had not already visited Grenada—say, for example, for the opening last October of the airport that many Grenadians wanted to name in his honor,—because of his "hectic schedule" and because "he would probably like to see the island progress a bit more before he gets here."

Grenada does not have television, but its Government-run radio station provided live coverage throughout the day of Mr. Bush's activities. Leslie Seon, the director of Radio Grenada who seldom takes to the air himself, personally provided all the reporting and commentary.

He set the tone for the day as he waited for Mr. Bush's plane to arrive, saying over the air that no one could forget the morning when American forces "came to rescue the people of Grenada."

As the Vice President's plane touched down he exclaimed, "Thank you, Ronald Reagan, for sending George Bush to us."

The Grenadians say they do not want the American military police to leave because they are afraid their newly reorganized police force of 480 officers may not be a match for a resurgence of leftist revolutionaries. But as far as anyone can tell, there is not much remaining of the revolutionary movement.

The day before Mr. Bush arrived was the sixth anniversary of the coup on March 13, 1979, in which Maurice Bishop and his followers seized power. It was the execution of Mr. Bishop by a hard-line faction of leftists that touched off the invasion of Grenada in October, 1983. On the anniversary of the March 13 coup, two of Mr. Bishop's old friends staged a rally in the central market. But only a few hundred young men and women showed up. Toward the end, an argument broke out over whether the revolution had failed and one young man was taken to the hospital with knife wounds.●

INTRODUCTION OF VOTER REGISTRATION PROPOSAL

HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. LEVINE of California. Mr. Speaker, along with seven of my colleagues, I am introducing legislation which will significantly increase voter turnout by eliminating the need for most movers to register to vote. Because almost all movers file change of address forms but often neglect to reregister to vote at their new address, I have proposed legislation which combines these two activities into one. Our legislation carbonizes the change of address form so that a copy can be forwarded by the Post Office to State election officials for voter registration purposes.

While voter turnout has dropped significantly in recent years, with only about half of all eligible individuals voting in the 1980 and 1984 Presidential elections, we cannot ignore the hopeful fact that once registered, the overwhelming majority of Americans vote. While only 53 percent of the voting age population cast ballots in the 1980 Presidential election, 87 percent of those Americans who were registered voted in the election. Therefore, the key to increasing voter turnout is registering more people.

In order for the American public to hold its elected officials truly accountable for their activities, it should have relatively easy access to the voting booth. While most States have removed lengthy voting residency requirements, not enough has been done to encourage voting among individuals who have recently moved. In 1980, only 48 percent of Americans who had moved within 2 years of election day voted, compared to 65 percent of those who had lived in the same place longer.

Moving reduces voting because of the need to reregister and the low priority that this action has for people who have moved recently. Moreover, half of all moves occur from June through September, leaving little time to register before the deadline which is generally 30 days before an election. Movers do not necessarily face legal obstacles to registering, but many forget to establish or reestablish their eligibility in the midst of trying to settle a new home.

In 1981, 16.6 percent of all voting age citizens—26.8 million people—had moved within the past year. I would like to point out that aside from being younger, movers are very much like the rest of the population. Their party preference, education, income, race and ideological leanings resemble those of long-term residents. Although recent movers are less likely to vote, they are as interested in politics as the rest of us.

My legislation reduces the negative effects of moving on turnout by allowing movers, without performing any additional tasks, to provide election officials with all the necessary information for reregistration. As long as movers continue to file change of address forms, then their change of address information will be forwarded to and processed by State and local election officials.

In any State which chooses to make use of the new, carbonized change of address form, election officials could automatically reregister intrastate movers—who account for 83 percent of all moves—upon receipt of a carbonized change of address form. If the mover were not previously registered, election officials would be alerted to mailing voter registration information to the mover's new address.

No matter where individuals move, receipt of the carbonized change of address form copy could result in cancellation of their old registration. Some States estimate that as much as 20 percent of their voter registrations are outdated. Implementation of this legislation will provide election officials with an efficient and instantaneous method of purging obsolete registrations, which will reduce their costs for mailing election material and limit opportunities for election fraud.

I would like to emphasize that this proposal has received bipartisan support on the Federal and State level. Because the political preferences of movers closely resemble those of the rest of the public, and because our proposal is aimed at keeping movers registered, implementation of this bill will not result in any disproportionate advantage to either party.

The Postal Service has estimated that the Federal Government would spend an additional $2 million to print up 100 million new change of address forms with attached carbon copies. Our bill provides that participating States will pay for any additional handling and mailing costs involved with the forwarding of change of address information to election officials. Once every 5 years the Federal Election Commission will report to Congress regarding the voter registration impact of using these new carbonized change of address notices.

In spite of the potential costs of processing these change of address forms, several State election officials have expressed support for this proposal because of its effectiveness in keeping movers registered and removing obsolete registrations. Additionally, State and local costs will be offset by savings from not producing and mailing voter materials to individuals at outdated addresses.

Because State participation in this program is optional, this legislation will not impose any unwanted costs on State and local governments. Moreover, because this legislation reserves the right of States to negotiate separately with the Postal Service regarding the implementation of the proposal, State governments should retain full say in determining its cost and scope. In order to allow for the use of change of address notices for registration purposes, participating States will have to enact legislation making a signed change of address form legal authorization to cancel the old address registration and shift it from the old to the new address.

A carbonized change of address form efficiently provides election officials with current change of address information without imposing any additional burdens on movers. Without requiring any significant Federal expenditure, this bill will reduce vulnerability to voter fraud and facilitate registration for millions of individuals who have recently moved. I urge my colleagues to support this cost-effective, bipartisan proposal.

The text of the bill follows:

H.R. 1668

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

SECTION 1. ESTABLISHMENT OF PROGRAM.

(a) IN GENERAL.—Chapter 4 of title 39, United States Code, is amended by adding at the end thereof the following new section:

"§ 413. Authority to disclose change-of-address information to States for voter registration purposes

"(a) The Postal Service shall establish a program under which change-of-address order forms may be transmitted by the Postal Service to the appropriate election authority of the State (as identified by the Commission after consultation with such State) within which the old address of such postal patron is located.

"(b) A copy of a change-of-address order form may be transmitted under subsection (a) in the case of a postal patron only if—

"(1) the change of address is to be effective other than for a specified temporary period, as indicated on the face of such form; and

"(2) the old address of the postal patron is within a participating State under subsection (c).

"(c)(1) The Postal Service, after consultation with the Commission, shall prescribe regulations under which a State may participate in the program under this section.

"(2) The regulations shall provide that—

"(A) any information obtained by a State under this section will be used for purposes relating to voter registration for Federal elections; and

"(B) a participating State shall pay the Postal Service (whether by advancement or reimbursement) for any costs to the Postal Service attributable to the conduct of such program with respect to such State, excluding any costs relating to the printing of the change-of-address order forms referred to in subsection (b).

"(d)(1)(A) The Commission shall submit to each House of Congress at least once every 5 years a written report on the program established under this section.

"(B) A report under this paragraph—

"(i) shall include information relating to the extent of State participation under this section, the specific ways in which any information obtained by the States under subsection (a) has been used, the impact of this section on voter registration efforts generally, and any other appropriate matter; and

"(ii) shall be accompanied by any written comments which the Postal Service may provide.

"(2) A participating State shall submit a written report to the Commission at least once every 4 years providing the information described in paragraph (1)(B)(i) with respect to such State.

"(e) As used in this section—

"(1) 'State' means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States;

"(2) 'Commission' means the Federal Election Commission; and

"(3) 'Federal election' has the meaning provided in section 2(1) of the Overseas Citizens Voting Rights Act of 1975.".

(b) CONFORMING AMENDMENT.—The table of sections for chapter 6 of title 39, United States Code, is amended by adding at the end thereof the following new item:

"413. Authority to disclose change-of-address information to States for voter registration purposes.".

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Section 2401 of title 39, United States Code, is amended—

(1) by redesignating subsections (g) through (i) as subsections (h) through (j), respectively; and

(2) by inserting after subsection (f) the following new subsection:

"(g) There is authorized to be appropriated to the Postal Service for fiscal year 1986 and each fiscal year thereafter an amount equal to the amount which the Postal Service estimates will be necessary for the costs relating to the printing of the change-of-address order forms referred to in section 413(b) of this title.".

(b) CONFORMING AMENDMENT.—Section 2009 of title 39, United States Code, is amended in the next to last sentence by striking out "(b) and (c)" and inserting in lieu thereof "(b), (c), and (g)".●

AID THAT PERPETUATES DEPENDENCY

HON. DENNY SMITH

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. DENNY SMITH. Mr. Speaker, the House has recently given its approval to a $1 billion foreign aid package for African nations where drought has resulted in severe famine. While there is a very real need to stave off massive starvation in Africa, I could not support this package for a variety of reasons.

The request comes at a time when domestic spending programs are being cut, and we are hearing cries of increased domestic poverty and hunger. This body, with its power of the public purse, must always have as its primary responsibility the welfare of the citizens of this Nation. While I do not support all of the domestic spending programs, I feel that foreign aid should be cut before domestic spending.

In recent decades the United States has willingly aided other nations, and our generosity cannot be questioned. Since the end of World War II, the U.S. Government has spent over $300 billion on foreign aid programs in an attempt to eliminate Third World poverty. Since the beginning of the current crisis in Africa, the United States has poured in over $1 billion in emergency aid, and has made a commitment to provide 50 percent of the needed food aid. And of course, this governmental aid has been supplemented by the generous contributions of Americans to private voluntary organizations.

Yet for the hundreds of billions of dollars the United States has spent on foreign aid, we haven't alleviated poverty and hunger around the world. Crises continues to occur because we have failed to address the underlying economic structures that perpetuate poverty and famine. Unfortunately, this aid package does nothing to address these either. The time has come to examine why our aid doesn't work.

With respect to the current crisis, let me state that although drought in Africa has resulted in famine in this instance, there is no necessary connec-

tion between the two, especially in the 20th century. Nations can avoid a famine if they establish the proper priorities. Unfortunately, the Marxist regime in Ethiopia has never set feeding its populations as a top priority. In 1984, the Ethiopian regime spent $420 million on the military, while only spending $46 million on agricultural and industrial programs. Not only did they attempt initially to hide the famine, they subsequently impeded relief efforts in certain regions.

Many Third World nations ignore the needs of their agricultural sector in their drive to militarize and modernize. And one of the biggest failings of U.S. foreign aid programs is that we have let them use this aid with this unbalanced approach to development. In fact, our aid is structured in such a way that it often encourages this imbalance.

The Third World is virtually littered with monuments to dictators' egos. There has been extravagant spending on big ticket items such as uneconomic industries, state airlines, satellite communications, and nuclear projects. There has also been a propensity to build new capitals from scratch in the middle of nowhere. Abuja, being built in the Nigerian bush, has an estimated cost in excess of $20 billion. Yet none of these flashy, showcase items have raised the standard of living, or the per capita income, of the poorest of the world's poor.

Third World regimes also pursue inefficient economic policies that are designed more to consolidate their political control than to increase the nation's wealth. Greater political control has been, and continues to be, one of the greatest attractions of collectivized agriculture. Economically, it has proven such a dismal failure that for all practical purposes it's been abandoned by the Chinese. Yet many nations continue to collectivize, knowing that the United States will bail them out of any production shortfall that goes beyond acceptable limits.

In the 1970's, Dr. Nyerere, the head of Tanzania—one of the poorest nations in Africa—instituted peasant cooperatives and herded millions of people into so-called collectivization villages. As one World Bank official notes:

> As long as food aid (or long-term loans for food purchases) is supplied to Tanzania by the industrial nations, the social experiment will continue.

As Peter Bauer, noted economist and professor at the London School of Economics, astutely observed:

> There are many instances in which Western aid has made it easier for governments to pursue policies directly impoverishing their people. Indeed to give money to rulers on the basis of the poverty of their subjects can easily encourage policies of impoverishment.

The foreign aid package just approved does nothing to end this vicious cycle. It contains no stipulations concerning the spending priorities of recipient governments, nor does it require them to move toward letting market forces operate with respect to agriculture.

Some claim that such stipulations would violate the recipient nation's sovereignty. Yet it's the U.S. taxpayers' money, and I see nothing wrong with trying to ensure that they won't have to put out even more money in such an inefficient manner at some future date. For too long, we have shied away from making such stipulations—stipulations which would ultimately benefit the citizens of recipient nations who are the purported justification for the aid in the first place. We have shied away, I believe, because we have been convinced by the advocates of the New International Economic Order that we are rich only because others are poor. Foreign aid then becomes something that is owed poor nations, as well as an atonement for the sin of prosperity.

Peter Bauer addressed this when he said:

> Many of the assertions concerning Western responsibility for poverty in the Third World express or reflect the belief that the prosperity of relatively well-to-do persons, groups, and societies is always achieved at the expense of the less well-off—i.e., that those incomes are not generated by those who earn them, but are somehow extracted from others, so that economic activity is akin to a zero-sum gain, in which the gains of some are always balanced by the losses of others. In fact, incomes (other than subsidies) are earned by the recipients for resources and services supplied, and are not acquired by depriving others of what they had.
>
> The notion that incomes are extracted rather than earned has been among the most disastrous of popular economic misconceptions or delusions.

Mr. Speaker, it is the hard-working U.S. taxpayers who are footing the bill for all U.S. foreign aid programs. As their Representatives, we do them a grave disservice by not requiring that recipient nations adhere to policies that will eventually lead to their self-sufficiency.

Father Angelo D'Agonstine, a relief worker in East Africa, once stated:

> In Ethiopia, we should not blame ourselves. The Russians have been there for 10 years, so they have the responsibility. They have been militarizing the country and have paid no attention to hunger and the economy. Our response has been more than generous. We can bring the food, but after that we have no control.

I believe that if we are going to provide aid, we can have some control, and that we must begin to demand that recipient nations adhere to sound economic policies. Otherwise, we are only destroying our own economy in a feeble attempt temporarily to prop up economic systems that have already failed.●

JAN D'ESOPO

HON. ROBERT GARCIA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. GARCIA. Mr. Speaker, recently the Bronx Museum of the Arts presented an exhibit of a renowned Puerto Rican artist, Ms. Jan D'Esopo. The exhibit which began on February 2 will end tomorrow.

Jan D'Esopo's work is a rich combination of the craftsman's eye for detail and the painters eye for beauty in the most ordinary places. The title of Jan's show is "Puerta del Caribe" or door to the Caribbean. Her subject is old San Juan, PR. Her success in capturing the flavor of this beautiful city is remarkable.

I am submitting a brief biographical sketch for my colleagues on Jan D'Esopo so my colleagues can become more acquainted with this most talented artist:

JAN D'ESOPO

Jan D'Esopo's artistic inclination began very early, and was nurtured by her Italian father who bestowed the gifts of encouragement, fine teachers, and good materials upon his talented child. The artist refined her artistic training through studies at Bennington College and Yale School of Fine Arts and Architecture.

As early as ten, Jan D'Esopo was an award-winning exhibitor at the prestigious Wadsworth Atheneum's juried-exhibitions for young painters. Since that time she has had numerous gallery exhibitions through the midwest and east coast. Her work is presently represented by Grand Central Gallery in New York City, and by Galerias San Juan and San Jeronimo in Puerto Rico. The artist is an instructor at La Liga de Arte in San Juan, and her extensive showing in Puerto Rico includes being a regular exhibitor at the juried series at the Instituto de Cultura Puertorriquena. She is presently preparing for a one-person exhibition at the Bronx Museum of the Arts which is scheduled to open in December of 1984.

Jan D'Esopo discovered her true concern as a painter while embarking on a series of water-media paintings depicting historical buildings and the everyday world of Puerto Rico. It is the interest she continues to pursue:

"My compositions, which at times have an abstract quality, bring together the challenge of absolute realism to form meticulous texture. By juxtopositioning, sharp and muted focus, an abstract play of space on the eye is created. My challenge as an artist lies in applying these artistic concepts to encompas the familiar form and shapes which generate that particular and unique feel of Puerto Rico. My goal is gathering all those abstract felt qualities to produce realism, one based on both feeling and form."

Over the course of years Jan D'Esopo's reputation as a painter of historic architectural spaces was established. Through the use of dramatic, contrasting light, and creatively composed space, the artist captures the flavor and beauty of Puerto Rico. The intimacy in which she reveals this island has endeared her work to its people as a sensitive reflection of their heritage.

Jan D'Esopo's work presently exists in museum, corporate and private collections from the Americas, throughout Europe, and across the seas to Japan.●

INFRASTRUCTURE SEMINAR

HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. SHUSTER. Mr. Speaker, I am submitting for the RECORD an article written by John H. Ingram of Nickerson, Ingram, Vento & Associates, Inc., describing a seminar held last year on the infrastructure. The seminar was designed to focus on this Nation's infrastructure needs, and on ways to improve the infrastructure. While the opinions expressed here are Mr. Ingram's, I do agree that we need to move forward preserving and expanding this Nation's infrastructure.

INFRASTRUCTURE: A CRISIS OF OUR OWN MAKING?

(By John H. Ingram)

"Our infrastructure (our roads, bridges, sewers, water supply systems, waterways, ports, railroads and mass transit systems) is to the nation as arteries and veins are to the human body. It provides sustenance. But, our infrastructure is different from the human body because it cannot heal itself. The infrastructure needs an infusion of capital." (John W. Sroka, The Associated General Contractors of America, Washington, D.C.)

What I have to say about the issue of infrastructure will concede the importance and magnitude of the problem and focus instead on those solutions that reflect the realities of today's political climate.

In order to encourage a serious national dialogue, Nickerson Ingram Vento & Associates, Inc. (NIVA) sponsored a National Symposium on U.S. Infrastructure: Problems, Priorities and Financing Alternatives. For those who were unable to attend this event, I will take this opportunity to summarize the Symposium's conclusions.

Reflecting a belief that government alone will never be able to fully respond to the total infrastructure need which confronts our nation, the Symposium, which was sponsored entirely by the private sector without government funding, allowed national leaders in the fields of communications (Hill & Knowlton), industry (the Associated General Contractors), finance (Merrill Lynch and Shearson Lehman/American Express) and government an opportunity to focus their combined attention on the infrastructure issue. However, instead of trying to decide whether the need is $1 trillion or $3 trillion, the Symposium attendees focused on reaching agreement on a coordinated plan to get on with the building of needed projects.

INDUSTRY'S VIEWPOINT

John W. Sroka, executive director for the occupational services division of the Associated General Contractors of America (whose quote leads this article), made it quite clear that if politicians at all levels of government could ever reach consensus that our infrastructure must be upgraded, then the private sector is ready to get on with the process of building the individual projects. It was estimated that for each $1 billion of investment, 56,000 construction and construction-related jobs would be created. Over a 10-year period, a $1 trillion spending effort would create six million jobs.

THE GOVERNMENT VIEWPOINT

Representing the government viewpoint at a panel discussion of the federal role in infrastructure financing were: Congressman Jim Howard (D-NJ), Chairman of the House Public Works & Transportation Committee; Congressman Glenn M. Anderson (D-CA), Chairman of the Surface Transportation Subcommittee; Congressman Robert A. Roe (D-NJ), Chairman, Water Resources Subcommittee; Congressman Norman Y. Mineta (D-CA), Chairman, Aviation Subcommittee; Congressman Bud Shuster (R-PA), Ranking Republican Member of the Surface Transportation Subcommittee; and Congressman Arlan Stangeland (R-MN), Ranking Republican of the Water Resources Subcommittee.

Chairman Howard commented on the lack of public awareness of the infrastructure problem.

"We forgot to look at what we had built, and we need to get into re-construction," the Chairman began. "Two-thousand miles of interstate highway each year need major repairs; one bridge every two days collapses; and forty-five percent (45%) of all bridges need either replacement or repair. The water system of New York City is so antiquated that it wastes more water than London consumes." the Chairman added.

Mr. Howard concluded his remarks by advising the attendees that the Public Works Committee intends to make the 99th Congress "the Infrastructure Congress."

While noting that funding for the reconstruction of the Nation's Interstate highway program has increased ten-fold since he became Surface Transportation Chairman in 1981, Congressman Anderson charged that during the 1970s, America had allowed its transportation infrastructure to deteriorate to a point that even the current spending levels are insufficient to bring it up to standard.

"In 1976, it would have cost $11.2 billion to return Interstate, arterial and collector roads to their 1975 condition. By 1981, that price tag had escalated to $119 billion," Congressman Anderson stated. "Likewise, thirty percent (30%) of our public bus fleet has already reached its life expectancy," Anderson concluded.

Chairman Roe urged the attendees to go out into the marketplace and start talking about the capital base of the country.

"We have to rebuild the internal dynamics of America in order to compete overseas," the Congressman commented. "In 1965, five percent (5%) of our Gross National Product (GNP) was invested in infrastructure. In the 1970's we invested only .7 of one percent. By contrast, Japan annually spends five percent (5%)," he added.

Chairman Mineta of the Aviation Subcommittee then joined Representatives Shuster and Stangeland in documenting the extent of need in the aviation, surface transportation and water areas. Chairman Howard and his colleagues then announced the introduction and Committee hearing schedule of HR 5948, the National Infrastructure Act. This legislation would make 20-year interest free loans available to states based upon a population formula. The fund would allocate $3 billion per year for ten years.

During the course of the panel discussion, it was made clear, however, that even if HR 5948 should manage to clear a path through the maze of competing congressional committees in the House, little hope was expressed that the Republican-dominated Senate would respond in kind. This fact was highlighted by Chairman Roe who stated that the House during June of 1984 had increased the funding for sewage treatment plants to $19 billion over four years (HR 3282), had attempted to spend an additional $400 million collected annually by the penny-a-gallon tax for mass transit (HR 5504), and had created an $800 million a year loan program for municipal water supply systems (HR 3678).

"We are still waiting for the Senate to act on all of those bills," Congressman Roe stated. Given that the Senate adjourned for the November elections without approving any of these bills, each must now begin anew its perilous trip through the congressional process.

Those attending the Symposium commented that even if the Congress had enacted all the aforementioned bills, including HR 5948, the money may still not be enough. Indeed, the need may be greater than anyone expects if the disaster in 1983 involving a 100-foot section of a Connecticut bridge is any indication. The State's transportation department had found that very bridge "not to be in need of major repair" nine months before it collapsed!

Even if we should concede that a certain part of our "infrastructure crises" is politically motivated and that we should ask our government authorities to do a better job rather than merely doing a more expensive job of managing public works projects, the magnitude of the dollar need confronting us is nevertheless staggering.

One piece of legislation that did win final approval prior to the adjournment of the 98th Congress was S. 1330 creating a National Council on Public Works Improvement. This new law will no doubt lead to a sorting-out of public works projects that either have or don't have sufficient "federal interest" to justify federal funding.

THE COMMUNICATIONS VIEWPOINT

Lawrence R. Walsh, Vice President of Hill & Knowlton and a sponsor of the Symposium, focused on "Why Infrastructure Projects Fail".

Mr. Walsh cited political inertia, the tendency to put-off things until problems are overwhelming, as the chief reason for the lack of enthusiasm for rebuilding infrastructure.

"Americans traditionally have had a reluctance to face things that are not at a crisis stage," Mr. Walsh began. "We just don't have the public resources to throw a $100 billion, let alone $1 trillion, at a program like the nation's infrastructure and expect a quick fix," he added.

Mr. Walsh then commented on the difficulty of solving problems while the current focus in Washington is budget-cutting.

"Clearly, many politicians would prefer to delay public works spending rather than communicate the seriousness of the problems to their constituents," Walsh concluded.

THE FINANCIAL COMMUNITY'S VIEWPOINT

While the need to increase public facility investments has grown, the financial representatives at the SYMPOSIUM commented on the increasing difficulty of arranging such financing over recent years because of high and variable interest rates on municipal debt and such disincentives as federal

"strings" on grants and certain provisions of the federal tax code.

The recent recommendations of the Treasury Department on ways to "reform" the federal tax code may further complicate and add to the high cost of infrastructure financing. However, since these recommendations will result in lengthy discussion here in Washington by the congressional tax writing committees, an opportunity now exists for us to call for the elimination of those sections of the tax code which discourage public/private partnerships in the building of such badly-needed facilities as water resource systems, solid waste/resource recovery, and toxic waste management/disposal systems among others.

And, while most observers of the Congress feel that few of the Treasury's more dramatic proposals such as the elimination of accelerated cost recovery system deductions (ACRS) will be adopted any time soon, the attendees at the Symposium cited the following as contributing factors to the high cost of infrastructure finance and expressed hope that the Congress would recognize that:

The demand has decreased for tax-exempt debt by such traditional institutional investors as banks and insurance companies. This is chiefly due to their shrinking profit margins.

The 1981 Economic Recovery Tax Act's lowering of tax rates of individual high income taxpayers not only reduced their appetite for tax-exempt income but also created several tax-exempt investment options such as IRS's and All Saver's Certificates—both of which increased competition for funds in the tax-exempt market.

The past mistakes of a few tax-exempt issurers, such as New York City, Cleveland, and the Washington Public Power Supply System, have frightened some individual investors of an increased risk associated with some tax-exempt issues.

The creditworthiness of governmental issues has now become a concern to many potential private sector partners in infrastructure finance. If we look at the erosion taking place of traditional state and local revenue sources when tax and debt limitation initiatives pass, we can understand why the creditworthiness issue now exists. Even in those states where limitations have failed, the threat they posed has led to a mood of caution by the governmental units. Furthermore, the on-going demographic shift from cities to suburbs has had the effect of contracting the general tax base, particularly for the older cities which often have the most acute infrastructure needs.

Thomas H. Cochran, Vice President for Public Finance for Shearson Lehman/American Express, urged officials to "stop spending our children's inheritance" by recognizing that when it comes to our infrastructure, we can either pay for it now or we will pay for it later.

Merrill Lynch's Managing Director of their Municipal Finance Department, Daniel H. Harman III, presented a basic primer course in municipal finance. He began by reviewing the desirability of self-supporting financing for highway, bridge, airport, mass transit, water supply/distribution, wastewater collection/treatment, and resource recovery projects. He then moved on to a discussion of the characteristics of revenue bond financing for projects which by their nature do not lend themselves to self-supporting financing. During this part of his presentation, he listed the requirements for a successful revenue bond issue and highlighted the implications of an insufficient revenue stream).

Both Mr. Cochran and Mr. Harman stressed that there is no magic wand which government can wave to make the infrastructure problem go away.

THE REBUILDING PROCESS

To conclude the Symposium, Dr. John E. Petersen, director of the Government Finance Research Center of the Government Finance Officers Association, led a panel discussion on "Securing Project Funds." As the discussion progressed, it became quite clear that cost-effective and innovative financing alternatives for states, localities and the private sector exist.

Having reached agreement on how best to secure the actual financing, the panel then turned its attention to the steps required to build the local coalition (comprising representatives from government, the construction industry, and the communications, financial, and legal communities) necessary to actually secure the financing. Such a coalition, again, built at the local level, would coordinate the steps necessary to begin the rebuilding process.

This rebuilding process has two basic steps:

Step one: Identify and then build a coalition that will be charged to develop an integrated program to rehabilitate a specific infrastructure system.

Step two: This step, by far the most complex and time consuming of the two, requires the development of a community capital investment strategy. To do this, a complete inventory of the general state of the infrastructure to be rehabilitated must be compiled. Likewise, a projection of federal, state, and local aid in each infrastructure area must be produced. Once this inventory and funding projection is available, the next phase of the strategy calls for an assessment of priority of need in each infrastructure area according to criteria which members of the coalition have approved. Such criteria might include A) health and safety, projects that remove hazards for residents; B) essentiality, projects which serve as vital links in providing services to residents; C) economic development, projects critical to gaining or retaining industry and the jobs that go with them; D) cost-effectiveness, projects which reduce current maintenance expenditures and thus avoid costly future rehabilitation; and E) legal mandates, projects clearly required as a result of court action or government regulation.

Once the coalition's capital investment strategy is developed to this point, an evaluation of potential financing alternatives is in order. Now the discussion turns to questions like: A) Would a rate increase support a revenue bond or should we change the rate to better reflect the true cost of upgrading the service being provided? B) Should we raise existing taxes to support a general obligation bond and earmark the revenue for public transit? C) Can we be more aggressive in obtaining discretionary funds, going after less traditional program funds, or should we instead divert resources from other accounts? D) Should we institute a new motor license fee and earmark the income to bridge maintenance and a truck weight fee earmarked for road maintenance?

With these questions decided, the coalition now moves to build an environment for economic growth. This is accomplished by clearly stating in understandable terms the individual costs and benefits to be derived by the implementation of the strategy. This might require members of the coalition to use quite simple statements like: (A) "For what you all spend on a tank of gasoline, we will fix the following 58 bridges . . ." (B) "Twenty-five percent of our water is lost through cracks in the system." (C) If we fix the water system, you'll get more pressure and less brown stuff."

CONCLUSION

Those attending the National Symposium on Infrastructure already knew that our nation's public resources, these valuable assets, must not be allowed to deteriorate further. They knew that such action would ultimately shackle our continued economic growth.

A strategy was developed for renewing our infrastructure by encouraging, indeed forcing, government officials to recognize this threat before the already staggering costs become even more of a terrible burden on our children. Our failure to move forcefully across the country implementing this strategy will surely stall the continued progress of our various communities.

Should we allow this to happen, we will have infrastructure as a Crises of Our Own Making.

(Mr. Ingram, President of Nickerson Ingram Vento & Associates, Inc., a government policy consulting corporation headquartered in Washington, D.C., was formerly chief legislative assistant to Congressman Glenn M. Anderson, federal representative of the State of California, and chief lobbyist for the American Public Transit Association.)●

ARTS AND HUMANITIES TAX REFORM

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. GREEN. Mr. Speaker, I am pleased to be introducing today the Arts and Humanities Tax Reform Act of 1985. This legislation would amend the Internal Revenue Code to disregard, in the valuation for estate tax purposes of certain items created by the decedent during his or her life, any amount which would have been ordinary income if the item had been sold at its fair market value; to allow a charitable deduction based on the fair market value of a creation; and to establish new guidelines for deducting the business use of a place of residence.

Under present law, an artist's heirs pay an estate tax on the decedent's creative property which is based on its fair market value. Unfortunately, an artist will frequently request that the family destroy works of art at the time of his or her death in order to protect the heirs from exorbitant estate tax charges. I believe this is a great loss to the Nation, its artists, scholars, and historians, and to the decedent's heirs. Section 2 of my bill provides that, when an artist dies, the estate tax charged the heirs will be based on the cost of the materials in the work, and

not the price at which the item could be sold.

I would add that a work or creative property may be defined as any copyright, musical or artistic composition, letter or memorandum, or any similar property which was in the decedent's possession at the time of his or her death, and was created through the efforts of the individual. Second, I would point out that creative work does not include any property which was held by a decedent who was at any time an officer or employee of the United States and which was created by the decedent in carrying out an official duty.

While, for estate tax purposes, works are valued at market price, a creative work is valued for charitable deduction purposes at the cost of materials in the work. Section 3 of my bill would allow artists to take a deduction for donations to nonprofit groups at the fair market value of the donated property.

In making these changes, we would promote rather than discourage creativity and advocate the sharing of artwork and creativity with the public. By providing a tax incentive for the contribution of works to charitable organizations—museums, libraries, and galleries—and a lighter estate tax charged an artist's family, we are encouraging wider distribution of artwork, development of artistic resources in individuals, and are recognizing the importance of preserving an artist's creation.

Section 4 addresses a problem which is voiced again and again by artists, particularly in New York City. Under current law, a taxpayer is allowed to deduct expenses attributable to the business use of his or her place of residence only when a portion of the home is used exclusively and on a regular basis as a place of business. Many artists and writers who seek to deduct expenses for the business use of their homes and live either in loft-type space in small quarters have a difficult time providing exclusive use of a portion of their home when it is not separated from the remainder of the dwelling by a wall. My bill addresses this problem and would allow the deduction in cases in which a portion of the home is used to a substantial extent and on a regular basis for business purposes, thus allowing a part of a room, not necessarily a separate room, to be considered a workplace for tax purposes. Section 4 also directs the Secretary of the Treasury to promulgate regulations in order to implement the substantial extent provision within 90 days of enactment of the legislation. Within 120 days of enactment, the Treasury must recommend to the House Ways and Means and the Senate Finance Committees legislation which would provide statutory standards to replace the substantial extent provision.

This legislation is designed to allow the artistic community to develop without fear of the tax burden which being an artist presently creates. In light of the severe budget cuts recently proposed by the administration in this area. I believe it is particularly important to provide these incentives to artists, and remove the disincentives to creativity which currently exist. I have submitted to the RECORD the text of my bill for review by my colleagues:

H.R. 1657

A bill to amend the Internal Revenue Code of 1954 to disregard, in the valuation for estate tax purposes of certain items created by the decedent during his life, any amount which would have been ordinary income if such item had been sold by the decedent at its fair market value, to allow a charitable deduction based on the fair market value of such items, and for other purposes

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Arts and Humanities Tax Reform Act of 1985".

SEC. 2. VALUATION OF CREATIVE PROPERTY FOR ESTATE TAX PURPOSES.

(a) IN GENERAL.—Part III of subchapter A of chapter 11 of the Internal Revenue Code of 1954 (relating to gross estate) is amended by inserting after section 2032A the following new section:

"SEC. 2032B. VALUATION OF CERTAIN ITEMS CREATED BY THE DECEDENT.

"(a) GENERAL RULE.—If the decedent was (at the time of his death) a citizen or resident of the United States, then, for purposes of this chapter, the value of qualified creative property shall be determined under subsection (b).

"(b) VALUE OF QUALIFIED CREATIVE PROPERTY.—For purposes of subsection (a), the value of qualified creative property of the decedent shall not include any amount which would have been ordinary income if such property had been sold by the decedent at its fair market value (determined at the time of the valuation of such property).

"(c) QUALIFIED CREATIVE PROPERTY DEFINED.—For purposes of this section—

"(1) IN GENERAL.—The term 'qualified creative property' means any copyright, any literary, musical, or artistic composition, any letter or memorandum, or any similar property—

"(A) which was held by the decedent at the time of his death, and

"(B) which was created by the personal efforts of the decedent.

"(2) CERTAIN PROPERTY EXCLUDED.—The term 'qualified creative property' does not include any property—

"(A) which was held by a decedent who was at any time an officer or employee of the United States or of any State or political subdivision of such State, and

"(B) which was created by the decedent in carrying out his official duties as such an officer or employee."

(b) CLERICAL AMENDMENT.—The table of sections for such part III is amended by inserting after the item relating to section 2032A the following new item:

"Sec. 2032B. Valuation of certain items created by the decedent."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to estates of decedents dying on or after January 1, 1985.

SEC. 3. VALUATION OF CREATIVE PROPERTY FOR CHARITABLE DEDUCTION PURPOSES.

(a) IN GENERAL.—Subsection (e) of section 170 of the Internal Revenue Code of 1954 (relating to certain contributions of ordinary income and capital gain property) is amended by adding at the end thereof the following new paragraph:

(6) SPECIAL RULE FOR CERTAIN PROPERTY CREATED BY THE TAXPAYER.—

"(A) IN GENERAL.—The reduction under paragraph (1)(A) shall not apply to any charitable contribution of property—

"(i) which is a copyright, a literary, musical, or artistic composition, a letter or memorandum, or similar property, and

"(ii) which is contributed by a taxpayer whose personal efforts created such property.

"(B) EXCEPTION.—Subparagraph (A) shall not apply to any property—

"(i) which is contributed by any officer or employee of the United States or of any State or political subdivision of such State whose personal efforts created such property, and

"(ii) which was so created by such officer or employee in carrying out his official duties."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to contributions made after December 31, 1984, in taxable years ending after such date.

SEC. 4. BUSINESS USE OF HOME.

(a) IN GENERAL.—Paragraph (1) of section 280A(c) of the Internal Revenue Code of 1954 (relating to exceptions for certain business or rental use; limitations on deductions for such use) is amended by striking out "exclusively used" and inserting in lieu thereof "used to a substantial extent and".

(b) REGULATIONS.—The Secretary of the Treasury or his delegate shall, not later than 90 days after the date of the enactment of this Act, prescribe regulations to carry out the amendment made by subsection (a).

(c) RECOMMENDATIONS FOR LEGISLATION.—The Secretary of the Treasury or his delegate shall, not later than 120 days after the date of the enactment of this Act, submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate recommendations for legislation which provide objective statutory standards for allowing deductions in cases where a portion of a dwelling unit is used for business purposes on other than an exclusive basis.

(d) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable year beginning after December 31, 1984.●

AN AUSPICIOUS DEBATE

HON. ROBERT GARCIA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. GARCIA. Mr. Speaker, I want to take a moment to point out to my colleagues the recent success of a young woman who has over the past 5 years worked closely with this institu-

tion. Her name is Elizabeth Benedict, and her first novel, "Slow Dancing," has just received favorable reviews in the New York Times and the Washington Post.

Liz, who has been associated with the Mexican American Legal Defense and Education Fund for the past 5 years or so, has helped my office considerably on a number of important issues including the renewal of the Voting Rights Act and the Simpson-Mazzoli Immigration Reform Act—in all its incarnations.

Liz is a very bright and articulate woman, but just as important, during the long and often frustrating hours my staff and I put in preparing for debate on Simpson-Mazzoli and the Voting Rights Act, Liz was not only there when we needed her, she never lost her highly developed sense of humor, an irreplaceable asset.

Although I have not yet had an opportunity to read Slow Dancing, I understand that Liz's considerable talents shine through. I imagine first novels are something like first born children. They are objects of wonder and promise. Certainly Liz has exhibited a great deal of promise with her writing. My favorite story on writing comes from Red Smith, the late sportswriter for the New York Times. When asked about the difficulty of writing, Red allegedly replied, "Writing is easy. All you have to do is sit down at the typewriter, open up your veins, and bleed."

I'd like to share with my colleagues a quote from the Washington Post review of Slow Dancing written by Susan Isaacs, herself an author. Ms. Isaacs said:

Each year there are a number of competent first novels published. Perhaps it has something to do with the proliferation of creative workshops and Masters of Fine Arts programs, but there seem to be more and more authors capable of creating a perfectly polished sentence, every word a jewel. But Elizabeth Benedict's writing is more than merely well-wrought. It's alive. Benedict's debate is auspicious because she goes a step beyond craftsmanship. She creates people who are touching, human, and memorable.

It sounds like Liz's work is what Red Smith had in mind when he talked about successful writing.●

THE WRONG WAY TO TREAT MOSCOW

HON. LANE EVANS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. EVANS of Illinois. Mr. Speaker, George Kennan is certainly one of our greatest national resources in the field of Kremlinology and Soviet strategic studies. He was one of the first, in the late 1940's and 1950's, to warn us both of the threat presented by Soviet foreign policy and of the danger of our reliance on nuclear weapons. He has for many years spoken and written eloquently to try and rid us of one of the most pervasive beliefs of our times—that the nature of the Soviet Union demands the American nuclear arms buildup and its continued, massive escalation.

George Kennan recently challenged the Reagan administration on its latest wrong-headed rationalization for the MX missile: that building this dangerous boondoggle will somehow demonstrate American will to the Soviets and force them to negotiate serious arms control agreements in Geneva. I would like to share George Kennan's words with my colleagues, and urge them to join me in rejecting further production of MX missiles:

[From the New York Times, March 3, 1985]

THE WRONG WAY TO TREAT MOSCOW

(By George F. Kennan)

For weeks on end, we have been hearing assertions from senior figures in Washington to the effect that it is only the great buildup of America's military strength (presumably since late 1983) that has brought the Russians "back" (although it is not exactly that) to the arms negotiation table. And now we find ourselves similarly assured that only the completion of the MX missile program, as urged by the Administration, could give the Russians the incentive to deal seriously with us at that table, once they come.

The first of these assertions is unproved and highly unlikely. The second strikes me as the purest nonsense.

There is no reason to suppose that the real but modest improvement in American nuclear capability that has taken place since strategic arms control talks were broken off last spring has in any significant way affected the Soviet attitude toward the talks that are about to begin.

There is much greater likelihood that the Soviet consent to join in these talks was inspired primarily by the impression conveyed to Moscow from a number of sources that the President, in entering upon his second term in office, was serious in his desire to get on with arms control and to lower the tensions in Soviet-American relations. To this was no doubt added the realization by the Soviet leaders that their abstention from the negotiating process was being successfully exploited against them at the propaganda level.

But behind all this there also lay something even more serious: a possibility (even a probability) that the Administration has steadily declined to recognize—the possibility that the Soviet leadership might really have come to the conclusion that a continuation of the nuclear arms race held no promising advantages for anyone and that it would be to their own interest to get on if possible, with a significant abatement of it. This conclusion would not have been unreasonable. Nor would it necessarily have been a sign of exceptional virtue on their part.

As for the MX, what is at stake here is no more than a moderate increase in quantities of nuclear overkill already so staggering that a few missiles more or less do little to change the general problem. The Russians will see in the pressures the Administration is now bringing to bear on Congress in this connection one more symptom of the spirit in which the Administration is approaching the new talks—and that, of course, the Kremlin will have to take into account. But this will not necessarily modify the Russians' negotiating position. Why after all should it influence them unless they believe that the MX program is really expendable for negotiating purposes?

Aside from the fact that senior Governmental officials have repeatedly stated that it is not thus negotiable, the Russians know very well that no such program—into which billions of dollars have already been invested and on which thousands of people are now dependent for their livelihood—could really be played with as a "bargaining chip" by negotiators in Geneva. Any further funding Congress decides to devote to the MX program will appear to Moscow as a fait accompli, and will be evaluated accordingly.

All available evidence suggests that the Soviet side, in entering upon these new arms talks, will be acting in a spirit of profound skepticism as to the seriousness of the Administration's professed desire to get on with arms control. Nothing in the preparation for the talks at the American end could have encouraged them to take any other attitude.

Neither the reiteration of the offensive insinuation that they have been frightened into returning to the table, nor the known attitudes of certain of those chosen to conduct the talks from the American side, nor the uncertainties created by the strategic defense initiative, nor the recent commandeering of the space shuttle for military purposes, nor the many official assurances that they, the Russians, were about to be softened up by further demonstrations of our "resolve" (resolve to do what?) can have been helpful in overcoming Moscow's skepticism. Would all this not rather have encouraged them in the belief that the Administration's readiness to participate in the coming talks was nothing more than window dressing designed to mollify some of our nervous allies and whatever remains of the American peace movement?

That our Soviet counterparts should be coming in this frame of mind to a set of negotiations on which the entire future of the arms race may well depend is a dangerous circumstance. The Administration would do well to bear this in mind. Real strength, quietly maintained and not openly brandished, can indeed be a useful support to diplomacy. Showy and questionable strength, too openly boasted about and relied on too exclusively for pressure on another government, can have precisely the contrary effect.●

NATIONAL ENDOWMENT FOR THE HOMELESS

HON. MIKE LOWRY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. LOWRY of Washington. Mr. Speaker, today my colleague from Iowa, Mr. LEACH, and I have introduced a legislative proposal, the "National Endowment for the Homeless." A companion bill will be introduced by Senator ALAN DIXON, Senator JOHN HEINZ, and several other Senators next week.

It is common sense that in a Nation so richly endowed as ours, every citizen should be entitled to live in dignity and to have the chance to meet their basic human needs. Yet, as simple as that sounds, hundreds of thousands—maybe millions—of Americans have no home but the streets and no food except that donated by others.

I refuse to believe that those of us blessed with warm homes do not care. Yet, as the spring thaw approaches, I fear that those less fortunate will be forgotten until the next winter. That we will continue to confuse our priorities. That we will choose to fail to deal with the most fundamental problems facing our Nation and the world—hunger, poverty, and the right to safe shelter.

Today is "National Action Day for the Homeless" and it is appropriate that on this day we recognize that we can do more to help the homeless. While the President and Congress have acted too slowly and provided too little, thousands of individual Americans in community organizations, charities, and local government have struggled to uphold one of the fundamental values of our Nation—that each of us has an obligation toward our community and other people in our world.

In my home State of Washington, hundreds of individuals and organizations have joined together to help the homeless through the Seattle-King County Emergency Housing Coalition and the Washington State Coalition for the Homeless. In turn, many of these individuals have joined with other local coalitions and charities throughout the Nation to create the National Coalition for the Homeless. They have chosen to lend a hand where the Federal Government has fallen far short of its responsibilities.

Despite the best intentions and hard work of these individuals and organizations, they cannot keep pace with the growth in poverty and the need for shelter, food, and health care. Even the most optimistic estimates of homelessness indicate that for every homeless person provided shelter, another two receive no help at all. These problems are growing worse—we are faced with a mental health system in disarray, high unemployment and the termination of Federal assistance for the long-term unemployed, continued cuts in low-income housing and the potential elimination of the rural housing program, and constant pressure of cutbacks in other poverty programs.

While I am convinced that the problems of homelessness can be fully addressed only by strengthening these programs and creating jobs, I am also a pragmatist. We need to help people immediately. Their lives cannot hinge on the outcome of debates in the White House or Congress.

For that reason, I am joining today with my colleague from Iowa in introducing a limited, but meaningful legislative proposal, "The National Endowment for the Homeless."

This proposal is based upon three fundamental principles. First, the Federal Government can have the greatest impact with a limited program by building on the success, expertise, and vision of local, private voluntary organizations and local governments that are presently helping the homeless.

Second, Federal funds are essential but will not be sufficient unless they are provided in a way that encourages continued and increased funding from non-Federal sources—individuals, charities, foundations, private business, and State and local government.

Third, Federal funds must be made available to provide more than just a hot meal and a cot. We must support promising efforts to generate more lasting solutions for the range of problems facing the homeless, including meeting the special mental and physical health problems of the homeless, easing the transition to permanent homes and helping the homeless gain access to other sources of services and benefits.

Our proposal would establish a wholly private, nonprofit organization—the National Endowment for the Homeless—which could serve as a focal point for efforts to assist the homeless. This organization would not be a governmental agency. Instead, it would be cooperatively controlled by individuals and organizations involved in providing assistance for the homeless.

The endowment would carry out four basic functions. First, the organization would provide grants for the direct provision of shelter, food, and supportive services for the homeless in a manner consistent with the program administered by the national board under the auspices of FEMA. Second, the endowment would marshall more adequate Federal and non-Federal resources by providing funds partially on a matching basis. Third, the endowment would serve as a national forum and repository of knowledge to aid in the gathering and dissemination of information about effective ways to meet the need of the homeless. Fourth, the endowment would provide grant support for demonstration efforts which could address the more fundamental problems of homelessness in ways that could be replicated throughout the Nation.

The endowment would be specifically directed to support efforts which involve the active cooperation of community organizations, foundations, charities, and local and State governments. Further, the endowment would be directed to minimize administrative costs—members of the board of directors and advisory council would receive no salaries—and highest priority would be placed on assistance for the provision of direct services.

Each year the Federal Government would provide a $60 million seed grant to the endowment. These funds would be used for direct assistance to the homeless, to raise additional funds from other sources, and to carry out the other specific purposes of the endowment. In addition to the initial annual seed grant, the Federal Government would provide matching funds for funds raised through voluntary contributions. The total Federal contribution to the endowment in any given year—including both the seed grant and additional matching funds—would not exceed $230 million.

The Federal contribution would fall far short of the documented needs of the homeless. In fact, the total contribution for the homeless would represent only one-half of 1 percent of the housing subsidies provided to middle and upper income homeowners through the tax system. Present tax deductions, such as those for mortgage interest and State and local property tax, cost over $40 billion annually to the Federal Treasury. I do not think it is inappropriate to spend a fraction of this amount on individuals and families who have no homes at all.

I urge my colleagues to support a more active Federal role in helping the homeless. Thank you.●

AMERICA'S PREGNANT CHILDREN

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. MILLER of California. Mr. Speaker, last week an editorial appeared in the New York Times entitled, "America's Pregnant Children." This piece, based on a study just released by the Alan Guttmacher Institute, details the distressing rates of teenage pregnancies, births, and abortions in the United States. The Times reminds us that these occurrences are far more frequent in this country than most other developed countries, even though American adolescents are no more sexually active than others. The study also dispels the myth that welfare serves as an incentive to out-of-wedlock childbearing.

The Times suggests, and I agree, that we are in the position we are in because we will not sufficiently counter, with education and counseling for teenagers, the enormous influences of a society undergoing a sexual revolution.

Why else would we have higher rates of teen pregnancy, abortion, and childbearing? Why else would U.S. childbearing rates be much higher

than Sweden, France, England, Canada, Wales, and the Netherlands?

Among subjects studied by the Select Committee on Children, Youth, and Families during the last 2 years, the multiple crises associated with teenage pregnancy have received top priority. Over 1 million teenagers each year will become pregnant in the United States, and over one-half million will bear children. In fact, Wendy Baldwin, of the National Institute for Child Health and Human Development, has told the select committee that among girls now aged 14, 40 percent will experience a pregnancy before they reach age 20, and one-fifth will bear a child.

We know a lot about how to solve the problem. But as the New York Times so aptly editorialized, "Consensus, and commonsense, become impossible," when we try to institute preventive strategies that include sex education in the schools, or when we try to discuss teenage contraceptive use.

The results of our policy failures are clear: unprecedented numbers of abortions among teenagers, and more teens with infants risking the relentless cycle of welfare dependency and poverty. The time has come to use what we know to reverse this trend—one that is unparalleled in other developed countries and which has dire consequences for our most vulnerable youth.

I hope my colleagues will take the time to read this important editorial:

AMERICA'S PREGNANT CHILDREN

According to legend (and a song lyric from "Gypsy"), to sell something you've gotta have a gimmick. In the United States, the tried-and-true gimmick is sex.

Sex sells jeans, cars, perfume, underwear and detergents. It powers hit records, best sellers, TV dramas and videos. It's a staple of many an evening with a V.C.R. and the reason for many a celebrity's celebrity. It is big bucks, the gimmick that makes the merchandise move. The retailers are happy and so are the customers. But what about the children?

Can America shield its children from the sexual sell? It doesn't even want to try. Then at least can society teach them how to deal with sex? Yes, but it doesn't want to try that, either.

Obviously not, even though the United States leads nearly all other developed nations of the world in teen-age pregnancy, abortion and child-bearing rates. Not when we're the only developed country where teen-age pregnancy has been increasing. Not when it's our most vulnerable adolescents—girls under 15—whose pregnancies account for the maximum difference between our teen-age birthrate and that of other countries.

America's children are bearing children at a rate unparalleled in the Netherlands, Sweden, France, Canada, England and Wales—countries similar to the U.S. in general cultural background and economic development. The reason, according to a study just released by the Alan Guttmacher Institute, is not that American adolescents are more apt to be sexually active. The median age at first intercourse is very similar for all teen-agers in the countries studied.

Neither is it because adolescents in other countries have more abortions. They have fewer. Nor is the teen-age fertility in this country explained by the very high pregnancy rates among black teenagers, many of whom live in a degree of poverty unknown in Europe. The rate for white adolescents alone exceeds that for the other teen-age populations.

Nor does welfare appear to serve as an incentive to out-of-wedlock child-bearing. If so, one would expect lower birthrates here than in the other five countries, where overall support is more generous.

Instead, the answer lies in our reluctance to accept responsibility for the sexual revolution—and prepare our children for life in this changed society. Contraceptive counseling and sex education in the schools can make a powerful difference, yet they suffer constant attack. Some states severely limit the advertising and display of contraceptives, and it's the rare TV channel that will run even the most tasteful contraceptive advertising.

Although the pill is accepted as a highly appropriate contraceptive method elsewhere, and despite the ever-increasing scientific evidence of its safety and efficacy for adolescents, it is greeted with ambivalence and suspicion here.

Teen-agers need help to avoid pregnancy, and to avoid abortion. That's exactly why France, the Netherlands and Sweden have committed themselves to providing contraceptive services for young people. But as the Guttmacher study puts it, "the nature and the intensity of religious feeling in the United States serve to inject an emotional quality into public debate dealing with adolescent sexual behavior." Consensus, and common sense, become impossible.

America wallows in the byproducts of sexual liberation—raunchy TV, suggestive advertising and pornographic movies. At least in theory, the adults are able to manage. One can only feel pity, however, for the teen-agers, and for their children.●

LOCAL MEETINGS PRODUCE INFORMATION ON HARMFUL EFFECTS OF BUDGET CUTS

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. FRANK. Mr. Speaker, one of the practices I have found most useful as a Member of the House is to visit with the various local governing bodies in the cities and towns that make up my congressional district. During the February recess, and on several subsequent weekends, I have met with boards of selectmen, mayors, and school committees from approximately a dozen of the communities I represent. With near unanimity and great vehemence, these hardworking, local elected officials have told me of their concerns about the disproportionate share of the budget cuts which are aimed at Federal-local cooperative efforts. These local officials are well aware of the need to reduce the Federal deficit, and they have, on the whole, an excellent record of deficit reducion in their own areas. In particular, they have adjusted very well to the referendum passed by the Massachusetts voters in 1980 which limited the amount that could be raised by local governments in property taxation—the major source of revenue for Massachusetts local governments.

But these local officials pointed out to me that, precisely because they have done well in reducing waste and inefficiency at the local level, they would be badly damaged by the sort of massive cuts in Federal assistance to local government activities that have been proposed in the President's budget. I agree with them that the budget as sent to us by the White House disproportionately attacks programs whereby local governments are helped to provide necessary services for people. It will not aid our goal of reducing the burden on the American people if we simply cut Federal expenditures in a way that requires State and local taxation to go up, or if the result is the loss of vital services such as police, fire, and education to local citizens.

The people I have met with represent a wide variety of views—indeed in most of the communities I have had these meetings majorities voted for President Reagan, and for the Republican candidate for the U.S. Senate as well. But these local officials and many of the newspapers that reflect an intimate knowledge of local concern agree that the President's budget unfairly concentrates on deficit reduction efforts in those areas which have a particular impact on local government.

Mr. Speaker, it is not simply the big cities of this Nation which look to Federal local cooperative efforts as a means of helping provide aid to their citizens. In the relatively small town of Plainville, when I met with the Board of Selectmen, high on their priority list was the preservation of Federal assistance to public transportation. These hardworking elected officials pointed out to me that the recent institution of a bus line from their small town to the nearby city of Attleboro was a very important service for many of its citizens. This service is one which is supported by State, local and Federal Government, and for the Federal Government simply unilaterally to pull out would be to result in a very drastic reduction of service of a necessary sort.

I would like at this point, Mr. Speaker, to share with my colleagues a representative sampling of the opinion I have gathered in my meetings. Included are a letter from the selectmen of the town of Berkley, a small town in my district; and article from the Herald News of Fall River which documents how unfortunate the Presi-

dent's budget cuts would be in the city's effort, under the leadership of its mayor, Carlton Vivieros, to regain economic prosperity; an excellent article in the Brookline/Newton Tab which outlines the severe impact the budget cuts would have on the city of Newton; editorials from the Walpole Times and the Waltham/Newton News Tribune which express very well the point of view of those concerned with the viability of local government; a resolution adopted by the City Council of Fall River, sponsored by City Councilor Marilyn Roderick; and an extraordinarily interesting and well-prepared chart by the officials of the very well run town of Natick which show how negatively they would be effected in ways that it would be difficult for them to counteract by the proposals to dratically cut revenue sharing and other Federal programs.

Mr. Speaker, I believe my district is, in this respect, representative of many others in this country and I think it is important that Members of this body learn first hand from those who have the responsibility of providing government services on the local level about the impact of the President's proposed budget.

The material follows:

OFFICE OF
BOARD OF SELECTMEN,
Berkley, MA, March 1, 1985.

Congressman BARNEY FRANK,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN FRANK. This Board would like to take this opportunity to thank you for your visit to Berkley on February 14, 1985. Your visit confirms our belief that you are concerned about your constituents.

We would also like to again state our concerns about the loss of Revenue Sharing and what effects it would have on the Town of Berkley.

As you know our tax revenue is capped by Proposition 2½. We rely heavily on Revenue Sharing to fund at least 50% of our Public Safety Budget (Police and Fire) and we have no way to make up these lost funds. If Revenue Sharing ceases it would mean drastic cut backs in our already meager Public Safety Programs.

Thank you for your attention to this matter.

Respectfully yours,

GEORGE A. MOITOZA,
Chairman.

[From the Fall River (MA) Herald News, Feb. 6, 1985.]

LOSS OF GRANTS WOULD HURT CITY

(By James N. Dunbar)

When John Whalen said, "Let's make believe it's 1978 and look at what might not have been," he wasn't playing a game.

The time frame that Whalen, executive director of the Fall River Office of Economic Development, was referring to includes receipt of $7.5 million in Urban Development Action Grants in the last seven years.

At the same time, he was taking a shot at the Reagan administration's budget proposal to eliminate the UDAG program.

"If we didn't have those UDAGs in place, we would not have seen the approximately $29.4 million in public-private matching funds they stimulated. Nor would we have the 1,080 new jobs the grants sparked," Whalen asserted.

In terms of grants received, Fall River ranks third in the state. Only Boston and Springfield have received more.

The shot-in-the-arm from the grants has rejuvenated the city's economy as it has in thousands of other cities and towns across the nation.

But more than that the director said, because the money has been awarded in low interest loans, "it means that about $5.7 million continues to come back to the city where it is used in a revolving loan fund for other business and new jobs. And that I find very significant."

Whalen said that fact isn't realized at first. "But when some little guy down the street wants to expand his business, get a new place or machinery, or bring on new help, this money assists in making it come true. And what we're really talking about is the city's tax base."

Whalen pointed to a chart of the UDAG's. The first grant, for $1.6 million, was for the parking deck near South Main Place. It brought $8.1 million in matching private funds and created 255 jobs.

The Aetna Insurance Co. located here, with the aid of a $2.2 million UDAG. Of that, $1.4 million was a loan and $800,000 an outright grant. Aetna provided $8.7 million and the state, $1.6 million more. That resulted in 240 new jobs, he said.

The Phalo Corp. received a $1 million grant and added $3.1 million in an Industrial Revenue Bond to establish 200 jobs. Taco, Inc. received $410,000 and took out an IRB of $1.4 million, with 80 jobs resulting.

The Garland Corp.'s UDAG was for $800,000 and it added a $1.9 million IRB creating 120 new positions. United Merchants received $600,000 and with a $1.8 million IRB created 129 positions.

In all rounds of UDAG funding, the city has done well, Whalen said.

Its latest round—and the last, according to statements from the Reagan administration,—is for $300,000 to High Point Paper Box Co. here. Accompanied by an $800,000 IRB, it will provide 56 new jobs.

Whalen said the Durfee Union Millplace, under a former owner, received a UDAG of $602,000 which it matched with $1.8 million. However, it was never used. It is expected that new owners will resubmit for the same amounts in March, Whalen said.

"What might have happened if we didn't have UDAG's is mere conjecture," said Whalen. "But without any future funding like these, it's hard to be optimistic about economic development."

[From the Brookline/Newton (MA) Tab, Feb. 19, 1985]

LOCAL OFFICIALS DECRY REAGAN BUDGET PROPOSALS

(By David Luberoff)

In promising a second American revolution, President Ronald Reagan has proposed federal budget cuts that could affect almost every resident of Newton. While the administration—and its supporters—say these cuts are needed to curtail excessive government spending and bring the federal deficit under control, their potential impact on cities and towns has many local officials wringing their hands.

By choking off funding that pays for basic municipal services and sewage treatment plants; by ending the MBTA's operating subsidy; and by slashing funds for community development, Reagan's budget could impair Newton's ability to provide basic services, say local officials.

In Newton, the Reagan budget, if approved, would cost the city more than $4.9 million in the next fiscal year and an incalculable amount in indirect losses by precluding some additional economic development in the area. To add to Newton's woes, Proposition 2½ restricts the city's ability to raise property taxes to compensate for the federal cuts.

"Proposition 2½ does not allow us to replace federal subsidies that are cut back," observed Newton Mayor Theodore Mann, who is also president of the Massachusetts Mayors' Association. "If Massachusetts cities and towns are not able to make up for these cuts and for inflation, we will have to cut services."

REVENUE SHARING

For city officials, Reagan's most damaging proposal is his plan to end the federal revenue sharing program that provides discretionary federal funds directly to municipalities.

* * * * *

"Revenue sharing is the most important program down there" in Washington, said Mann.

"For the past several years . . . we have applied revenue sharing to police salaries," adds David Wilkinson, Newton's chief budget officer. "That's not to say that if revenue sharing was cut we would lay off police officers, but we would have to find that money somewhere and possibly cut other programs."

COMMUNITY SERVICES

Another Reagan proposal that would significantly affect local residents is a 10 percent cut in Community Development Block Grant (CDBG) funds. In addition, the administration wants to change the CDBG distribution formula to allocate fewer of the available funds to urban areas. Last year, Newton received approximately $2.1 million in CDBG funds. City officials say the Reagan budget could reduce that appropriation by approximately $504,000 this coming fiscal year.

MASS TRANSIT, SEWAGE TREATMENT, PARKS, AND EDUCATION

Many Newton residents would also feel the pinch if Reagan successfully abolished federal operating subsidies that help pay off the MBTA's approximately $200 million annual operating deficit.

If the federal subsidy is cut, the city's $3.4 million annual MBTA assessment could double, say local budget experts. And if the MBTA does not request the extra funds from the city, it "will have to seriously consider scaling back service, raising fares, borrowing heavily, and deferring important projects aimed at improving the reliability of service," claims MBTA general manager James O'Leary who says the budget cut could also lead to the layoff of approximately 600 MBTA employees.

The proposed cutbacks would also "throw into doubt" a range of projects including the reconstruction of the tracks on the Green Line, Red Line, and commuter rail lines; the purchase of new commuter rail trains; the upgrading of signal and power systems; and the reconstruction of transit stations, O'Leary predicts.

Reagan's proposed budget could also throw a monkey wrench into the newly created Massachusetts Water Resources Authority's plan to build sewage treatment plants for the metropolitan area. Depending

on how the Environmental Protection Agency interprets the measure, Reagan's proposal to stop funding new sewage treatment plants could cost the state up to $40 million in direct aid during the upcoming fiscal year, estimates Thomas Ennen, executive director of Boston Harbor Associates, a non-profit harbor advocacy group.

Without that funding, either the state or the taxpayers will be asked to pick up from previous page a larger share of the treatment plant bill, Ennen predicts.

In the Newton public schools, some of Reagan's proposed cuts—in bilingual education, federally subsidized school lunches and special needs education—could reduce the approximately $675,000 the schools receive in federal funds each year.

PUBLIC HOUSING

Many advocates for the poor are also concerned about a Reagan proposal for cuts in federally subsidized housing programs that include: a more than 15 percent reduction in the federal operating subsidies provided to public housing authorities; a freeze on building new subsidized housing for the poor, the elderly, or the handicapped; a freeze in new federal rent subsidies; and the almost complete elimination of programs that fund the rehabilitation of the aging public housing stock.

However, officials at the Newton Housing Authority (NHA), which receives approximately $130,000 in annual federal operating subsidies, do not believe the proposed cuts—which could cost the agency as much as $20,000—will have adverse effects.

"If they cut on back on the subsidy we'll probably be all right," says Frank Quinn, executive director of the NHA. Quinn explains that because the NHA is about to open a new development and because current subsidy formulas have been improperly weighted to favor inefficient housing authorities, the NHA "may wash out," when the new subsidies are calculated.

"For too many years, big areas have taken the cream off the top from the rest of us," charges Quinn. "This is what is changing . . . in places where the money is wasted, this may make for better controls."

However, Newton's public housing program could suffer from a proposed freeze in the amount the federal government will contribute to those holding section 8 rent vouchers—which allow tenants to pay for private apartments. According to William Henderson, Administrative assistant at the NHA, many of those holding vouchers already cannot find apartments in Newton where rents are low enough to fall within the federal guidelines.

And as local officials attempt to assess the overall impact of these proposed budget reductions, they are discouraged, dispirited and concerned.

"These cuts," warned Boston Mayor Raymond Flynn at a recent gathering of mayors, "are both unacceptable and unconscionable."

[From the Walpole (MA) Times, Feb. 7, 1985]

THE PRESIDENT'S BUDGET

The U.S. Patent and Trademark Office in Washington, D.C., announced this week that it will induct Roy Plunkett into its Inventors Hall of Fame Sunday.

Plunkett, who gave the world Teflon, may have invented the nostick coating, but nobody has put it to better use than Ronald Wilson Reagan, 74 yesterday, 40th U.S. President, and until he sent his budget message to Capitol Hill Monday, the slickest political operative since Franklin Roosevelt.

Until Monday the president had used the miracle coating with amazing dexterity. Throughout his first administration, as more than one observer pointed out, President Reagan remained above the fray. No errors in judgment, the disaster in Lebanon, for example, no bungling by subalterns, the tragi-comedy at the Environmental Protection Agency, to name but one, stuck to his political hide.

That is until Monday.

Middle class Americans, people like those who live in Walpole, have turned out twice to support President Reagan, most recently with a landslide mandate. The president's thank you, apparently, will be a 1986 spending plan which will ask Americans to bite the budget bullet, while those in the five-sided building, which has become synonomous with cost overruns and inefficiency, get all the expensive military hardware they've requested.

Early reports on the president's proposed budget cuts indicate that in every category save one, reductions in programs and services are the order of the day.

Federal funds for students: cuts proposed; net result if enacted: federal subsidies for the interest on guaranteed college loans will be allowed to rise to whatever the market will bear. There is a big difference between an 8 percent guaranteed loan and one at 15 percent. For most middle class Americans the difference could mean many thousands of extra dollars added to already enormous college costs.

Pursuing the Administration's claim that we're behind the Soviets in military might, and having staked his place in history to the strategic defense initiative, who does the president think is going to do the research and development on the so-called Star Wars defense system? Why all the scientists and engineers who couldn't afford college costs, of course.

But amidst reports of $7000 coffee pots and $600 toilet seats purchased by the Pentagon, something may stick this time.

Even defense budget stalwarts like Senators Goldwater, Stennis and Nunn are telling Defense Secretary Weinberger to prepare for cuts in his heretofore untouchable $277.5 billion plan.

Fortunately the crucible of political reality will force men such as these to be tough with the defense budget, as they will have to be with all federal departments, including education. Senators and Congressmen, who must face the electorate again, know that budget cutting and deficit reduction, if they have any urgency among average people, must be seen as fair and across the board with all facets of government sharing equally in the cuts.

This is why only two budget reducing plans have been offered so far that are fair. The first, an across the board freeze of all federal spending at current levels, because it hits everybody the same, farmers as hard as mass transit riders, B-52 pilots as hard as small business owners.

The second plan—silly, but no sillier than Sec. Weinberger declaring on national TV that there's no room to wrangle on defense—calls for every American, every single one, to buy $20 worth of postage stamps, and then tear them up and throw them away. Bingo! Instant budget disappearance.

Admittedly this second plan is flawed, but no worse than a budget that would propose to add thousands to the cost of a college education for the children of middle income people so some Navy pilot can sit on a $600 toilet seat.

[From the Waltham/Newton (MA) News Friday, Feb. 7, 1985]

DON'T DROP REVENUE SHARING

Satisfying news for those who gave Ronald Reagan a deficit-cutting mandate in November, more rough times for state governments in adjustment to self-preservation, and bad news for the nation's cities: such is the fiscal 1986 Reagan budget, which seeks to carve closer to the bone in domestic spending.

Congress will see that the Washington spigot isn't turned off altogether. In the great budget debates just beginning, the questions will be where and how much. Even Democrats like Speaker Tip O'Neill are acknowledging that the retrenchments have to be made. When all is done, the administration may well be close to its targets.

For Massachusetts, at the state level, the outlook isn't as grim as it is being painted. As part of the booming regional economy, the Commonwealth is blessed by rising revenue that prompted to token Dukakis tax cut proposal in his budget. Short of an unlikely recession, surplus expectations should enable the state to withstand the coming federal cutbacks.

Not so without considerable pain for the municipalities. Total elimination of revenue sharing, a prime target in the David Stockman ambush, would be a shattering blow. That's because local budget support for essential services is tied directly to this kind of annual fiscal injection by big brother.

If linked to elimination of block grants which have had a major impact on community betterment through neighborhood projects, much that is desirable will not get done. The gut problem, however, is going to be how to maintain essential services already impaired by proposition 2½.

Revenue sharing dates back to the first term of Richard Nixon as his response to continuing needs all across America while the costly Great Society give-away structure of Lyndon Johnson was being dismantled.

The idea was for a direct, simple return of tax dollars sent from Washington to local government for property tax relief. No matching funds were required.

It has been on the Reagan hit list before but spared, thanks chiefly to stiff lobbying by the U.S. mayors. This time, they may be whistling by the graveyard. They are correct in pointing to dire consequences of a complete wipeout. If elimination of revenue sharing is to come, it ought to be phased out over two or three years and not in a single stroke.

That would buy time for local adjustment.

A RESOLUTION

City of Fall River, *In City Council*
(Councillor Marilyn J. Roderick)

Whereas, the President's fiscal year 1986 budget proposal submitted to Congress includes elimination or drastic reduction in Federal Revenue Sharing to cities, the Urban Development Action Grant program, and educational assistance to students, and

Whereas, said elimination or reduction in the Federal Revenue Sharing program would completely destroy public safety services in the City of Fall River, loss of the UDAG program would halt industrial growth here, and curtailment of student loans would make higher education available only for the very rich and very poor, now, therefore

Be it resolved, that an urgent message be sent to President Reagan by this City Council to reconsider his proposals, and

Be it further resolved, that House Speaker Thomas P. O'Neill Jr. and our Congressional delegation be urged to vote against these proposed budget cuts.

In City Council, February 12, 1985 Adopted.

February 26, 1985—Approved Carlton M. Viveiros, Mayor.

A true copy. Attest:

JOSEPH F. DORAN,
City Clerk.

TEN-YEAR PLAN: MODEL I

[In thousands of dollars]

	Fiscal years—									
	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994
Property tax	19,501	20,693	21,815	22,849	23,915	24,672	25,428	26,206	27,033	27,859
2.5 percent	488	517	545	571	598	617	636	655	676	696
Growth	339	240	124	130	159	139	142	172	150	153
Reserve	365	365	365	365						
Total property tax	20,693	21,815	22,849	23,915	24,672	25,428	26,206	27,033	27,859	28,708
State aid	6,662	7,162	7,662	8,162	8,662	9,162	9,662	10,162	10,662	11,162
Revenue sharing	592	592	592	592	592	592	592	592	592	592
Motor vehicle excise	900	945	992	1,042	1,094	1,149	1,206	1,266	1,330	1,396
Local receipts	1,074	1,305	1,370	1,439	1,511	1,586	1,666	1,749	1,836	1,928
Free cash	481	505	530	557	585	614	645	677	711	746
Appropriated funds	1,723	1,809	1,900	1,995	2,094	2,199	2,309	2,424	2,546	2,673
Total Nontax revenues	11,432	12,318	13,046	13,786	14,538	15,302	16,079	16,870	17,676	18,497
Total revenues	32,125	34,134	35,896	37,701	39,210	40,730	42,285	43,904	45,535	47,206
Assessed value	863,602	1,023,517	1,029,407	1,035,297	1,226,518	1,233,456	1,240,394	1,469,356	1,477,528	1,485,700
Tax rate	0	0	0	0	0	0	0	0	0	0
Salaries and wages	19,773	20,890	21,935							
Expenses	6,766	7,262	7,444							
Total operating	26,539	28,152	29,379	30,701	32,082	33,526	35,034	36,611	38,258	39,980
Special articles	316	250	250	250	250	250	250	250	250	250
Pensions	1,444	1,644	1,931	2,262	2,723	3,206	3,687	4,240	4,876	5,607
Other nondiscredits	384	403	423	445	467	490	515	540	567	596
State assessment	1,389	1,424	1,459	1,496	1,533	1,572	1,611	1,651	1,692	1,735
Overlay	539	545	571	598	617	636	655	676	696	718
Capital expenditures	984	1,348	1,409	1,472	1,538	1,608	1,680	1,755	1,834	1,917
Existing debt	529	445	379	334	183	43	41	39	37	35
Proposed debt	0	122	351	487	673	777	751	726	701	667
Total Expenditures	32,124	34,333	36,152	38,044	40,066	42,107	44,224	46,489	48,913	51,504
Total revenue	32,124									
Difference	0	(200)	(256)	(343)	(857)	(1,377)	(1,939)	(2,585)	(3,378)	(4,299)

Assumptions: (1) Operating up 4.5 percent per year; (2) State aid up $500,000 per year.●

BUSINESS SUCCESS IN THE SOUTH BRONX

HON. ROBERT GARCIA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. GARCIA. Mr. Speaker, in the South Bronx, among the half demolished buildings and the barren lots is the revitalization of a city. The revitalization effort is providing economic opportunities for individuals from all walks of life with all kinds of ideas. For every idea, innovation, and invention that presents itself as a result of this revitalization effort, there is even a greater chance for economic growth.

In the Bronx an excellent example of how ideas and energies can lead to economic success is represented by the Group Live-in Experience [GLIE]. GLIE grew out of a nonprofit employment program for runaway youngsters into a $1-million-a-year business. In essence, the revitalization effort is providing a new stimulant in the pursuit of the American dream which is part of the American heritage that has fueled this great Nation from its beginning. It is that same pursuit of the American dream which is fueling the revitalization of the South Bronx. As such, I would like to include a recent Wall Street Journal artical showing the potential for business innovation and success in the South Bronx.

URBAN HERBS: WHY ROSEMARY AND BASIL RIDE ON THE SUBWAY

(By Teri Agins)

NEW YORK.—When New York's fanciest chefs need the freshest of herbs, they often get them right off a farm in the South—the South Bronx, that is: an urban eyesore of barren lots and mean streets, shadowed by the hulks of half-demolished buildings in one of the country's most depressed communities.

An innovative agricultural enterprise, Glie Farms Inc., with some venture capital from a W. Averell Harriman holding company, has solidly and profitably rooted itself in the local landscape. On a block it shares with a small primary school and three storefront churches (two Pentecostal and one Jehovah's Witnesses), Glie Farms runs a thriving commercial greenhouse and herb nursery. Before Glie (pronounced glee), about the only herb of much commercial importance in the neighborhood was one that went into funny cigarettes and wasn't oregano.

A cloying fragrance fills the rickety two-story house that contains the Glie packing plant. Women on an assembly line chatter in Spanish as they spank the dirt from handfuls of tarragon. Cut and weighed, the herbs are sealed in plastic bags and styrofoam cartons that will be shipped to such places as Le Cirque, the Grand Hyatt Hotel, and Bloomingdale's Le Train Bleu restaurant.

SPEEDY DELIVERY

On a typical day, Glie ships 200 pounds of basil, 100 pounds of tarragon and 50 pounds of rosemary. Sometimes, in the interest of speed, employees deliver the goods by way of the New York subway system.

Glie sells 32 different herbs, including rare ones like purple basil and lemon verbena (used in place of lemon rind), to more than 200 of New York's toniest restaurants and hotels, as well as to supermarkets. "I applaud them," chef Andre Joanlanne of La Grenouille says of the Glie staff. He orders his tarragon and edible flowers, such as nasturtiums, once a week from Glie.

Glie now is selling $80,000 in herbs a month. At that rate, its 1985 sales will reach about $1 million, more than double its 1984 volume. Glie won't disclose profits. But the business has operated successfully enough to pay its founder and president, 42-year-old Gary Waldron, a salary of $40,000 a year, up from the $20,000 he was paid when he started the company in 1981.

It all grew out of a nonprofit employment program for runaway youngsters called the Group Live-In Experience (GLIE) in the South Bronx. In 1981, Mr. Waldron, then working as controller at an International Business Machines Corp. plant in Brooklyn, took a year's leave of absence to help devel-

op the program with a $100,000 federal grant. Working with 15 troubled youngsters, he set them to growing mushrooms and, later, herbs. After a year, he returned to IBM in a new, $60,000-a-year job.

A SPEEDY RETURN

But Mr. Waldron, who had grown up in the South Bronx, found that his experience with GLIE had dulled his interest in conventional corporate life. After six days, he left IBM to return to the South Bronx project and turn it into a profit-making business.

GLIE still owns a minority interest in the firm. Other minority holders are Mr. Waldron, the firm's 30 other employees, and a Dutch contractor who has just built a state-of-the-art hydroponic greenhouse for the firm in the nearby Bathgate Industrial Park, financed by the Port Authority of New York and New Jersey to help stimulate employment in the South Bronx. A controlling 51% interest is owned by Tair Ltd., a Houston venture-capital firm, and by a subsidiary of Merchant Sterling Corp., the Harriman holding company. "It's a type of project that public-minded people like Averell dream about," says William Rich, the vice president of Merchant Sterling.

Twenty-eight of Glie's 32 employees are black or Hispanic residents of the neighborhood who earn $5 to $5.25 an hour. The four others include Michael Dowgert, 27, who recently received a doctorate in plant physiology from Cornell University.

One of Glie's original employees is Syvilla Young, 55, who works in the greenhouse harvesting nasturtiums, pinching their yellow and tangerine blossoms at the neck and grouping them into stubby bouquets. "Just look at all of them," she says. "They're really too pretty to eat." But the artsy Chanterelle restaurant spends $40 or $50 a week on nasturtiums to garnish duck foie gras and salads. "The flowers are amusing, nice little things to play around with," says David Waltuck, Chanterelle's owner. But, he says, "Our waiters have to tell customers that they're edible."

President Waldron has ambitious plans for Glie. The firm is preparing to start a 200-acre farm in Puerto Rico to grow outdoor herbs year-round. It now supplies open-air herbs as a broker for California growers, but acting as a broker is less profitable than producing and selling its own output.

Meanwhile, Glie has just begun to harvest its first crops grown hydroponically—without soil—in its new greenhouse. Each plant sits in a block of rock wool soaked with liquid nutrients. Light, air, acidity, humidity and temperature are computer-controlled.

"This is probably the most advanced system in the country and certainly a first in herb growing," says Harry W. Janes, an associate professor of horticulture at Rutgers University in New Jersey. Mr. Janes monitors the greenhouse project for the Port Authority, which has helped finance it.

Mr. Waldron has become an exceptionally successful salesman. He recently obtained for Glie a $150,000 contract to undertake landscaping for Chemical Bank in New York. As his successes have mounted, so has his reputation as a businessman. A group of investors interested in expanding cable television to poor households has retained him as a consultant. "Once people see you can be successful in one area," he says, "they come to you for other solutions."●

THE SELF-EMPLOYMENT OPPORTUNITY ACT OF 1985

HON. RON WYDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. WYDEN. Mr. Speaker, my good friend and colleague DICK GEPHARDT and I are today introducing the Self-Employment Opportunity Act of 1985. This legislation will authorize a limited number of States to set up 3-year pilot projects to enable a limited number of laid off workers to use their unemployment benefits for the purpose of starting their own business. Federal law does not now allow such workers to attempt to become self-employed.

This proposal represents a bold new approach to the problem of long term structural unemployment, a phenomenon that stubbornly continues to plague many sectors of our economy. Because it is new and because it is bold, we are only advocating, at this time, a limited experimental program. But, it's the sort of fresh approach that is worthy of serious consideration by the Congress. Quite simply, we owe it to our constituents to look at new ways to help them cope with the wrenching effects of an economy in the midst of unprecedented transition. Now more than ever, it is incumbent upon us to explore new options—including encouraging the creation of new enterprises.

Our bill is modeled after successful programs already underway in Europe. Demonstration projects have been in place in France since 1979 and in Great Britain since 1982. They are working well and are being copied by other European nations. In the past 5 years, more than 280,000 people have become self-employed through these two programs in a combined labor market that is about 40 percent the size of the labor market in this country. Each new business has generated an average of 1.7 jobs thus far.

The British system allows unemployment compensation recipients to continue to receive benefits while attempting to become self-employed. The French model authorizes lump sum payments to be used by recipients as seed capital for new enterprises. By making the payment of benefits in a lump sum an option to the participating States, our bill combines these approaches. Our intent is to allow participating States the widest possible latitude to develop programs most suited to their needs.

The European programs differ in several other ways. In Britain, participants must provide a minimal level of start up capital from other sources. In France, careful screening of proposed new ventures is required; in Britain, screening is mimimal but monitoring is more extensive. The British program includes extensive counseling services; the French provide very little in the way of formal management assistance, although participants can tap into existing entrepreneurial support systems. Again, our intent is to allow States an optimum amount of discretion in structuring these pilot projects and in making determinations of this nature.

It is much more important to look at the track record of these two programs. Both show encouraging levels of success. Seventy percent of the businesses started in Britain under this program are still operating after 18 months. Fifty percent of the participants in the British program say they would not or could not have started an enterprise without this program. Seventy percent of the new starts in France are still in business after 3 years. One third of all new businesses in France last year resulted from this program. Now in its third year, the British program reports a net gain to their treasury.

Mr. Speaker, even though we are in the midst of a period of sustained economic growth, we believe a compelling need still exists for this sort of innovative approach to the problem of structural unemployment. Throughout the country and throughout the economy—from steel mills in Pennsylvania to coal mines in Kentucky, textile plants in North Carolina, assembly lines in Michigan, sawmills in Oregon and the like—millions of working men and women are not enjoying the fruits of economic recovery. Factories and mills that have sustained communities for generations are closing their doors forever. Severe economic and social dislocation and the spectre of long term structural unemployment loom on the horizon for dozens of communities from coast to coast.

Our income maintenance system—the safety net, if you will—doesn't address these problems very well. Too often, workers remain idle and unproductive for weeks and months, filling out forms, applying for jobs that will never materialize, collecting their weekly benefit checks and hoping against hope that the factory will reopen and their jobs will be restored. As we all know, this is simply not going to happen in far too many of these situations.

In the midst of a strong, sustained economic upswing, the national unemployment rate stubbornly continues to hover in the 7-percent range. This figure is nearly double the generally accepted standard for a full employment economy, and it's a rate that is not projected to decline significantly at any time in the forseeable future—no matter what the economy does.

The root problem is clear: the economy is not creating enough jobs for all

who want to work. More than 8 million willing and able Americans remain on the economic sidelines. We need to expand the pie. We need to look closely at any feasible mechanism that will help create new jobs. The program we are proposing today fits that description. It will enable us to combine growth with equity through a system that helps finance job creation with transfer payments to Americans who are now dependent on the social safety net.

We must not be afraid to experiment with innovative approaches based on bootstrapping, self reliance and self sufficency, approaches that offer new options and new hope to those caught in a cycle of long term dependency on Government transfer payments. We should not view the unemployed as social pariahs, particularly when powerful forces beyond their control—the explosion of technology, the increasing competitiveness of global economy—cause large scale economic fissures that engulf people of all levels of ability and ingenuity in their wake. We should instead recognize people without jobs as potentially productive economic assets who should be nurtured and encouraged to help solve the problem of structural unemployment.

Entrepreneurism is the engine that drives the American economy. But too many people have a narrow and unrealistically limited view of who can be an entrepreneur. It doesn't have to be a Harvard MBA. We're not saying this program will work for everyone. In fact, it would be limited to 5 percent of the eligible recipients of unemployment compensation in any State setting up a pilot program. But we're convinced that there are thousands of people in the unemployment lines today—from all walks of life and with all sorts of qualifications—who are capable of becoming self employed.

The limited experimental program we are proposing today could also serve as a bridge between our social policies and our economic policies. Our income maintenance system involves simple but expensive transfer payments. It is not linked as closely as it should be to economic development and job creation efforts. We are proposing today a system that encourages qualified and willing recipients to invest their transfer payments in themselves, to use these resources as working capital for the creation of new enterprises and new jobs.

We can dispute the role or responsibility of Government, but it's beyond argument that our economy is not meeting anyone's definition of full employment. As a result, dependent populations and social program costs remain high. We crank out the checks every week but fail to offer any real hope for escape from the cycle of dependency. To help bridge the gap and integrate social and economic policy, Congress should give the States the authority to use income maintenance funds for actual job creation. We realize this involves a fundamental change in the way we look at the unemployed and their benefits. But because the present system is not working as well as it should, it's a change that's worthy of serious consideration.

In the past, we have made no widespread systematic effort to encourage self-employment among those our society and our economy has left out. The legislation we are proposing today should be seen as a first step in correcting that deficiency. If we cannot offer a decent job at a decent wage for everyone who wants one, the least we can do is offer them the opportunity and the tools to create their own. In short, we are offering the long term structurally unemployed a ladder to enable them to climb out of the social safety net.●

WORKER RIGHT-TO-KNOW LEGISLATION NEEDED

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. FLORIO. Mr. Speaker, the Wall Street Journal recently ran an article concerning a study done by the National Institute of Occupational Safety and Health [NIOSH] which shows that workers exposed to benzene at acceptable exposure levels established by the Occupational Safety and Health Administration [OSHA], run a vastly greater chance of getting cancer than those who are not exposed at all. According to a NIOSH official, the study showed that workers exposed at the current OSHA limit for worker exposure of benzene run more than 30 times the risk of leukemia than employees who are not exposed at all. The article further points out that estimates show 600,000 U.S. workers are exposed to benzene in the workplace.

I consider these findings most alarming and further proof that Federal standards may not always be tough enough to protect workers.

Recently in New Jersey a district court knocked down provisions of the State's "Worker Right-to-Know" law on the grounds that Federal law had preempted certain sections of the act. The law would have established stricter standards than OSHA.

I have recently introduced a bill to deal with this problem. This bill would allow any State to pass worker right-to-know legislation whether or not the State has an OSHA-approved plan to take over regulation in the area, so long as the standards in the State law either provide more information or are otherwise more protective of worker health and safety than the OSHA standard. In effect, the bill would establish OSHA standards as the floor, and not the ceiling, for State efforts in this area. States that enact laws with more stringent standards than OSHA should not always be preempted. I commend this thoughtful column to my colleagues' attention:

STUDY LINKS BENZENE EXPOSURE LEVEL ALLOWED BY UNITED STATES TO HIGHER CANCER RISK

(By Barry Meier)

NEW YORK.—Workers exposed to benzene in the atmosphere at levels permitted by federal regulations run a vastly greater risk of getting cancer than those who aren't exposed, according to a government study.

In an interview, Robert Rinsky, an epidemiologist with the Cincinnati-based National Institute of Occupational Safety and Health, said a study he directed found that workers also may face an "appreciable" increased risk of cancer from exposure to benzene at even one-tenth of the U.S.-allowed level.

The study, which is currently under scientific review, is likely to increase pressure on the Occupational Safety and Health Administration to toughen regulations on worker exposure to benzene. The agency, which has said for several years that it intends to lower the benzene exposure limit, repeatedly has been criticized by unions and others for failing to move on the issue.

Benzene is widely used in petroleum products and in making plastics, solvents and other materials. The government has estimated that about 600,000 U.S. workers are exposed to the chemical. A number of studies have linked benzene exposure to leukemia.

OSHA PROPOSAL

An OSHA spokeswoman yesterday said the agency is in the "final stages" of developing a proposal to reduce workplace exposure to benzene, but a target date for issuing that recommendation hasn't been set.

The current OSHA limit for worker exposure to benzene is 10 parts per million in the air. In 1978, the agency lowered that limit to one part per million, despite stiff industry resistance. Two years later, the Supreme Court overturned the stiffer standard on the ground that OSHA had failed to prove that the 10-part-per-million level posed a significant health risk to workers.

Although Mr. Rinsky declined to disclose his exact findings, he said the study showed that workers exposed to 10 parts per million of benzene in the workplace atmosphere run more than "30 times" the risk of leukemia than do employees who aren't exposed to the substance. The scientist also said that an increased risk of occupational cancer from benzene also occurred at the one-part-per-million level and below.

WORKPLACE EXPOSURE REDUCED

NIOSH, which acts as research arm for OSHA, previously called for a lowering of the benzene workplace exposure standard to one part per million. Also, some industrial producers and users of benzene have said they significantly have reduced workplace exposure to benzene.

A NIOSH spokesman said Mr. Rinsky's study updated past health reviews of workers employed in benzene-related jobs between the late 1930s and early 1970s. The significant aspect of the new study was that Mr. Rinsky's report attempted to correlate

incidences of cancer with specific levels of benzene exposure, the spokesman said.

The spokesman said the agency won't comment on the study's findings until the report has been reviewed by NIOSH scientists. He added that the agency's general policy was then to submit an approved report to a scientific journal for publication.●

SHULTZ AND THE LIBERALS

HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. FIELDS. Mr. Speaker, its my pleasure to insert into the RECORD for the benefit of our colleagues a recent op-ed piece by the nationally syndicated columnist, Joseph Sobran concerning the reception given Secretary of State George Shultz during his recent testimony in the House.

Mr. Speaker, the whimpering and whining about McCarthyism by liberals every time someone mentions communism is simply a slight-of-mind who's challenge is long overdue.

In his usual lucid manner, Mr. Sobran points out that liberals, "with sterotypical predictability" perform a public relations function for Communist regimes in each phase of their creation. This is not only predictable, but inevitable because as Michael Polanyi pointed out back in 1958, Marxist totalitarianism is largely erected upon the weakness of liberalism's foundational beliefs.

Commandante Ortega offers up a patented peace offensive and liberals react as if the chairman of the board of E.F. Hutton just spoke at a Georgetown pool party. To hear everything a Marxist says is an exercise, to believe everything is a strain; our liberals are blue with straining.

For instance, would American liberals ever consider the question: Could Daniel Ortega, like Fidel Castro, be a lunatic who sees himself as Creator and Redeemer of his world; one who can not see that he is turning Nicaragua into Hell instead of Heaven, where instead of angels only flies fill the air?

No, to the contrary, as the Republican Study Committee's Frank Gregorsky has demonstrated, the evidence of history measures only an empty inch between the American liberal and the Marxist/Socialist. First, their world views are equally complete and equally crippling in practice.

Second, these two seekers after the social superman are most often looking for him in the looking glass.

Finally, like Marxists, the modern liberal is a thourough materialist; in the Biblical word, worldly. It was G.K. Chesterton who reminded us that, "worldly people never understand even the world; they rely altogether on a few cynical maxims which are not true." And the liberal maxims consist of, in Jean Kirkpatrick's words, "blaming America first," and last.

But arguments avail nothing. As George Shultz discovered, argument with liberals is futile; for in many ways their minds move too quickly for not being delayed by the things that go with good judgment.

Besides, liberals cannot be made to think themselves out of evil; release from modern liberalism is an accomplishment not of the mind, but of the spirit. Curing a liberal is not arguing with a philosopher or statesman; it is casting out a devil. Secretary Shultz and Mr. Sobran deserve praise for trying.

SHULTZ AND THE LIBERALS

(By Joseph Sobran)

Once again we resume the debate over aid to the anti-Communist rebels in Nicaragua. Secretary of State George Shultz points out that Cuba and Nicaragua are engaged in the international drug traffic, and Rep. Ted Weiss, a New York Democrat, retorts, without denying the charge, that Mr. Shultz reminds him of Joe McCarthy, and Rep. Peter Kostmayer, a Pennsylvania Democrat, chimes in that Mr. Shultz is guilty of "Redbaiting."

Why it is wrong to bait Reds is not explained.

Clearly we are engaged in something other than an empirical discussion of Communist behavior. Behind this ostensibly factual debate lurk rival evaluations of communism itself. You can't really say whether communism is a threat unless you have made up your mind whether communism is an evil. If it isn't evil, then it can't be a threat, no matter how close it gets.

On the empirical side, Mr. Shultz is hard to argue with. He notes that the Nicaraguan Communists "are suppressing internal dissent, clamping down on the press, persecuting the church, linking up with the terrorists of Iran, Libya and the Palestine Liberation Organization, and seeking to undermine the legitimate and increasingly democratic governments of their neighbors."

Note that these are all activities to which liberals, most of them Democrats, profess to be opposed in principle. It is one of the marks of liberalism to uphold universal moral standards that apply to our allies as well as to our enemies.

The trouble is that liberals, in practice, prefer to enforce these standards against our allies. They give a generous exemption to Communist regimes.

Racial apartheid is an evil, but it poses no threat to the United States. Yet liberal Democrats line up to picket the South African Embassy. They don't picket the Soviet and Nicaraguan embassies, nor do they favor the sort of trade sanctions against Communist states they advocate with respect to South Africa.

It makes no difference that the Communist superpower defines the United States as "the main enemy," or that the Nicaraguan national anthem calls the United States "the enemy of humanity."

This is a curiously selective universalism. If the universal liberal standards—racial equality, freedom of speech, freedom of the press, religious freedom—were really applicable to friend and foe alike, then it should be possible for liberals to picket Communist embassies and to seek arms-control treaties simultaneously.

Moral outrage and practical accommodation are compatible. But the striking pattern of liberal conduct over the last two decades has been an almost total absence of moral outrage against communism. Jeane Kirkpatrick, who is no stranger to fine distinctions, knows it is sufficient to say simply that the liberal community always blames America first. That is the long and the short of it. The same congressmen who write billets-doux to Comandante Daniel Ortega of Nicaragua can turn savagely on Ronald Reagan or George Shultz. Ask Ted Weiss.

The recent history of the globe is marked by the emergence of Communist regimes under the guise of what the Soviets call "wars of national liberation." Consult the stories of Cuba, Vietnam, Angola, Mozambique, Rhodesia, Nicaragua, and El Salvador. The outstanding fact about these wars is that they have all enjoyed Soviet material and propaganda support. The secondary outstanding fact is that American liberals consistently have opposed American intervention on the antiCommunist side.

The liberals are at pains to deny that the rebels are Soviet-backed. When this is no longer tenable, they switch to the line that the rebels are "essentially indigenous forces." This may make you wonder why the Soviets take such a keen interest in a local contest for power, but never mind.

When the rebels advance and become bolder in their avowals of Marxism-Leninism, the liberal line holds that this is "mere rhetoric." The main thing, the liberals tell us, is that we must withdraw all support from the regime under assault.

When it topples, the new regime announces its communism, whereupon the liberals caution us not to drive it "into the arms of the Soviets," even if they are already embracing. Now the new regime is a "reality," which it behooves us to "learn to live with."

In this way liberalism, with stereotypical predictability, performs a public relations function for communism. Since the liberals never seem to feel betrayed when the very people they have defended against the charge of communism announce themselves as Communists, it should be obvious that at some level the liberals knew the truth all along—and just didn't care.

But don't say this out loud. That would be McCarthyism.●

HUMAN RIGHTS IN THE U.S.S.R.

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 20, 1985

● Mr. KANJORSKI. Mr. Speaker, as a member of the congressional coalition for Soviet Jews I am pleased to have an opportunity to lend my support to the third annual Fast and Prayer Vigil for Soviet Jews.

All too often we in the United States take our freedoms and liberties for granted. We fail to fully appreciate that many people around the world, and particularly Jews who live in the Soviet Union, are denied the basic freedoms which we practice every day: the right to practice our own religion, the right to speak and assemble freely,

and the right to move about at will. These rights are all guaranteed by the Helsinki accords which the Soviet Union has signed, but ignores.

Jews in the Soviet Union are fighting today for the same rights and freedoms which our forefathers fought for two centuries ago. Their cause is equally just and it is important that we in the Congress, and all the American people, speak out for their cause.

Today in the Soviet Union it is still difficult for many individuals, Christians and Jews alike, to freely practice their religious views. Harassment of both individuals and groups is commonplace and there has been a proliferation of Government-sponsored anti-Semitic propaganda.

In recent years as United States-Soviet relations have worsened there has been a marked decline in the number of Soviet Jews who have been allowed to emigrate—a freedom guaranteed under the Helsinki accords. In 1979, 51,320 Jews were allowed to leave the Soviet Union. Last year only 896 Jews were allowed to emigrate.

This Fast and Prayer Vigil helps to publicize this important problem and our dedication to the victims of persecution wherever they may be found. I am pleased to be able to report that many of my colleagues in the House have joined me in writing to the new Soviet leader, Mikhail Gorbachev, to press him on this issue. I sincerely hope that the new leadership will take this opportunity to review and discard the repressive policies of the past. A copy of our letter follows.

TEXT OF LETTER TO SECRETARY-GENERAL GORBACHEV

MARCH 1985.

DEAR MR. GORBACHEV: We congratulate you on your appointment as Secretary-General of the Communist Party of the U.S.S.R. During recent months, your predecessor, Secretary-General Chernenko, and President Reagan both expressed interest in improving U.S.-U.S.S.R. relations, and we believe the meetings in Geneva are a good step in this direction.

As you assume your new position, we urge you to make another important gesture of your commitment to improving relations. We urge you to review your government's policies toward the Jewish community.

Many of us in the U.S. Congress consider the Soviet Union's record on the treatment of the Jewish community to be disconcerting. Last year only 896 Soviet Jews were allowed to emigrate, while thousands of families were denied exit visas. In 1979, by contrast, 51,320 Jews were allowed to leave the Soviet Union.

During the past year, we in the Congress have raised our voices in support for Anatoly Shcharansky, Ida Nudel, Zachar Zunshine, Yakov Gorodetsky and others who have been denied their fundamental freedoms.

An improvement in this area would make favorable impression on the opinion of American policymakers concerning your government's sincerity in its expressed desire for improve relations.

Out of a strong desire for a long-lasting peaceful relationship between the U.S. and U.S.S.R., we hope that you will give careful consideration to this matter.

Sincerely,

____ ____.

On a more personal level, I have also adopted the refusenik family of Grigory and Natalya Rosenstein. The Rosensteins and their two sons have sought to leave the Soviet Union for over 10 years but have consistently been denied permission to emigrate. On several occasions the Rosensteins have been jailed or harassed by the Soviet police for practicing their religious beliefs. I will continue to contact Soviet officials on their behalf and will let the Rosensteins know that the free world has not forgotten their problems, or those of other Soviet Jews.

Whatever our religions or personal backgrounds, let us all pray today for the fundamental human rights of all Soviet citizens to practice their religion without interference from the state, to speak and assemble freely, and to travel and emigrate freely.●

AMERICA CAN'T AFFORD TO LOSE THE FIGHT AGAINST INTERNATIONAL AND DOMESTIC DRUG TRAFFICKING

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. TRAFICANT. Mr. Speaker, I rise today to once again express my deep concern over the growing crisis in this country involving drug trafficking and drug abuse. My colleagues are certainly aware that drug abuse among our youth continues to be a serious and tragic problem that is growing. Equally disturbing and closely linked to the problem of drug abuse is the ongoing war that international and domestic drug kingpins have been waging against our law enforcement officers in the field.

As a drug counselor for 10 years I have seen the devastating and tragic impact drug abuse can have on individuals and their families. Drug abuse has become this Nation's most serious problem. At the source of this problem are international and domestic drug kingpins who mastermind massive drug deals and are responsible for ushering in unprecedented amounts of narcotic drug into the United States. As a drug counselor I had firsthand experience in dealing with youth who were poisoned by dangerous drugs such as heroin and cocaine. I have seen how narcotic drugs are destroying whole families and threatening the very fabric or our society. I am also a former sheriff—for 4 years I was sheriff of Mahoning County in Ohio. As a former sheriff I am well aware of the violent nature of big-time drug trade. Unfortunately, Mr. Speaker, the level of violence associated with international and domestic drug trade is rising.

Recent events have clearly underscored the fact that the drug kingpins are brazenly and outwardly threatening the lives of our law enforcement officers in the field combating illicit drug activity. Earlier this month U.S. Customs agents were ordered to carry guns at all times and were no longer allowed to work alone. These new security measures were imposed following threats against U.S. Customs officials made by alleged drug kingpins from Mexico. These threats from Mexico follow the brutal murder of Drug Enforcement Agency officer Enrique Camarena Salazar who was believed to have been killed by Mexican drug kingpins in retaliation against recent efforts by DEA agents in Mexico to clamp down on the flow of drugs into the United States from Mexico. As a result of these and other threats, the DEA has had to divide its efforts between combating narcotics trafficking and protecting itself. This, Mr. Speaker, is ridiculous—when a U.S. agency has to divert so much of its resources solely to defend itself then I say it is time we here in the Congress took action against those who are threatening our law enforcement officers in the field.

And it has become increasingly clear that this threat is growing. In December of last year, about the time plans were completed to extradite four alleged Colombian drug traffickers to the United States for trial, word began circulating that a Colombian drug czar had bankrolled one or more hit squads being sent to the United States to kidnap, torture, and murder DEA agents. Colombian drug smugglers have also announced that they will kill five Americans for every alleged drug trafficker extradited to the United States. These Colombians are believed to be closely linked with drug kingpins in Mexico and agent Salazar's murder may have been at the hands of these vile drug smugglers.

I again say that it is time that we here in Congress countered these threats and took concrete action against these drug kingpins—action that would assist our law enforcement officers in the field and that would protect our youth from the despicable drug traffickers who are ultimately responsible for poisoning our youth.

I have introduced legislation, H.R. 994, the Controlled Substances Penalties Act of 1985, that would stiffen the penalties against those convicted of drug trafficking or smuggling in bulk amounts. My bill would greatly assist the law enforcement community by denying bond to those arrested on such charges. My bill would cover the whole spectrum of dangerous and illegal narcotic drugs. In the instance of

cocaine, the existing law would be amended to increase the penalties in cases involving a kilogram or more. For those convicted of trafficking heroin, the penalties would increase only in those cases involving two or more kilograms. For each major category H.R. 994 clearly outlines at which levels the penalties would be increased.

I recognize that circumstances do vary. My bill, by setting stiffer penalties in cases involving higher amounts of narcotics, would do much to isolate the big-time operator from the local street dealer. My bill would give judges the option of imposing stiffer sentences where they are warranted—especially against those who threaten the lives of law enforcement officers in the field. By denying bond in these cases, H.R. 994 would ensure that those arrested for large drug transactions remain in this country to stand trial. My bill would also ensure that if convicted these vile drug smugglers pay dearly for their crimes.

Mr. Speaker, this country cannot sit idly by and watch the drug kingpins brazenly increase the volume of activity and outwardly threaten our agents. Whether we like it or not we are at war with these dangerous individuals. We are fighting to protect our youth from the ravages of drug abuse and we are fighting to ensure the safety and integrity of our law enforcement community. Passage of H.R. 994 would send a powerful message to the entire world that we intend to persevere against those who threaten our society and those who threaten the lives of our law enforcement officers.

I urge all of my colleagues to take a long hard look at H.R. 994. I think they will see that it is a solid piece of legislation, one that would be another step forward by the Congress to take whatever steps are necessary to combat illicit drug trade in this country. In the past this body has taken positive steps in this area. Recent events clearly show that further steps are necessary. H.R. 994 is one such step and one that must be taken as soon as possible. The fight we are now engaged in against international and domestic drug trafficking is one America cannot afford to lose.●

PRAYER VIGIL FOR SOVIET JEWRY

HON. JOSEPH D. EARLY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 20, 1985

● Mr. EARLY. Mr. Speaker, I rise with many of my distinguished colleagues to participate in the Third Annual Congressional Fast and Prayer Vigil for Soviet Jewry. Today, we embrace the plight of the hundreds of thousands of Soviet Jews who are persecuted and held against their will in the Soviet Union with frustration, but with renewed tenacity, courage and hope.

We are frustrated with the Soviet Government's sponsored and relentless anti-Semitic and anti-Zionist campaign directed at Soviet Jews. This campaign has intensified as more and more slanderous and anti-Semitic propaganda is spread throughout the Soviet Union through their highly censored press, literature and media. We are increasingly frustrated as Jews become more and more alienated and outcast, and less and less a part of Soviet society. The daily harassment of refusniks continues, while Hebrew teachers are being arrested under false pretenses, physically abused, and thrown into prisons and labor camps. Many refusniks have lost their jobs, or been demoted to menial positions at best. Others have been denied the right to enter Soviet universities. All are under constant government surveillance.

The fact that less than 900 Jews were allowed to emigrate from the Soviet Union in 1984 is disturbing and inexcusable. Yet today, we must admire the tenacity and perseverance of the American people and organizations and governments the world over who continue to pressure the Soviet Government to change their unconscionable attitude toward human rights and respect the Helsinki accords.

We must also pay tribute to the exemplary courage displayed by Soviet dissidents who anguish in labor camps and Soviet prisons for committing the crime of self-determination and religious expression. Anatoly Shcharansky immediately comes to mind, as the month of March marks the 9-year anniversary of his arrest by Soviet officials. Reports indicate that his health is failing and he has repeatedly been denied medical treatment. Yet his unfailing courage and the courage and perseverence of his wife Avital, who was forced to leave the Soviet Union one day after their wedding in 1974, continues to sustain them both.

But today is also a day of renewed hope. With the ascencion of Mikhail Gorbachev to lead the Soviet Union, and the start of arms control talks in Geneva, perhaps we can look forward to more positive diplomatic relations with the Soviets. We must all hope and pray that the emigration of Soviet Jews in 1985 will reach levels above and beyond those reached in 1979 during the U.S.-Soviet détente. On this first day of spring, I am proud to participate in the Third Annual Congressional Prayer Vigil and am proud to join my colleagues in hoping and praying for the free movement of Soviet Jews through renewed and improved U.S.-Soviet relations and understanding.●

HONORABLE JACK BROOKS GIVES AN INSPIRATIONAL VIEW OF AMERICA

HON. SAM B. HALL, JR.

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. SAM B. HALL, JR. Mr. Speaker, our distinguished colleague, Hon. JACK BROOKS, recently wrote a very inspirational article for the New Age magazine which I commend to the attention of Congress and the Nation.

This magazine is published monthly by the Supreme Council, 33°, Ancient and Accepted Scottish Rite of Freemasonry.

As dean of the Texas delegation and a powerful spokesman in this House for the working men and women of America, JACK BROOKS has a strong and abiding love of country. His essay on America and the uniqueness of our democratic experiment is one of the most noble and thought-provoking articles it has been my pleasure to read in a long time. It deserves to be reprinted and distributed all over the land. The article is as follows:

AMERICA—THE LAND OF LIBERTY . . . THE HOME OF PATRIOTISM

(By Jack B. Brooks)

The history of America reveals that many patriotic and loyal Americans have shared the common experience of Freemasonry. Members of our Fraternity have been deeply concerned about and involved in the government of this Country since colonial days. It was Masons who were leaders in the Revolutionary War and who laid the cornerstone of our Nation's Capitol. George Washington, Benjamin Franklin, and others among our Founding Fathers were very proud of their Masonic ties.

While Freemasonry was active in the very birth of this Nation, our continuing interest in a free political process and in a government that governs for the good of its people has never diminished.

The love that we all share for this Country and its institutions is a characteristic that pervades our every undertaking. Our patriotism is one which leads us to respect both the sanctity of our Constitution and the rights of all of our people. It is a patriotism which calls for compassion in dealing with our fellow citizens and which requires dedication to keeping this Nation independent, strong, and free.

Masons have always served our Republic with unfaltering commitment, dedication, and fidelity to the Constitution and the laws of our Country. Throughout our history, when great issues have confronted our Nation, Masons have been the first to stand up and be counted—because we are committed to the best interests of America.

As a Congressman and Mason, I share your belief in a strong America. And I believe in the absolute necessity of maintaining our national security through superior military strength. If we are to survive in this hostile world, then we must be pre-

pared to defend our national boundaries in the face of any threat. No nation should doubt our commitment to national security. No ally should question our resolve to meet our treaty obligation. And no potential enemy should miscalculate our determination to take all necessary action to protect our national interests.

Last November, Americans from all walks of life went to the polls to exercise one of our most cherished rights—the right to vote and participate in the constitutional life of our Nation. The importance was not the outcome but the fact that all of us had a right to make our choices known. And further all of us had the opportunity to help make our country just a little stronger by our participation in the democratic process.

Tens of thousands of young Americans sacrificed their lives on the shores and in the jungles of distant lands to guarantee this precious right. And nothing is more important than our right to freely determine the rules under which we live, and to freely select those men and women whom we believe should serve as our leaders.

Unfortunately, we live in a very troubled world—a world where millions of people who cherish liberty must, nevertheless, live without the many freedoms we Americans too often take for granted. They live with constant oppression in a world in which the freedoms, which give so much meaning to our lives, are ruthlessly suppressed by dictatorial systems which require total compliance with every governmental dictate.

To oppressed people throughout the world, the American experience offers hope for a better future. And to the oppressor, the American experience constitutes an unparalleled threat because it strikes a responsive chord in the hearts of all men who wish to live in dignity and freedom.

This is a world of cold and often very unpleasant reality in which millions subsist at a starvation level. Additional millions are illiterate and unaware of the world around them. And, millions of others suffer needlessly from terrible diseases and illnesses. Yet in America, most people live a pleasant and bountiful life. In fact our present generation has achieved a degree of material wealth unsurpassed by any other society of any age. We are, in short, the world's most powerful nation, and we enjoy one of the highest standards of living of any people on earth.

However life offers no absolute guarantees. The future is always uncertain at best. Both our wealth and our power could dwindle away and our freedoms could be compromised, perhaps even lost.

If we are to have a reasonably secure future and one in which Americans continue to enjoy the level of freedom and material well-being that is ours today, then we must be unified in respect to the ideas and values of our democratic heritage. All the lessons of our history have taught us that wealth and power alone cannot sustain and protect free people. Above all else, we know that the future of our free society must be based upon the continued spiritual and moral strength of the American people. In this way we will insure that in America the lamp of liberty burns brightest and patriotism always flourishes.●

STATEMENT ON ELDER ABUSE LEGISLATION

HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Ms. OAKAR. Mr. Speaker, today I am reintroducing a bill entitled the "Prevention, Identification, and Treatment of Elder Abuse." It is with great dismay that I introduce this bill or that this type of legislation is needed. Abuse, neglect, and exploitation of older Americans is a bitter reality. It is estimated that more than 1 million senior citizens are victims of abuse, many of which have no legal recourse.

Congressional hearings have documented innumerable cases of older persons who have been physically beaten, psychologically tormented, or financially exploited. Most often this mistreatment is inflicted by so-called caregivers and family members. Research suggests that much of this abuse stems from the undue stress felt by caregivers who assume the burden of long-term home care for dependent older persons.

Last Congress, we enacted the important Child Abuse Amendments of 1984 (P.L. 98-657) which incorporated family protective services by providing a national clearinghouse on family violence and prohibiting age discrimination at shelters. Elder abuse was included under this umbrella, but not highlighted. More importantly, funds for this bill have not been appropriated. As a consequence, many family violence centers have been forced to close and thousands of older Americans have not been able to benefit from expanded coverage afforded in the act. And, elder abuse continues to occur.

The seriousness and magnitude of elder abuse merits this specific legislation. We need to prevent elder abuse by providing legal protection and services for elderly Americans who are victims of abuse and neglect. We need to provide money to States for elder abuse prevention and treatment programs. We also need to explore and examine new ways to treat both victims and abusers.

The bill I am introducing today would create a national center on elder abuse, to disseminate the most up-to-date information on the prevention and treatment of elder abuse. The bill would also provide money to States programs. In order for a State to qualify for these funds, laws providing mandatory reporting and immunity for persons relating suspected cases of abuse must be in place. Upon receipt of such a report, States would initiate an investigation and take steps to protect the abused. States would also be required to cooperate with law enforcement officials, courts, and appropriate agencies providing human services to ensure that the abuse victim participates in decisions regarding his or her welfare.

The bill would not only affect elderly persons who live in the community, but those who live in nursing homes, mental institutions and other facilities. Although incidence of abuse, neglect, and exploitation are less frequent in institutions, documentation has proven that it exists. In my own district, a 96-year-old woman who was allegedly raped by an employee of a nursing home in which she resides, was treated later for lacerations. At that time, Ohio had no reporting requirements. I am pleased to say that my State has made great strides in this area; and it is my hope that my legislation will prompt similar responses from all States.

Finally, Mr. Speaker, I must say that tremendous progress has been made at the State and local levels. I am encouraged by this and the work that my colleague, Congressman MARIO BIAGGI, has been doing on his Aging Subcommittee on Human Services in compiling the most recent material on State and local activity. The Subcommittee on Human Services' report will update material compiled during the last investigation of this issue in 1981. It is clear that information of this nature needs to be as current as possible in order to address the problem at the Federal level. This report and my legislation will provide a necessary base onto which lawmakers can proceed.

I look forward to working with other Members of Congress to remedy a serious national problem affecting older citizen and encourage my colleagues to cosponsor this bill.

Thank you.●

HOMELESSNESS: A REPORT FROM OHIO

HON. EDWARD F. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. FEIGHAN. Mr. Speaker, we see them every day. We pass them standing on street corners and huddled in subway stations, sprawled on gratings in the sidewalk and pressed into abandoned storefronts. A quick glance and twinge of emotion—anger or guilt or compassion—and then we move on at a slightly faster pace. Too long a look would be too open an admission of responsibility. Yet the homeless who roam our Nation's streets, whose numbers may range from 200,000 to more than 2 million, are our responsibility.

The media have made them celebrities of a perverse sort. Magazine articles, television interviews, even a character in Doonesbury have publicized their condition. But still we possess

little systematic understanding of their lives. Too often, as a new study prepared by the Ohio Department of Mental Health observes, homeless people have been mistakenly portrayed as "skid row bums ravaged by alcoholism or as romanticized open-road travelers unencumbered by the many pressures of daily living." Policies designed to aid the homeless have by and large been disjointed efforts. In order to test the validity of popular perceptions of homelessness and to provide a basis for coherent policy-making, the Ohio Department of Mental Health, with the support of the National Institute of Mental Health, undertook an intensive year-long study of the homeless population in Ohio. The study's results, just published, offer us the most comprehensive information yet available on the characteristics of our country's homeless.

The report's findings upset a number of popular notions. Deinstitutionalization as the principal cause of homelessness is one. Many stories have pointed to the accelerated release of patients from State mental hospitals over the last decade as the source of the homeless population's swollen ranks. The Ohio report does find a significant percentage of the homeless—about one-third—to be former mental patients or in need of mental care. But if you consider that most surveys of the general population using similarly crude diagnostic tests find about 20 percent of us to be mentally disturbed to some degree, the figure for the homeless seems only moderately out of line.

A more obvious social affliction, the Ohio report finds, often lies at the root of homelessness: poverty. For half of the nearly 1,000 homeless people interviewed, economic distress was the major cause of their plight. Most had worked at some point in their lives, and a quarter had worked for pay during the month before they were interviewed. Nearly half of those who had worked in the past but were currently unemployed said they had looked for a job, but had been unable to find one. Almost two-thirds of those interviewed reported having had some source of income in the prior month. "The picture that emerges," the report concludes, "is one of a largely indigenous population made up of people who are not totally without funds but whose income is not sufficient to pay for permanent housing."

Though more important than is commonly perceived, poverty was rarely sufficient by itself to explain homelessness. In addition to psychiatric problems, physical disabilities and alcoholism plagued many of the homeless people interviewed. Often these problems are intertwined with poverty and lack of a job. For anyone who has experienced a significant period of unemployment, the links between these personal problems and the psychological pressures of extended joblessness are not hard to see.

At an institutional level, changes in the rental housing market have also probably played a significant part in encouraging homelessness. Although the Ohio report does not provide any direct evidence for this, a reduced supply of inexpensive housing—brought about through a combination of market forces and Government policies—has probably thrown up an additional barrier to finding permanent housing.

In the tangle of causes contributing to homelessness, another factor, the Ohio report finds, stands with poverty as a leading influence: isolation.

Since the second half of the 19th century, sociologists have speculated about the atomized character of modern Western society—and about the lonely people who make up such a society. From Tocqueville to Reisman, social theorists have identified the United States—with our cult of social mobility, our pioneer heritage, our libertarian ethos—as the most fragmented of modern Western societies. The experience of the homeless in a way bears out these pessimistic speculations.

Few of the homeless have any network of social support to fall back on in times of distress. Compared to the general population, three times fewer of the homeless people interviewed said they had family or friends they could count on. And even this figure seems too high. If these family members and friends could be counted on, why couldn't they offer some of the homeless long-term accommodation? When the homeless fall through the Government's safety net—a net which the current administration has done so much to weaken—they have no personal safety net to land in. The growth in the homeless population is thus partly a reflection of the deterioration of communal and familial bonds in our society.

What, then, can be done to alleviate the problem of the homelessness? The Ohio report only provides broad suggestions. Both institutional and personal sources of the problem need to be addressed. Above all, the supply of inexpensive housing needs to be enlarged and the scope of job training and employment opportunities broadened. Without these changes, the homeless will continue to be unable to satisfy their most basic needs: a permanent place to live and the resources to maintain that place.●

EXTENSION OF AUTHORITY TO THE VETERANS' ADMINISTRATION FOR CONTRACT MEDICAL SERVICES IN PUERTO RICO AND THE VIRGIN ISLANDS

HON. JAIME B. FUSTER

OF PUERTO RICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. FUSTER. Mr. Speaker, I am introducing a bill to extend the authority of the Veterans' Administration to provide contract medical services in Puerto Rico and the Virgin Islands.

Public Law 98-105, passed by the 98th Congress on September 30, 1983, authorized the extension of the authority vested in the Veterans' Administration to provide contract medical services in Puerto Rico and the Virgin Islands for 1984-85. That authority would expire at the end of the 1985 fiscal year if the Congress does not grant the extension provided by this bill.

This same authorization is requested now to extend those services for 1985-86. The justification for it is the same as last year's since in 1984 an average of 5,000 veterans received psychiatric and other professional attention not possible in the VA hospital's limited resources. In fiscal year 1984, the Veterans' Administration was able to provide the needed care using 148,115 patient days at an approximate cost of $11 million in Puerto Rico and 3,636 patient days at a cost of approximately $1.4 million in the Virgin Islands.

Right now, there are hundreds of veterans being served in these contract facilities whose care would be jeopardized should the authority we seek expire.

The 1980 decennial census indicates that Puerto Rico currently serves a veteran population of 125,900 which is expected to rise by 1990 to 127,800. The Virgin Islands serves a veteran population of approximately 5,000.

Mr. Speaker, please accept my explanation and justification for this bill.●

THE SOCIAL SECURITY MINOR AND TECHNICAL CHANGES ACT OF 1985

HON. JAMES R. JONES

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. JONES of Oklahoma. Mr. Speaker, today I am introducing the Social Security Minor and Technical Changes Act of 1985. This bill contains several provisions to clarify certain amendments recently enacted, and to make certain minor improvements in the Social Security Act. I would em-

phasize that none of the amendments in this bill result in any significant costs to the trust funds; the aim of the bill is to clarify current law and to correct certain minor anomalies without making any major changes to the Social Security Progam.

The most significant amendments in the bill are as follows:

A 5-year extension of the authority for SSA to waive provisions of the act to conduct demonstration projects designed to promote the vocational rehabilitation and the return to work of disability beneficiaries;

Relief for disabled widows who were inadvertently made ineligible for SSI and Medicaid benefits by an increase in their Social Security benefits in the 1983 Social Security Amendments;

A substitution of a special disability advisory council for the regular quadrennial advisory council required by law to be appointed this year;

Extension of current law's treatment of adopted grandchildren to adopted great-grandchildren;

Correction of a technical error in the Social Security Amendments of 1983 which resulted in tax treatment of Social Security benefits received by citizens of American Samoa which differs from that of all other territories.

The bill also contains several other minor clerical and technical changes to clarify legislative intent in several areas, and to correct unintended anomalies in the areas of reentitlement of childhood disability beneficiaries, and the disability family maximum benefit computation.●

BENEDICTINE COMMUNITY CELEBRATES 100TH ANNIVERSARY

HON. HARRIS W. FAWELL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. FAWELL. Mr. Speaker, the Benedictine community in Lisle, IL, is currently celebrating the 100th anniversary of the founding of the St. Procopius Abbey Church. In commemoration of the founding of this fine religious institution, the Abbot Primate of the International Benedictine Confederation, Rt. Rev. Victor Dammertz, OSB, is the principal celebrant of a Mass of Thanksgiving being held today at St. Procopius Abbey Church. Several distinguished representatives of the Catholic Church are expected to attend the Mass, including the clergy of the Diocese of Joliet, priest Alumni of St. Procopius Seminary, bishops of Illinois, and representatives of neighboring Benedictine abbeys.

This anniversary recognizes a tradition which has been long upheld in the Chicago area. The educators of the abbey have significantly contributed to the educational excellence and maturity of the students both at Benet Academy and Illinois Benedictine College. The academy and the college, both founded by the Benedictine monks, have been the setting for educating thousands of men and women from throughout the Chicago and DuPage County areas, as well as from elsewhere in the United States.

The Benedictine community will continue to celebrate the monastery's founding over the next several months. In June, the abbey monks will celebrate the 15th anniversary of the present abbey and church. In July, a Mass of Thanksgiving is scheduled for the faculty and staff of the academy and the college, as well as for the families and friends of the Benedictine monks of the abbey. Just a few weeks ago, on March 2, Founders Day was marked at St. Procopius Church. The church is the site, where on March 2, 1885, Archbishop Patrick A. Feehan of Chicago turned over the care of the parish to the Benedictine monks from St. Vincent Archabbey of Latrobe, PA.

The Right Reverend Valentine Skluzacek, OSB, and the Benedictine monks of St. Procopius Abbey Church should be commended for this fine celebration and their caring involvement over the years to nurture and strengthen the minds of our young people. Their commitment to excellence during the first century has been an inspiration to a countless many in the Chicago area and nationwide. I pray that in the next century to come that St. Procopius will continue to leave an everlasting impression on the lives which it so deeply and generously touches.●

CHILE AND THE RETURN TO DEMOCRACY

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. CRANE. Mr. Speaker, our colleague, Congressman TED WEISS, together with Senator EDWARD KENNEDY, has introduced a concurrent resolution which is purportedly aimed at speeding up the transition toward democracy in Chile. This bill, House Concurrent Resolution 52, calls upon the United States to cut all military ties with Chile and impose severe restrictions on economic cooperation between the two countries. I disagree with the contents of this bill and what its authors assume the effects would be if enacted.

In 1980, 67 percent of the Chilean people voted in favor of a new Constitution. This Constitution provides that democracy will be restored and elections will be held in 1989. Thus by 1989, Chile, too, will join the growing number of Latin American countries that have successfully made a peaceful transition back to democracy. But this doesn't seem to be good enough for Chile's critics. Many of them demand democracy immediately, and in their haste to force Chile to acquiesce, they threaten sanctions and embargoes to speed up the process. But before imposing any sanctions, I think it is imperative that at the very least we examine the consequences that would accompany that imposition.

Let me say initially that any foreign policy sanction, be it economic or military, that is more detrimental to the country that imposes it than to the country upon whom it is imposed is of little value. Unfortunately, House Concurrent Resolution 52 is just that type of sanction, because we need Chile as much or more than it needs us. At least that was the conclusion reached by a number of members of the House Armed Services Committee who traveled to Chile in February 1984.

I would like to quote some of the more salient conclusions reached by the returning delegation. In a report issued after their visit they declared that our ties with Chile are important:

"* * * [N]ot only as a source of safe ports that can provide logistic and resupply to the regional navies and U.S. naval vessels, but also as a country that could influence events in the passages between the Atlantic and Pacific Oceans and in the Eastern Pacific.

Obviously Chile's strategic importance would take on much greater proportions in the event of disruption of passage through the Panama Canal, given the fact that the Strait of Magellan would then become a vital route for our trade and maritime movements. As the delegation report also states:

It is imperative to initiate more cooperative military relations with Chile if we are to ensure the protection of the strategically important sea lanes in the Southern Hemisphere.

But House Concurrent Resolution 52 urges more than just cutting military ties with Chile; it also calls for the denial of all forms of economic assistance from the United States to the Government of Chile and urges the United States to cast negative votes on all loans and grants to Chile in international financial institutions. If our purpose is truly to international financial institutions. If our purpose is truly to bring about a peaceful transition to democracy, cutting off economic assistance is precisely what we should not be doing. In my opinion, economic strength and the development of a thriving free market are vital to the reestablishment of democracy in Chile. What's more, given the current economic problems that confront Chile, a ban on loans and an end to economic aid would most certainly exacerbate the present situation. The

unrest that already exists might very well be intensified, and more violence and bloodshed could follow.

The policy that we ought to be pursuing, the policy that would best serve our own interests and those of the Chilean people, would be one of cooperation. To sever ties with Chile because we disagree with some of its current internal policies is somewhat akin to cutting off our nose to spite our face. As a friend and ally we are in a position to influence Chile and help her along the path to democracy. I believe we owe this to Chile and its people.●

WE CAN'T FORGET THE HOMELESS

HON. JOHN F. SEIBERLING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. SEIBERLING. Mr. Speaker, today the National Coalition for the Homeless is holding meetings around the Nation to publicize the needs of the homeless. As we consider our decisions on the Federal budget, I hope that this Congress will not forget the problems of the homeless.

Experts estimate that as many as 3 million people in this country may be homeless, while there are possibly as many as 93,000 homeless people in my home State of Ohio. Unfortunately, many people in my own district must go without adequate housing.

While today many of the homeless are suffering from some form of mental illness, the demographics of homelessness are changing. It used to be that the homeless were considered to be older male alcoholics and drug addicts. Today, however, experts say that 34 is the average age of the homeless, 21 percent of the homeless are families with children, and 13 percent of the homeless are single women. More than half the homeless have completed high school, and 30 percent have attended college. And an increasing number of people are newly homeless because of sudden unemployment, eviction, or family crises. Many are employed at or near the minimum wage and simply lack sufficient income to make the required deposit to rent a room or apartment.

The problems of the homeless are obvious. They must find someplace to sleep and something to eat. Part of the problem is that many of our social programs do not reach the homeless because a fixed address is required for eligibility. For instance, the homeless are often not eligible for food stamps. While many volunteer groups have been formed to help the homeless, their efforts alone will probably not be enough. The Government should be taking some steps to solve the problem.

However, the Reagan administration has proposed eliminating the Community Services Block Grant Program, which has provided over $125 million in emergency food and shelter funds for the poor. The President has also called for the elimination of the $210 million Emergency Food and Shelter Program run by the Federal Emergency Management Agency [FEMA], and the administration has proposed a 2-year moratorium on spending for federally assisted housing for the poor.

I am very concerned about the current budget deficits, just like all of us here are. And while some spending cuts for social programs may be in order, I think that it is too easy to forget about the needs of the homeless when we make our budget decisions. Congress must not ignore the plight of these unfortunate people.●

ACADIA NATIONAL PARK BOUNDARY

HON. OLYMPIA J. SNOWE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Ms. SNOWE. Mr. Speaker, today I am introducing legislation to establish a permanent boundary for Acadia National Park in the State of Maine. The State's congressional delegation wholeheartedly supports this legislation, and I am pleased that, at long last, Congress will provide a boundary for one of this Nation's great national parks.

Acadia National Park is unique in almost every respect. Its 38,000 acres come almost entirely from private donation. Philanthropic landowners who recognized the awesome beauty of this region left a wonderful legacy for children and grandchildren to enjoy. This park started with 5,000 acres in 1916 and preserved its distinction as the first national park east of the Mississippi River. The next several decades saw dramatic expansion—mostly thanks to the family of John D. Rockefeller—as Mount Desert and its surrounding islands began to receive national attention.

With all of this attention came a strong conviction that Acadia National Park (as it became known in 1929) should serve as an eternal protector of this remarkable land. Two forces came into play which brought on the need for the boundary: first, the established communities which also share this region, including the towns of Mount Desert, Tremont, Southwest Harbor, and Bar Harbor, recognized the need to preserve their tax bases. At the same time, park officials were facing the end of the great land donation phase, and had to find ways other than donations to solidify the park's holdings. To this day, Acadia can only expand through donation as the park's charter doesn't allow land to be purchased. Because of the way its national park lands were obtained, Acadia became an odd grab-bag of land parcels; thus, the need to consolidate land holdings and form a boundary marking the separation between town and park lands.

The past decade has been a busy one for Maine legislators, town and park officials, and concerned residents working to form a permanent boundary for Acadia. Several master plans and a 1980 agreement between parks officials and the towns helped to bring all sides closer to where we are today. This legislation is a compromise effort that serves the recognized needs of the neighboring communities while also providing long-term management and protection for the park.

Under the provisions of this bill, the park, in exchange for relinquishing 700 acres of land and limiting the area in which future donations can be accepted, will be allowed to accept or purchase land donations of specified land parcels totaling 1,900 acres. In such a way, Acadia National Park can consolidate its holdings and protect portions of land highly valued for their natural beauty and other ecological reasons. The towns, in turn, will benefit from the security of established boundaries for the park and the protection of their tax bases.

Most importantly, this legislation will complete decades of concern about the best way to give Acadia a permanent boundary. The park's millions of visitors each year attest to how remarkable this land truly is. For the future generations of out-of-state visitors, citizens of Maine, and families of these communities who will benefit from a congressionally mandated boundary, I am pleased to introduce this legisaltion today, and to see a difficult issue resolved in a responsible manner.●

HOMELESS IN AMERICA

HON. TONY P. HALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. HALL of Ohio. Mr. Speaker, I join my colleagues today from around the Nation to show my support for America's homeless.

The problem of the homeless is truly a national problem. They can be found in every region, and in city and suburb alike.

In my home State of Ohio, an estimated 93,000 are without homes. As a result, legislation has been introduced to help fund emergency shelters.

A detailed study, released just this year, analyzed the problem in Montgomery County, OH. That study was

conducted by a partnership of the city of Dayton, Montgomery County, the Mental Health Board of Montgomery County, the Miami Valley Regional Planning Commission, and the United Way of the Dayton area.

Though it offered few conclusions, the study presented a thorough documentation of the need for emergency housing in the county, and demonstrated that existing resources are not adequate to meet that need.

The homeless come from a wide range of backgrounds. They might be evicted families, alcoholics, the aged, the mentally ill, drug addicts, abused spouses, or abandoned children.

Accurate estimates of the number of homeless are difficult to make. However, signs indicate that the numbers are increasing. One cause may be the high unemployment rate. Another cause is the destruction of cheap housing for transients as a result of urban development. Spiraling rent costs have forced others into the ranks of the homeless.

The recent movement to get the mentally ill out of institutions and into the community has also contributed to a large number of people on the streets who cannot take care of themselves.

Traditional forms of Government assistance such as Food Stamps and Aid to Families With Dependent Children are ineffective in assisting the homeless. Many of these programs cannot be provided unless an individual maintains a fixed address.

Furthermore, no single Federal agency or program focuses its efforts specifically on the problems of the homeless. However, programs are now coordinated through the recently established Federal Interagency Task Force on Food and Shelter for the Homeless.

Congress has made special appropriations to States and local volunteer organizations for emergency food and shelter programs. Surplus Government buildings and food have been made available for the homeless. However, these are only short-term efforts.

Longer range solutions must fight the underlying causes of homelessness. Providing more comprehensive mental health services may take care of some of the homeless. Reducing unemployment will help others. Incentives to increase the supply of low-income permanent housing may also be part of the solution.

Though the problem of the homeless is a national one, it is one that certainly will involve a partnership of Federal, State, and local governments, as well as the private sector.

In a nation as bountiful with resources as ours, there is no reason why so many of our citizens must go without shelter.●

UNSAFE OVER-THE-COUNTER DIET AIDS AND INEFFECTIVE DRUGS MUST BE CONTROLLED

HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Ms. OAKAR. Mr. Speaker, today, I am introducing two pieces of legislation designed to protect the public from unsafe and ineffective drugs currently sold over the counter to unsuspecting victims.

The first bill would require diet drugs containing Phenylopropanolamine [PPA] be dispensed only upon prescription.

As many of you will recall, last Congress I chaired a hearing to investigate the efficacy and safety of diet pills. At those hearings, we heard testimony from witnesses who had suffered from strokes, hypertension, psychotic behavior—even some left permanently handicapped—as a result of having taken preparations containing Phenylopropanolamine [PPA]. I felt it essential to encourage the immediate removal of these pills from the over-the-counter market and place them under the close supervision of medical doctors.

It is clear that millions of people use over-the-counter diet pills to lose weight and control their appetites. Some youngsters, however, use them as stimulants because the amphetamine-like molecular structure of PPA produces a high similar to speed.

When taken in diet pills, PPA sometimes causes a spike in blood pressure. It can also seriously affect persons with diabetes. Diabetes and hypertension are hidden diseases to which the obese, the primary users of diet aids, are particularly susceptible. It has been documented that more than 40 percent of the obese have hypertension. Also in jeopardy are the 50 percent of diabetics and 30 percent of definite hypertensives who are not aware of their disorders.

The second piece of legislation I am introducing today would amend the Federal Food, Drug, and Cosmetic Act to strengthen the authority of the Food and Drug Administration to control the use of drugs which present risks to the public and to secure data on adverse reactions to drugs. It has come to be known as the "Safe and Effective Drug Act."

More specifically, this legislation would require manufacturers of over-the-counter drugs to report adverse drug reactions to FDA. Currently, manufacturers are not obligated to report such reactions—even if life threatening. Additionally, the FDA would be given authority to require drug manufacturers to conduct post-marketing surveillance of prescription and over-the-counter drugs and report the findings to the FDA. There is currently no enforcement of any surveillance. My bill would also authorize the FDA to restrict the marketing of a drug if adverse reactions develop after that drug has been approved.

In order to enforce the surveillance mechanism, my bill would grant the Food and Drug Administration the authority to subpoena records from drug companies as well as require investigators of new drugs to report test results of all studies to FDA for approval. Additionally, a program in FDA would be established to encourage physicians, institutional health care providers and consumers to report adverse reactions to the agency.

Finally, this bill would not only establish a national center for drug surveillance within FDA to monitor reports of adverse drug reactions and ensure FDA action, but it would mandate an annual report to Congress on such reported reactions and what actions the agency has taken in response.

Mr. Speaker, you will no doubt recall that the House Committee on Aging held several days of hearings during the 98th Congress on the important issue of the safety and effectiveness of over the counter and prescription drugs and the elderly. Those hearings also focused on the failure of the Food and Drug Administration to protect the health of the consuming public.

Because of my growing concern for the elderly of our country, I continue to be extremely concerned about the performance of the FDA in the area of drug safety and effectiveness. In 1972 the FDA began a systematic 5-year study of all over-the-counter drugs. The FDA now estimates that the review will not be completed until the year 2000. Meanwhile, under current law, manufacturers are not even required to report adverse drug reactions to the FDA.

This legislation will make FDA police the public's health. It will mandate the FDA exercise authority that is now discretionary. It will give that Agency new powers to require drug manufacturers to report adverse reactions, to subpoena information, and to require full disclosure of all test results, not simply those that support a new drug application.●

INEQUITIES IN SOCIAL SECURITY

HON. ROBERT J. MRAZEK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. MRAZEK. Mr. Speaker, as we debate alternatives to reducing the deficit, each of us will have to weigh the needs of individuals being adversely affected, to ensure that no one is

asked to shoulder more than a fair share of this burden.

Certainly there is one group that does deserve particular consideration.

In an attempt to resolve a flaw in the 1972 amendments to the Social Security Act, individuals born during the so-called notch years can receive as much as $150 per month less than those born immediately before them. To a retired senior citizen relying on Social Security, $150 a month can made a dramatic difference.

Today, I am introducing a resolution urging Congress to exempt notch year recipients of Social Security from any freeze of cost-of-living adjustments which may be imposed during 1985 as a deficit reduction measure.

It is my hope that a bill will be passed in Congress which will permanently correct this inequity. However, I see no reason why we can't attempt to decrease the difference between individuals born before and after 1917. My resolution is one small attempt to work to close the notch.

I hope that you will join me in cosponsoring this important initiative.●

OBSERVANCE OF PRAYER VIGIL FOR SOVIET JEWRY

HON. CHESTER G. ATKINS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 20, 1985

● Mr. ATKINS. Mr. Speaker, as cochair of the 99th Congress' Coalition for Soviet Jewry, I am proud to participate in the Third Congressional Fast and Prayer Vigil for Soviet Jewry.

The coalition's goals are quite straight forward. We want to express to Soviet officials that we will not accept the 1984 emigration rate which allowed only 900 Soviet Jews to leave the country. We also want to highlight to our constituents and to our colleagues in other nations that we abhor and oppose the religious persecution and harassment of the 2.5 million Jews remaining in the Soviet Union. Although relations may be warming with the Soviets in the field of arms control, we must keep in mind the plight of the Soviet Jews when considering any legislation affecting the relationship between the United States and the Soviet Union.

Today, I would like to bring to your attention my concern over the treatment of Evgeny Lein and his family in Leningrad. After applying for permission to emigrate to Israel, the Lein children were forced to leave school and both parents have had trouble finding employment. Recently, we learned that Mr. Lein and his 20-year-old daughter were both brutally beaten by unknown men.

Through the observance of the congressional fast and prayer vigil for Soviet Jewry, we reaffirm our commitment to the cause of human rights, and our solidarity with the Leins and the many who share their fate. I am pleased to join my colleagues in this effort.●

NATIONAL HOMELESS AWARENESS ACTION DAY

HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. WEISS. Mr. Speaker, today the Coalition for the Homeless, a national advocacy group, is sponsoring National Homeless Awareness Action Day. The coalition's local branches across the country are holding rallies, voter registration drives, and press conferences to call to the attention of Americans the plight of millions of homeless men, women and children.

I enthusiastically endorse National Homeless Awareness Action Day, and I encourage may colleagues to use the information disseminated by the coalition to learn more about America's homeless crisis.

For the past 7 months, the Subcommittee on Intergovernmental Relations and Human Resources, which I am proud to chair, has investigated the Federal response to homelessness. The subcommittee held hearings, conducted exhaustive investigations in four major cities and will soon issue a report to the Congress together with an indepth report by the General Accounting Office on the homeless crisis.

During the investigation, we have learned that homelessness exists in epidemic proportions, and the homeless population is growing by as much as 38 percent a year. There may be as many as 3 million homeless Americans, more than at any time since the Great Depression. The homeless population contains increasing numbers of women, children, and minorities.

The major causes of homelessness include the scarcity of low-income housing, the deinstitutionalization of the mentally ill, unemployment, cuts in Federal assistance programs and increasing social and personal crises. The factors leading to several of these causes loom larger every year.

The response of every level of society to the homeless crisis has been woefully inadequate. Despite the best efforts of private voluntary organizations and some local governments, the homeless are suffering from shortages of shelter, food, and medical services. During the current winter, emergency services in many cities were stretched beyond capacity.

The stereotype of the aging alcoholic living alone on the street no longer holds true. Many of today's homeless are unemployed workers, who desperately seek jobs so they can support their families. But their training and skills are outmoded in the current high technology industries. Many more of the homeless are young people suffering from mental illnesses, who cannot live in dignity without at least some minimal support services, and have never been institutionalized because of recent policy and legal reforms. Still others are battered wives or children forced to flee violent family situations. These people cannot always help themselves, and need the help of their fellow citizens to recover and return to a better life.

Homelessness is not a temporary emergency. It will not go away without a concerted effort by all segments of our society to alleviate the homeless emergency. Many Members of Congress who have studied the problem have introduced legislation to alleviate the crisis. I have introduced the Homeless Emergency Relief Act to authorize grants to fund the provision of shelter, medical aid, psychiatric services, job counseling, and help in obtaining public assistance for homeless Americans. Other bills call for more federally funded low-income housing, easing of certain food stamp regulations for the homeless and the creation of more emergency shelter to fill the void for those who have none. I encourage my colleagues to study these measures, and to heed the call of the homeless advocates in their communities who today are rallying on behalf of the homeless.

We have a responsibility to establish new policies to address the needs of our fellow Americans who struggle to survive without the requisite needs of life, food, and shelter. I hope we all take some time on this first National Homeless Awareness Action Day to listen to their pleas.●

CONSUMERS NEED AUTO CRASH TEST RESULTS

HON. ANTHONY C. BEILENSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. BEILENSON. Mr. Speaker, today I am introducing a bill which would provide automobile crash safety information to consumers shopping for new cars. The bill would require auto manufacturers to conduct crash tests on each new model and post the test results on a window sticker on each new car so that potential auto buyers would have information about crashworthiness, in addition to fuel economy and list price, as they examine new car models in the dealers' showrooms. Requiring this information would encourage the manufacturers to compete to build safer automobiles.

This bill is similar to an idea originally proposed by the National Highway Traffic Safety Administration [NHTSA] in 1981, arising out of that agency's crash testing program. In 1972 Congress had required NHTSA to devise ways to make comparative crashworthiness information available to consumers, and in 1980 NHTSA published "The Car Book" containing numerical results of its sample crash tests. The obvious way to make this information more widely available is to post it on each new car, and the agency proposed this step in 1981. However, since then there has been no visible progress; the agency says it does not know when it will proceed on the proposal, and publication of "The Car Book" has been discontinued. This bill is designed to prod the agency into doing something it planned to do just a few years ago.

Consumer surveys done for NHTSA have shown that, although there has been a trend toward smaller, lighter cars because of their better fuel economy, consumers are aware of the greater risk that occupants of small cars may suffer serious injury or death in an accident. These surveys also show that car purchasers want data on the comparative safety of various car models and would be willing to pay a higher purchase price for a safer car. The widespread interest in the Government's sample crash test results, and the continuing strong demand for "The Car Book"—now published independently—are evidence that consumers want and need the information.

However, the vast majority of consumers do not now have comparative safety information available to them at the time they purchase a new car. Clearly, the best way to ensure that the test results are available to those who need them the most would be to post them on each new car, in the same way that gasoline mileage and list price information is now posted. The stickers would also mention that booklets listing comparative scores for all car models were available free from any new car dealer.

Under this bill, each car manufacturer would test its own cars, prior to their public introduction, under criteria established by NHTSA, and would certify the numerical crash test scores to NHTSA for compilation. Manufacturers would be free to improve the safety of their cars beyond the minimum standards already established by NHTSA, and consumers would be free to make their own informed decisions about how much crash safety and fuel economy they want to pay for. This free market approach would give manufacturers the incentive to complete for sales to safety-conscious consumers.

There is strong and growing evidence that, when manufacturers are faced with a poor crash test score, they can sometimes make simple and inexpensive changes that result in significant improvements in safety. For example, the Honda Civic, which failed the 1980 NHTSA crash test, easily passed in 1981 after several relatively simple changes were made.

This bill would solve several problems inherent in today's very limited crash test program, since the information would be available by the time a new car model appears in dealers' showrooms, instead of several months later as is the case today. And the results would be posted on each new car, rather than being difficult or impossible to find. Finally, car makers would test every new model they introduce, rather than the sample tested by NHTSA today.

This bill represents a way in which auto safety can be improved by using the mechanics of the competitive free market rather than Government regulation. Consumers need information in order to make informed choices, and manufacturers need the sales incentive to produce safer cars. I strongly suspect that when car buyers readily get better safety information and automakers begin to compete to build safer automobiles, we will see far more progress in improved auto safety than Government regulations could ever produce. I urge my colleagues to join me in support of this legislation.●

NUTRITION ASSISTANCE FOR PUERTO RICO

HON. JAIME B. FUSTER

OF PUERTO RICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. FUSTER. Mr. Speaker, I rise today to introduce legislation to continue the cash food assistance program for Puerto Rico, known as the Nutrition Assistance Program [NAP].

The Commonwealth of Puerto Rico has participated in the overall Federal food stamp program since the inception of the Food Stamp Act of 1977.

In 1981, however, the omnibus Budget Reconciliation Act [Public Law 97-35] required that the Food Stamp Program in Puerto Rico be replaced by a block grant with fixed annual budget of $825 million to provide food assistance to needy persons. Under the block grant, the Commonwealth of Puerto Rico has designed, implemented, and operated since July 1, 1982, the Nutrition Assistance Program [NAP] which provides direct cash assistance rather than food coupons to needy households. Congressional authorization for the Puerto Rico block grant and for the NAP are scheduled to expire on September 30, 1985, as provided in Public Law 98-204.

Anticipating the continuation of the National Food Stamp Program, I am introducing H.R. 1653 to permanently extend the cash Food Assistance Program for Puerto Rico. Given the clear congressional support that has been expressed for NAP, the affirmative fiscal year 1986 budgetary request of the administration for the total Food Stamp Program, including Puerto Rico's NAP, the Nation's commitment to the needy and the detrimental effect any change in the program would have for the island, we feel that the continuation of the successfully implemented cash system now operating in Puerto Rico merits your support.●

LA REINE HIGH SCHOOL'S 25TH ANNIVERSARY

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. HOYER. Mr. Speaker, this year a fine school in my congressional district, La Reine High School, is celebrating its silver anniversary. Since its dedication was celebrated by the late Cardinal Patrick O'Boyle, Archbishop of Washington on May 30, 1961, thousands of young women have graduated from La Reine and have benefitted from its program of academic excellence and spiritual growth.

La Reine was established in September 1960 by the Bernardine Sisters of St. Francis as a Catholic private high school for young women in Suitland, MD. Starting with only 130 students, enrollment has grown over the years to 700. From an original staff of just six members, La Reine has grown to have 20 Bernardine Franciscan Sisters and 36 lay teachers.

In the school's 25th anniversary, La Reine graduates have gone on to further study at our Nation's finest colleges and universities. Many have pursued successful careers in government, business, and industry. All have attained success in part due to the sound academic preparation given them at La Reine. The school's curriculum is tailored to the individual and meets the needs of students on every level.

For several years after La Reine opened, Sister M. Kateri taught at the school; 12 years ago, she returned as principal. Sister Kateri's steady leadership has been an important factor in La Reine's growth and in its preparing young women with a sound spiritual, educational and moral background to meet the challenges of today's world.

Mr. Speaker, my own family has enjoyed a warm relationship with La Reine High School, which is located just a few blocks from my home. I hope that La Reine will continue to be a part of the educational and spiritual life of Prince George's County for many years to come. The school has

added much to our community. I hope the Members of the House will join me in extending congratulations to the Bernardine Franciscan Sisters, the staff and students of La Reine High School on its 25th anniversary.●

NATIONAL HEAD INJURY AWARENESS MONTH

HON. NORMAN D. DICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. DICKS. Mr. Speaker, it gives me great pleasure to join with my colleague from Massachusetts, Congressman SILVIO CONTE in introducing legislation to designate the month of October 1985 as "National Head Injury Awareness Month."

Each year, 100,000 people die from head injuries. Most of these tragic deaths are caused by motorcycle, automobile, and sports accidents. Another 450,000 to 700,000 people sustain head injuries serious enough to require hospitalization. Out of this group 50,000 are permanently disabled. These victims, more than two-thirds of whom are under the age of 30, suffer permanent brain damage that prevents them from returning to schools, jobs, and normal lifestyles.

The effects of head injuries are emotionally and financially devastating to families as well. Head injury victims may remain comatose for extended periods of time, and families are left with the financial burden of caring for their loved ones. There is a serious shortage of rehabilitation facilities designed to care for the special needs of the head injured, and in most cases it is left up to the families to find adequate treatment programs.

In response to the growing needs of the head injured, health care professionals and families of head injury victims organized the National Head Injury Foundation. This organization has worked to secure rehabilitation facilities for the head injured and to provide families with the necessary support services and resources.

Congress recognized the accomplishments of this organization by designating October 1984 as "National Head Injury Awareness Month." Since that time the NHIF has been instrumental in:

Initiating a Rehabilitation Services Administration study on the problem of head injury and the plan for future research.

Establishing a task force to develop guidelines for inpatient acute head injury rehabilitation programs.

Securing an agreement with the National Highway Traffic Safety Administration to implement a head injury prevention program.

State chapters of this remarkable organization have:

Successfully worked to include a special catastrophic coverage fund in new no-fault insurance legislation.

Conducted epidemiological studies on head injuries.

Actively participated in legislative hearings on head trauma.

Through its efforts the National Head Injury Foundation has focused national attention on the problems of the head injured and has proven to be a strong voice for the victims of this silent epidemic. I urge my colleagues to support the continued efforts of this fine organization by designating the month of October 1985 as "National Head Injury Awareness Month."●

A CONGRESSIONAL SALUTE TO MAJOR SAM BOTWIN OF SAN PEDRO

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. ANDERSON. Mr. Speaker, on April 3 of this year, Sam Botwin will retire as honorary mayor of the quaint and culturally rich seaside community of San Pedro, CA. It is with great pride that I acknowledge the many accomplishments of Sam who has contributed greatly in making San Pedro a better place to live and work.

Sam, who has resided in San Pedro since 1946, is not only recognized today as one of the area's foremost historians, but also as one of our most active and respected civic volunteers.

Besides building Cabrillo Liquors into one of California's most highly acclaimed fine wineshops, Sam has also somehow found the time to become involved with numerous civic and charitable organizations. These activities include: San Pedro Athletic and Recreation Committee, Seaman's Church Institute, Councilwoman Flores' Community Advisory Council, Friends of the Los Angeles Maritime Museum, San Pedro Bay Historical Society, Boy Scouts of America, Angel's Gate Cultural Center, Lions Club, Explorer Scouts, Friends of San Pedro Library, Friends of Cabrillo Marine Museum, San Pedro Chamber of Commerce, San Pedro Coordinating Council, San Pedro High School Pirate Booster Club, Palisades Homeowners Association, Harbor Area Police Community Council, Neighborhood Reinvestment, YWCA Advisory Board, and the important Los Angeles City Planning Commission.

Mr. Speaker, as you can see, Sam has a tremendous record throughout the community. I would, however, be remiss if I failed to mention that Sam is only half of a fine team. His wife, Fran, has an equally outstanding record of achievement in the community. Sam and Fran are a dedicated team who have become leaders in San Pedro and are admired by all who have been fortunate enough to know them.

In consider it both an honor and a privilege to know Sam Botwin. My wife, Lee, joins me in congratulating Sam on his many fine deeds over the years; and we wish him and Fran and their two children, Kim and Michael, continued success and happiness in all their future endeavors.●

TRIBUTE TO DR. HERMAN R. BRANSON

HON. WILLIAM H. GRAY III

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. GRAY of Pennsylvania. Mr. Speaker, it is with great pleasure that I pay tribute to Dr. Herman R. Branson, president of Lincoln University, on the occasion of his retirement. Although Dr. Branson will retire this year, his outstanding work in the areas of education and research and his other innumerable accomplishments will continue to serve the world forever.

This black American has dedicated his lifetime to improving the quality of life for all mankind. He is truly one of America's most renowned researchers and educators. To mention all of his accomplishments would be formidable, yet I would be remiss if I didn't single out a few.

Herman R. Branson founded the National Association for Equal Opportunity in Higher Education [NAFEO]. This association has brought more than $2 billion to academic institutions. Dr. Branson played the major role in convincing the Federal Government to earmark financial support for black colleges in general and 1980 land-grant-title black colleges through title III grants, in the amount of $5 billion from 1970 to the present. Through his vision, Dr. Branson has been instrumental in keeping the doors of 103 black colleges and universities open to educate nearly 350,000 black students. Dr. Branson has been the recipient of six honorary degrees and is a member of 20 of the most powerful academic commissions which monitor and dictate policy in the field of education in America.

Although Dr. Branson achieved a great deal of his accomplishments without recognition during a most difficult period for blacks in America, he has always persevered in his pursuit of knowledge and community advancement. He has already worked on 32 research projects when, in 1951, working closely with Dr. Linus Pauling and Dr. Robert Corry, they discovered that the structure of proteins was not straight, but helical. Dr. Branson has

worked on 34 research projects since this momentous effort, for which Dr. Pauling received the Nobel Prize in 1954.

It was Herman Branson and his study group at Howard University that gave Roland Scott the view that sickle cell disease presents a different form of hemoglobin than normal; and that this influenced its oxygen carrying potential. The result of this discovery has had significant impact in the treatment of sickle cell disease.

Dr. Branson has been a member of the Cosmos Club since 1964. Membership in this august body is reserved exclusively for those who have made a substantial and everlasting contribution to all mankind. He is currently affiliated with 52 different organizations involved in such areas as scholarship, ocean engineering, mathematics, communication technology, and energy.

I know that all of my colleagues in the House of Representatives join me in extending our best wishes to Dr. Herman R. Branson, and salute him for his many accomplishments which have served our Nation so well. Thank you.●

THE HOMELESS

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Ms. KAPTUR. Mr. Speaker, I rise today to join my colleagues from Ohio in their expression of concern and support for the homeless. Although there may be disagreement over the number of homeless living within our city streets, there is no disagreement that this phenomena is a dark and disturbing paradox in this period of economic recovery. We must not ignore the presence of today's homeless—to do so would be to turn our backs on the neediest within our society.

How serious is the problem of the homeless in America? It is apparent that as part of America has entered a period of prosperity, the nature and composition of our Nation's homeless has entered a new period as well. The traditional homeless have been joined in growing numbers by battered women, the elderly and disabled poor, and—most significantly—by unemployed people and their entire families. The new homeless are falling without a safety net—the result of continued high unemployment, the shaving of social service benefits, and the tightening of eligibility requirements. With less Federal assistance available for the basics of food and shelter, they are forced to subsist in crowded shelters and compete for the assistance of already overextended social service organizations. In this, the most prosperous Nation in the world, hundreds of thousands of people are joining the ranks of the homeless. It must be our responsibility to see to it that they do not join the ranks of the hopeless, as well.●

RURAL NEVADANS DO NOT WANT MORE WILDERNESS

HON. BARBARA F. VUCANOVICH

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mrs. VUCANOVICH. Mr. Speaker, today I am introducing legislation of great importance to my State; a bill to designate certain Forest Service lands within Nevada as wilderness and to release others for multiple use. I am proud to say that this is a balanced, and well thought out piece of legislation representing a synthesis of my constituents' views and concerns. I think the best way to put this legislation in perspective is to explain just what the concerns in Nevada are with regard to wilderness designation.

I believe it is fair and accurate to generalize and say that my constituents in rural Nevada do not want more wilderness. At the present time, at least eight Nevada counties have adopted resolutions stating their opposition to wilderness within their jurisdictions. An additional four Nevada counties are now considering, or have already adopted, similar resolutions. Nevadans have a tremendous respect for the land—but they are also heavily dependent on it for much of their economic livelihood.

Mining's share of the total assessed land value, and consequently the local tax base, in most of Nevada's rural counties is significant: In Humboldt County it is about 73 percent, Lincoln about 33 percent, Lander about 45 percent, Esmeralda about 46 percent, and Nye about 34 percent. Mining is also the major industry in many rural counties, accounting for the bulk of available employment and acting as the main engine for many local economies.

From the national perspective, the Nevada mining industry ranks No. 1 in the domestic production of gold and produces 100 percent of our Nation's magnesite, 99 percent of our mercury, and 85 percent of our barite. In addition the State is the second largest producer of lithium, diatomite, and gemstones, and the third largest producer of silver. I have grave concerns about designating wilderness in areas with known, or suspected, mineral potential. For example, I requested the Bureau of Mines to provide mineral data on 18 areas supported for wilderness designation by conservationists in our State. The Bureau concluded that 17 of the 18 areas may well contain minerals of strategic or other critical national importance. By locking up these lands we may be denying our Nation access to certain minerals that are critical to the provision of essential military, industrial, and civilian needs during times of national emergency or other international economic or trade disruptions that may threaten our ability to secure these materials from foreign sources. In short, outside of Nevada, these minerals are not found or produced in the United States in sufficient quantities to meet emergency needs.

Another of the major concerns about a Forest Service wilderness bill is that it is only one very small piece of a very large pie. The Fish and Wildlife Service has about 1.7 million acres currently proposed for wilderness designation. Further, the Bureau of Land Management is in the process of studying their lands for possible wilderness designation. The studies are not yet complete, but more than 1.6 million acres have already been identified as being suitable for wilderness. In other words, I believe it is extremely important to look at the "whole picture" when we discuss wilderness designation on our forest lands.

Given the importance of mining to Nevada, and the amount of land that has already been recommended or is to be recommended in the near future for wilderness, I believe this bill provides a significant contribution to the National Wilderness Preservation System.●

MINNESOTA TRUCK COMPANY WINS NATIONAL SAFETY AWARD

HON. TIMOTHY J. PENNY

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. PENNY. Mr. Speaker, I am pleased to call to the attention of my colleagues the fact that Schultz Transit, Inc., of Winona, MN, has been awarded the grand prize award for safety by the Interstate Carriers Conference.

The conference, an affiliate of the American Trucking Associations, represents about 660 trucking companies throughout the country.

Mr. Gene A. Schultz, president of Schultz Transit, and his vice president for safety, Mr. George Snyder, were presented the award this month at the conference's annual meeting. This was especially notable in that the company also won the award in 1980.

Being honored by its peers and experts in the important field of highway safety is a great honor for Schultz Transit. For years the company has been an active participant in Winona and Minnesota in promoting highway safety. It is fitting that its contribu-

tions have been nationally recognized—again.●

McRAE HEADS TRUCKING GROUP

HON. BUDDY ROEMER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. ROEMER. Mr. Speaker, I would like to call to the attention of my colleagues the fact that Mr. Duncan McRae, Jr., president of Melton Truck Lines in Shreveport, LA, was elected president of the Interstate Carriers Conference earlier this month.

The conference, an affiliate of the American Trucking Associations, represents nearly 700 trucking companies and 150 allied members throughout the country.

Mr. McRae's election is particularly significant because it marks the first time in the organization's 45-year history that a father and son have served as its president. The elder Mr. McRae, now chairman of Melton, was president of the group in 1969–70.

The new president, who resides in Shreveport with his wife Frances, has held various executive positions with Melton Truck Lines since 1962. He became its president in 1984.

In addition to being active in the conference, Mr. McRae has held numerous positions in the Shreveport Chamber of Commerce, the Rotary Club and St. Paul's Episcopal Church.

Mr. Speaker, I think the conference has chosen well. I'm very pleased to see that the abilities of Duncan McRae, Jr., have been recognized by his peers in the trucking industry.●

SYMPOSIUM TO HONOR CONTRIBUTION OF ALLARD LOWENSTEIN

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. FRANK. Mr. Speaker, this weekend a group of friends and colleagues of the late Al Lowenstein will gather for the third annual Allard K. Lowenstein symposium in Chapel Hill at the University of North Carolina.

Al Lowenstein, who was murdered 5 years ago, was one of the preeminent Democrats of our time. His passionate commitment to social justice and his extraordinary sense of how to accomplish that in a democratic society, earned him the love and admiration of thousands of political and social activists. As a teacher, as an organizer of the Mississippi summer project, as a Member of this body, as an American representative to the U.N. Commission on Human Rights, and in dozens of other capacities, Allard Lowenstein set the standard for commitment and effectiveness.

The third annual Allard K. Lowenstein symposium is appropriately titled "Participation in Social Change: How Can One Person Make a Difference?" Equally appropriate, it will be held at the Frank Porter Graham Student Union at the University of North Carolina—a building named in honor of one of the great men with whom Allard Lowenstein worked so closely, former Senator Frank Graham of North Carolina. Among those who will be participating in this symposium are several Members of this body, including the gentleman from Pennsylvania [Mr. WALGREN], the gentleman from Indiana [Mr. JACOBS], and myself. We are only several of the Members of the House who can testify personal to the enormous impact that Allard Lowenstein's intellect and personality had on American politics.

The hope of the people who arrange this symposium, and of those who have organized themselves as "The Friends of Al Lowenstein" is to encourage others—especially young people—to continue to follow the superb model of committed political action that Allard Lowenstein provided.

This symposium will coincide with the formal opening of the "Lowenstein Papers," which are housed in the southern historical collection of the University of North Carolina at Chapel Hill. This collection will be an invaluable resource for scholars interested in the important social and political currents of the United States in the sixties and seventies.●

FEDERAL RESPONSIBILITY FOR THE HOMELESS

HON. NORMAN D. DICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. DICKS. Mr. Speaker, on this first full day of spring it is indeed fitting that we recognize the thousands of homeless men, women, and children who, because of a lack of adequate shelter, were forced to spend long, cold winter nights in alleyways, under bridges, and huddled over steam grates.

This is truly a national problem: it does not just affect large cities or certain areas of our country. Last month I held a congressional hearing in Tacoma, WA, and heard the message loud and clear that the numbers of homeless in all of our home towns are increasing, for a variety of reasons.

It is estimated that more than 2 million people in the United States are homeless. Since emergency shelters nationwide have the capacity for only 111,000 people, the majority of the homeless are left without a place to sleep and many of these people risk freezing to death in the bitter cold winter months.

A major contributing factor to homelessness is the severe shortage of low-income housing. Since 1981, Federal funding for section 8 housing assistance has been reduced by 44 percent. The total number of housing units available through the program has been reduced by 69 percent.

Despite the increasing homeless population and the lack of adequate emergency shelter, the administration's fiscal year 1986 budget proposes a 2-year freeze on additional HUD-subsidized housing. This would reduce the number of units available through the HUD-program by approximately 65,000. The administration's budget also calls for a 95-percent reduction in budget authority for the section 8 low-income housing assistance program, and a reduction in budget authority for the Public Housing Loan Program from $14.9 billion in fiscal year 1985 to $1.8 billion in fiscal year 1986.

The Federal Government cannot ignore its responsibility in helping to eliminate a major cause of homelessness. We in the Congress must seize the opportunity this spring to work for more affordable low-income housing. Our goal should be to reduce and to eliminate the number of individuals who will be without adequate shelter next winter.●

ERIC SLOANE

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mrs. JOHNSON. Mr. Speaker, it would be easy to come before you today and discuss the great loss we have suffered because of the death of Eric Sloane. Through good times and bad, this New England artist and writer remained firm in his desire to keep alive the greatness of this country's earlier years. His presence will be sorely missed.

However, to dwell on his passing is not what Eric Sloane would have wanted. Eric stood for something that surpasses death: celebration. He came to symbolize joy, the joy that springs from a deep understanding and an openness to the inspiration and greatness of our past. In his words:

> Most of my lifetime has been in painting and writing, with the steadfast purpose of retrieving certain worthwhile things of the American past.

There are countless examples of his efforts in this regard. One is his "I Remember America" exhibit, which was shown in the Soviet Union as a means of increasing the Soviets' understand-

ing of our national heritage. Another is the Sloane-Stanley Tool Museum, which Eric founded and directed. This institution is American history. Yet a third example is the center mural at the National Air and Space Museum here in Washington. Eric produced this work for the bicentennial opening of that institution.

The accomplishment that best demonstrates Eric Sloane's commitment to preserving our national identity was his successful effort to revive the tradition of ringing bells on Independence Day. We have Eric to thank for the glorious sound of bells chiming simultaneously across America each Fourth of July.

In short, though sadness inevitably accompanies the passing of such a wonderful human being as Eric Sloane, this time of reflection also affords us a chance to appreciate his contribution to our lives. For 80 years, we had in our presence a man who devoted his life energies to the celebration of all that is good about these United States. That our Nation can create a man of such dedication and patriotism is cause for thanks. Let us hope that more like Eric Sloane follow, for then indeed can we say that our best days lie ahead.●

THE VALUE OF NATIONAL AGRICULTURE DAY

HON. JIM ROSS LIGHTFOOT

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. LIGHTFOOT. Mr. Speaker, yesterday the Nation celebrated, as it were, National Agriculture Day. I was pleased to be a cosponsor of the resolution designating this occasion.

I understand this event has been celebrated annually for a number of years now. Although this was my first opportunity to be involved in this occasion as a Member of the U.S. Congress, I can't help but wonder if it's a bit ironic that we continue to celebrate the successes of agriculture while so many of our Nation's agricultural producers face growing economic despair.

The regulatory changes announced yesterday by Secretary of Agriculture John Block bear witness to the burgeoning, bungling bureaucracy that hampers the hope for prosperity by American farmers. While we want the Government out of our lives, past policies have brought us to the point where we can't survive without it.

Many have said that this may be a watershed year for Government agricultural policy. At least most of us hope this will be the case. We can't continue on with business as usual. I certainly commend my colleagues for continuing to recognize the tremendous achievements of American agriculture, yet I implore my colleagues in Congress to dare to be bold as we begin consideration of a new 4-year farm bill.

Let's hope by next year's commemoration of National Agriculture Day we truly have something to celebrate.●

NEW YORK'S QUIET HERO

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. GREEN. Mr. Speaker, as the Member of Congress privileged to represent the Lower East Side of New York City, it is my pleasure to acknowledge the extraordinary contributions of one of its residents, Samuel Fleischer. This man is one of New York City's "Unsung Heros," a man who does good deeds without looking for recognition or reward.

For the past few years, Sammy has been untiringly giving of himself for others. Born and raised in the Lower East Side, he has devoted his life to serving our community, and is known throughout New York for his deeds, which include the organization, in 1968, of the Seventh Precinct Auxiliary Police. Sammy is also the founder and coordinator of the East River Men's Club, and thus is active in preventing the deterioration of his community. In the last year, Sammy played a vital part in saving the lives of two people, people who required emergency lifesaving treatment. He has also worked closely for a number of years with police and fire departments, both on a local and city-wide level.

Mr. Speaker, I know my colleagues recognize that it is men like Samuel Fleischer who are the builders of communities, and who supply their life blood. I am proud to represent this man who has given so much to the city of New York, and I know my colleagues in the House will want to join me in lauding the accomplishments of this "Quiet Hero."●

CONGRESSIONAL SALUTE TO THE HONORABLE ALEXANDER POTASH OF NEW JERSEY, ESTEEMED MAYOR, OUTSTANDING COMMUNITY LEADER, AND GREAT AMERICAN

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. ROE. Mr. Speaker, on Saturday, April 13 the people of my congressional district and State of New Jersey will join together with the citizens of the Borough of Oakland in testimony to one of our most distinquished citizens, outstanding community leader and good friend—the Honorable Alexander Potash—in testimony to his lifetime of good works on behalf of the people of our community, State, and Nation.

Mr. Speaker. I know that you and our colleagues here in the Congress will want to join with me in deep appreciation of all of his good works and share great pride in the success of his achievements with his good wife Velma; sons James, William, Edwin, and David; daughters Eleanor and Carol Ann; 19 grandchildren and 3 great-grandchildren on this milestone of achievement in their family endeavors.

Alexander Potash has indeed earned the highest respect and esteem of all of us who have the good fortune to know him. He has had a long and illustrious career in seeking life's fulfillment and purpose. He was born on December 26, 1899, in New York City. His paternal grandparents emigrated to our country from Germany and his maternal grandparents left London, England, to make the United States of America their home. His parents were born in New York City.

He attended elementary school to third grade in Brooklyn, NY, and when his parents moved to Paterson, NJ, completed his education at local schools in Paterson. Upon his graduation at the age of 15 years from Old School No. 4, Paterson, he immediately went to work in a machine shop. He was proud to have been a forward player on the 1914 School No. 4 basketball team which won the interscholastic basketball championship.

At the age of 17 Alexander left the machine shop to commence employment as a clerk at the Belleville, NJ, railroad station. He served 18 years with the Erie Railroad. He forged ahead with diligence, dedication, and sincerity of purpose, moving along through the ranks of the Erie Railroad operations to become superintendent of their docks and warehouse at Jersey City, NJ.

On May 1, 1927, Alexander and Velma Potash established their home in Oakland, NJ. In the course of his public service career pursuits with the Borough of Oakland he joined the Oakland Volunteer Fire Department and in 1928 was elected president of the department.

In 1929, he was appointed tax assessor and served for the next 21 years until 1951 as the borough's tax assessor. The excellence of his know how and expertise in the performance of his duties and responsibilities as the borough's tax assessor is manifested in the fact that to this date the assessor's office maintains the system of records that he installed.

In 1930, Mr. Potash was elected president of the Oakland Chamber of Commerce. In 1951 he was first elected to the governing body of the Borough

of Oakland. He was reelected to the borough council in 1952 and served as a councilman for 3 years before being elected mayor in 1953.

Our community, State, and Nation have indeed been enriched by the quality of his leadership and wealth of his wisdom and caring as the elected chief executive officer of the Borough of Oakland during his tenure of 8 years (1953-61). He has most assuredly helped to make Oakland a better community to live in and America more beautiful.

Mr. Speaker, the Borough of Oakland is situated in a valley between the Campgaw and Ramapo Mountains with the Ramapo River flowing through the valley—a beautiful, natural setting. It was a rural community of 800 people when Mayor Potash and his young bride, Velma, adopted Oakland as their home.

The town consisted of many fields and woods and when Alexander was a fireman, there were no water mains or fire hydrants in the community. The firemen carried the water supply in Indian tanks strapped on their backs. The fire company's transportation equipment consisted of two trucks—one to carry the pumper and one to carry water supplies. the fire department now consists of two firehouses located in strategic parts of town. The equipment is modern, including a tower truck. All streets are water mained and hydranted.

Mr. Speaker, it was during Alexander Potash's years as mayor that the Borough of Oakland had its greatest growth. Among the many ordinances passed during his tenure for the safety of Oakland's residents and the protection of private property, Mayor Potash fostered the establishment of a Shade Tree Commission, Industrial Commission, and Recreation Commission to assist the mayor and council in the management of the community.

In 1957 as mayor and a member of the planning board he promoted and encouraged a complete rezoning of Oakland—upgrading all zones in size to preserve and maintain as much of its open space as possible. During the same year a municipal building was constructed to accommodate the growing public service needs of the community. The planning and construction of one of Oakland's landmark community service projects, Veterans Park, was undertaken in 1958 and dedicated as a memorial to the veterans of all wars in 1961.

While mayor, Alexander Potash was also a member of the borough's library board of trustees and will long be remembered for his efforts in seeking to have the Pond's Memorial Building acquired to provide adequate space to house Oakland's public library. The library edifice which was constructed with stones from the Old Pond's Church of 1829—hence its name, Pond's Memorial Building—still serves as Oakland's public library. In discussing its history with Mayor Potash he will respond that the purchase was accomplished with the approval of the council; the carpeting used in the building was donated by the business community of Oakland; and credit must be given to Mayor Clifford McEvoy who was successful in obtaining WPA Government funds for the construction of the Pond's Memorial Building when he was mayor of Oakland.

Upon leaving the stewardship of his high office of public trust as mayor of Oakland, Alexander Potash was successful in being elected to the board of education where he served as chairman of the Building and Grounds Committee. It was during this period of 1966 and 1967 that the Dogwood Hill Elementary School was built.

Mr. Speaker, Al Potash's personal commitment to the economic, social, and cultural enhancement of the Borough of Oakland has been a way of life for him. He continues to actively participate in public affairs of the community.

It is indeed appropriate that we reflect on the good deeds and achievements of our people who have contributed to the quality of our way of life here in America. I am pleased to call your attention to Alexander Potash's lifetime of good works. As we gather together on April 13 in tribute to the quality of his leadership and sincerity of purpose dedicated to service to people, we do indeed salute a distinguished citizen, outstanding community leader, and great American—the Honorable Alexander Potash of New Jersey.●

EXTEND VOLUNTARY RESTRAINT AGREEMENT

HON. RICHARD J. DURBIN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. DURBIN. Mr. Speaker, today I introduced a sense-of-the-Congress resolution urging the President to extend the voluntary restraint agreement [VRA] on Japanese auto imports for 3 more years and providing incentives for Japan to increase its imports of U.S. agricultural and manufactured goods.

Earlier this week, the Commerce Department announced that the U.S. current account deficit—the broadest measure of a nation's financial and trade relationships with the rest of the world—has reached the unprecedented level of $101 billion. In short, the most developed country in the world is rapidly becoming a net debtor nation, joining the ranks of Third World countries such as Mexico and Brazil.

Experts agree that the leading cause for this staggering debt is our record $123 billion trade deficit, to which Japan contributed over $36 billion. At a time when the United States is speeding toward severe trade-related economic problems, I find very disturbing the President's decision to abandon the VRA without seeking trade concessions from Japan. Past efforts to urge Japan to ease its protectionist trade policies have largely failed. To achieve relief from Japan's high trade barriers, we need to increase our leverage on the Japanese Government, not weaken it by abandoning a bargaining chip as valuable as the auto restraints.

Mr. Speaker, I am offering a new approach to moderating imports of Japanese automobiles into the United States and opening up Japanese markets to U.S. exports. My measure would call for reimposition of the VRA for an additional 3 years at the current 1.85 million autos per year annual level. However, the measure would also permit Japan to increase its auto exports 15 percent annually, about the 1.85 million limit, if it increases its imports of U.S. agricultural and industrial products by $10 billion over the same 3-year period. An increase in U.S. exports of this magnitude could create 250,000 American jobs.

I believe this resolution represents a responsible step toward addressing the larger, menacing problem of our enormous trade deficit, while protecting jobs at home and giving the U.S. auto and related industries the reprieve needed to prepare for the eventual lifting of Japanese auto import restraints.

I urge that it be given early committee consideration and be considered on the House floor as soon as possible.●

JACK CROWLEY WILL BE DEEPLY MISSED

HON. SALA BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mrs. BURTON of California. Mr. Speaker, it was with great sadness that I learned of the death of one of San Francisco's great labor leaders, and my dear friend, Jack Crowley.

Jack served for the past 12 years as San Francisco's top labor official, secretary-treasurer of the San Francisco Labor Council. He was respected as a leader with integrity and ability, even by those who opposed him politically. He was known for his skills as a negotiator and for his ability to settle protracted labor disputes when strikes appeared inevitable.

Jack was a close friend and confidant of my husband Phillip. They spent many hours together working to

improve the lot of working men and women. I will long remember the depth of their friendship.

Jack Crowley dedicated his life to the labor movement and to the struggle for workers rights and protections. He will be deeply missed by the labor movement and I will miss his friendship and his counsel. I send my deepest regrets to his wife Geraldine, and his children.●

SUPPORT FOR THE HOMELESS

HON. WILLIS D. GRADISON, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. GRADISON. Mr. Speaker, I am pleased to have the opportunity to speak about the pressing national problem of homelessness on this day, the National Day of Support for the Homeless.

In Ohio and across the country, there are increasing numbers of people who do not have permanent homes. Within the past few years, homelessness has emerged as a complex and pressing social problem. Recent studies confirm that increasing numbers of our citizens are living in cars, tents, and on the streets. Some of the homeless take refuge in crowded shelters while others attempt to brave the elements hovered over hot air grates or in abandoned buildings.

In January, I joined a number of our colleagues in forming a bipartisan House-Senate Task Force on the Homeless. The purpose of this unfunded task force is to educate and to facilitate communication on how to deal with this disturbing national problem.

In the face of confusion and gaps in knowledged concerning the homeless, it has been very difficult for policymakers and programs to address the problem in a meaningful and effective way. It is likely that the solutions will be as diverse as the causes of the problem and the people who make up the ranks of the homeless. It is certain, though, that solutions must be actively sought for this tragic problem.●

MX MISSILE

HON. PARREN J. MITCHELL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. MITCHELL. Mr. Speaker, once again President Reagan is asking Congress to renew production of the costly and dangerous MX missile. This proposal comes at a time when sensitive arms control negotiations are proceeding in Geneva, and as budget deficits soar out of sight. It is time to say "No" to MX production once more.

Last October, Congress halted production of new MX missiles for 6 months. During this period of restraint, the Soviet Union has returned to Geneva to resume vital arms control negotiations with the United States. To renew production of MX now would show extreme bad faith and could jeopardize whatever progress that has already been accomplished at Geneva.

The MX is destabilizing, costly, and senseless. The administration officials have said again and again that the MX has never been and never will be on the negotiating table. In reality, the MX will fuel the arms race and diminish the national security of the United States by increasing a worldwide nuclear threat.

Congress is being asked to release $1.5 billion to procure 21 MX missiles in fiscal year 1985, but the administration wants another 96 missiles, at an estimated $6 billion for the following 2 years. Total program cost estimates are over $30 billion for this missile without a cause. With budget pressures so severe, we cannot afford to waste billions of dollars on a boondoggle of weapons systems that does not increase our national security. There have been accusations that a vote to kill the MX would result in the loss of jobs in respective districts. In my opinion, such an accusation is outright blackmail.

The MX stands as a symbol of what I believe are seriously misplaced national priorities. Continued reliance on weaponry and military buildup inevitably diverts resources, and results in failure to meet acute and pressing human needs. Real national security is not determined by the size of arsenals of death but rather by the quality of life a country fosters among its own people, and throughout the world.

The MX is not a peacekeeper. Instead it represents an insidious evil gnawing at the soul of this country. I urge my colleagues to vote against funds for the MX, and to provide leadership for taking positive strides toward peace, utilizing a policy of cooperation rather than threat. We must stop this military madness.●

MINORITY INTERN PROGRAM

HON. RICHARD T. SCHULZE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. SCHULZE. Mr. Speaker, the U.S. Congress has long functioned as a laboratory and classroom for thousands of young men and women who have observed the legislative process as congressional interns. Very often, the opportunity to view, first hand, the workings of Government has had a meaningful impact on the career goals of these students. Since the House of Representatives, the people's House, has served as a matchless resource for our Nation's youth, it must be available to all our Nation's youth.

Mr. Speaker, it cannot be denied that the opportunity to be where the legislative action is, represents an experience that cannot be measured in dollars. However, it cannot be lack of dollars or influence that prohibits disadvantaged youth from participating in the opportunities which abound in our Nation's capital. With this in mind, I am today introducing a proposal to establish a Minority Intern Program for outstanding students from ethnically diverse backgrounds.

Similar in administration to the LBJ Program, my bill represents a conscious effort to identify highly qualified minority students who have demonstrated a commitment to academic achievement and community service. By broadening access to those with demonstrated leadership potential, we can add a necessary and new element to the Intern Program already in place, and to Congress itself.●

A TRIBUTE TO DR. JAMES WILLIAM ROBERT TEAMER

HON. J. ALEX McMILLAN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. McMILLAN. Mr. Speaker, on March 24, 1985, at Charlotte, NC, the board, faculty, and student body of Teamer Religious Enterprises, Inc., will honor its founder, Dr. James William Robert Teamer.

For 60 years, Dr. Teamer's Christian ministry has enriched the lives of thousands through the Teamer Religious and Educational Enterprises, Inc., made up of Teamer Schools of Education, Teamer High School, Teamer School of Religion, and the Cosmopolitan Church.

Dr. Teamer and his partner in life and ministry, Julia Ann McKnight Teamer, have met in full measure the motto of the Enterprises: "Meeting Community Needs—Mentally, Physically, Socially, Spiritually."

We are all honored by their distinguished and dedicated service.

I call Dr. Teamer to your attention, Mr. Speaker, because I believe him to be a model for all Americans to emulate.●

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A TRIBUTE TO BILL NOLEN

HON. KENNETH J. GRAY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. GRAY of Illinois. Mr. Speaker, I rise today to pay tribute to Bill Nolen, a professional investigator on the House Public Works and Transportation Committee for 13 years, a member of my congressional staff prior to that and a key adviser over the years. I ask my colleagues to join me in honoring Mr. Nolen, who has been selected to serve as executive director of Southern Illinois Inc.

Southern Illinois Inc. is a distinguished group of business leaders and educators who are dedicated to economic growth of the area. Considering its dedication and the value of its services, I would suggest that our loss of Mr. Nolen's services is Southern Illinois' gain. He will bring 20 years of experience on Capitol Hill as well as a wealth of knowledge and professional know-how to the job.

Originally from my hometown, West Frankfort, IL, Mr. Nolen's selection will provide a boost to the potential of this organization at an advantageous time when we have economic development momentum going.

It is my honor to join with my colleagues in saluting this remarkable individual for his long and valued service in Congress. I am sure we can continue to count on him as a talented resource in his new capacity.●

HAZARDOUS MATERIALS AND COMMUNITY SAFETY

HON. ROBERT E. WISE, JR.

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. WISE. Mr. Speaker, the tragedy in Bhopal, India, has turned our attention to the operational safety of the chemical industry in the United States. Although particular attention has been focused on the Union Carbide plant in Institute, WV, this is a national problem that must be addressed. I consider Institute and the surrounding Kanawha Valley, which is my congressional district, to be a potential example for every American community on how to operate a safe chemical industry.

The chemical industry is vital to our Nation's economy and standard of living. We must understand that if we are to live in a modern world that requires and demands chemicals to maintain this standard of living, we have a responsibility to see that they are produced and handled safely. We also have a responsibility to our communities where these chemical companies are located. To protect these communities, I have today introduced two bills.

The Hazardous Materials Manufacturing Safety Act of 1985 includes a comprehensive community right-to-know section. This legislation requires that certain information on hazardous substances being used and stored in or near the community be made available to the public.

My recent experience in working with emergency evacuation planning in the Kanawha Valley indicates that it is essential that the local, county, State, and Federal officials in cooperation with the communities, fire departments, and the chemical companies, be responsible for developing emergency evacuation plans. The primary responsibility should not rest with the chemical companies. In this regard, I have included a provision that would expand FEMA's current responsibility for training State and local officials to cope with hazardous materials incidents.

My second bill, the Hazardous Air Pollutants Amendments of 1985, seeks to control the release of toxic air pollutants. Laws to regulate these releases are woefully inadequate. This legislation will strengthen EPA's mandate to control these toxic air pollutants and provide assurances to the local communities that the Federal Government is taking an active role to protect their health and welfare.

I will be contacting my colleagues in the days and weeks ahead about my legislation, and it is my hope that they will join me in moving ahead on this important issue.●

PATROLMAN WILLIAM WURST REMEMBERED

HON. H. JAMES SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 21, 1985

● Mr. SAXTON. Mr. Speaker, I rise today to speak in honor of William Wurst, a Hainesport, NJ, policeman who was slain in the line of duty, and to commend those citizens in the community who have been working hard to raise contributions for the William Wurst Scholarship Fund.

Partrolman Wurst, who was known simply as "Bill" to his many friends and fellow officers, was answering a call in neighboring Mount Holly on Good Friday, March 28, 1975, when he was struck down by a sniper's bullet. Before the sniper was apprehended several hours later, two officers, including Bill, had been killed, and a third officer suffered a gunshot wound which left him partially paralyzed.

As I speak, we are approaching the 10th anniversary of that tragic day when Bill and Mount Holly Patrolman Donald Aleshire gave their lives protecting others. The third officer, Mount Holly Patrolman John Homes, continues to know the tragedy of that occasion, as his wound left him confined to a wheelchair.

At the time of his death, Bill was only 24 years of age, a veteran of military service in Vietnam, and an Eagle Scout who also received the coveted God and Country Award. More importantly, he is remembered as an outstanding citizen, and a good friend to all those who had the pleasure to meet and know him.

The events of Good Friday 1975, when a quiet, pleasant spring day was interrupted by gunfire, will be long remembered by the citizens of Mount Holly and nearby communities. But it is more important that we remember the names and faces of those most affected.

Mr. Speaker, no one is more concerned about this than those who loved Bill, and cherished his friendship and sense of humor. Friends and acquaintances have volunteered time, effort, and other personal resources to raise funds for the William Wurst Scholarship Fund, the proceeds of which will go toward deserving Hainesport Township students.

These individuals deserve much praise for their concern and dedication. Through their efforts, the scholarship fund will long stand as a lasting tribute to a fine young man.●