

## EXTENSIONS OF REMARKS

WE NEED A SELECT COMMITTEE  
ON WATER RESOURCES

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. WHITEHURST. Mr. Speaker, in 1979, I introduced a resolution calling for the establishment of an ad hoc committee on water resources. At that time, the resolution gained a number of cosponsors, but was never acted upon.

The problems of water supply have by no means lessened since that time, and indeed, in many areas of our country they have become even worse. For this reason, I am introducing today a resolution to establish a select committee, to be known as the Select Committee on Water Resources, which I hope will take steps to ensure a wise and viable long-range plan to provide an adequate water supply for future generations.

This is a national issue, not a State or local one, and I hope that we will not wait too much longer to deal with it. I am taking the liberty of sharing with my colleagues at this point in the RECORD the statements which I made in October 1979. At that time, I said that we are an "11th hour" Nation. I think it is not overstating the case to say that we are now moving closer to 5 minutes to 12.

The statements follow:

[From the CONGRESSIONAL RECORD, Oct. 12, 1979]

## WATER CRISIS EXPECTED

Mr. WHITEHURST. Mr. Speaker, for some time I have been telling my constituents that we may well be facing a water crisis before the end of this century. The editorial from the Friday, October 12, 1979, edition of the Washington Post makes as cogent a statement on this issue as I have yet seen, and I am taking this opportunity to share it with my colleagues. It seems to me that we in the Congress have the responsibility to make every effort to anticipate the seriousness of the problem and deal with it before it actually reaches crisis proportions.

We have always been an "11th-hour" Nation—I recall so well, for example, that the great majority of my history students always wrote their book reports and term papers the night before they were due—and we have always had great resourcefulness on our side when the crunch came, whether it be Sputnik, synthetic rubber, or even World War II. Indeed, Bismarck once said that there is a special providence that favors fools, small children, and the United States of America. However, we cannot expect that happy situation to last forever, and we would do well to let our present energy woes serve as a warning; I think we will make it this time, but let us try to be

better prepared before the water crisis strikes—that way, it will not need to reach crisis proportions.

The article follows:

## WATER SHORTAGE EVERYWHERE

Why is water scarce and growing scarcer, approaching the status of a genuine shortage? In large part because we waste it. Anyone who has ever visited Los Angeles, for example, knows that the leaf rake is an endangered species there—these days leaves are blown off lawns and driveways with a spray hose. That's called progress. But agriculture is the truly big waster: the General Accounting Office recently concluded that at least half of the water used for irrigation in this country is wasted.

And why does wasting water come so easy? In large part because of billion-dollar federal subsidies that provide water for irrigation at a fraction of its real cost. A utility in Utah, for example, recently paid \$1,750 per acre-foot of water while not far away, in California's San Joaquin valley, farmers were paying less than \$10. In addition, there is increasing concentration of growth in areas where water supplies are lowest—in the Sun Belt. Many of these booming cities, like Phoenix, for example, have been built on non-renewable supplies of ground water. Phoenix prides itself on having "made the desert bloom," but the price is a water table that has dropped 400 feet and more. With a measly 10 inches of annual rainfall, Arizona ranks among the top 10 states in per-capita water consumption.

In the East, where flooded basements are more common than falling water tables, a less familiar type of shortage may be developing. This is not an absolute shortage, but a shortage of usable water: water that is, in the vernacular of the trade, "fishable and swimmable." Some years ago Congress decided to try to reach that goal—fishable and swimmable—for the nation's waters by 1983. It won't be met, though not for want of trying. The construction of waste-water treatments facilities is now the nation's largest public works project, outdistancing even the pork-barrel dams and various Corps of Engineers boondoggles. But despite the nearly \$30 billion in federal money that has been spent, the goal of clean water keeps receding. And the list of hazardous substances that should be removed from water to ensure safety grows.

The chairman of one congressional committee on water resources said the other day that "if we don't do something," the water shortage could make the energy crisis look like "a pink tea party." But there doesn't have to be a national water crisis. The country has about as much water available as it ever had—about 600 billion gallons per day. It is simply being used faster than it can be replenished. And since part of the reason is the price, which has been held by federal policy way below water's real value, and part the wasteful practices for which there are many technological alternatives, the similarities to past mistakes with oil and gas should be too obvious to ignore.

[From the CONGRESSIONAL RECORD, Oct. 24, 1979]

## ENOUGH WATER?

Mr. WHITEHURST. Mr. Speaker, a crisis looms on the horizon that threatens to make our present energy difficulties pale by comparison. And, as in the case of energy, this possible crisis involves a potential shortage of a valuable national resource—water.

I do not want to sound like an alarmist but I am deeply concerned about the future prospects of water availability in this country. It has been estimated that 1980 demands on national water resources will nearly double those of 1954, and that by the year 2000 demands will triple those experienced in 1954. And by the turn of the century, it is estimated that 85 percent of our country's population will live in urban centers.

While there are many concomitant concerns associated with such a dramatic shift in population, of primary concern should be how we are going to provide these vast concentrations of people with water. I underscore this point with the knowledge of predictions that much of this growth is projected to occur in cities located in semiarid regions of the West, many of which are built on nonrenewable supplies of water.

While it is true that from a national perspective there is sufficient water to meet our Nation's needs for some years to come, a region-by-region breakdown indicates serious supply problems ahead for many areas. Indeed, such supply problems exist or are anticipated in southern California, the Great Basin, the Lower Colorado, the Rio Grande, the High Plains of Texas, and the southcentral portion of the Missouri River Basin.

Many of these same areas are rich in coal and oil shale and are being counted on to be centers of energy conversion processes, which require large quantities of water. In large measure, then, our Nation's commitment to become more energy independent of foreign oil suppliers is directly tied to our success or failure to better manage, develop and conserve our water resource. And, while many Federal agencies and congressional committees are involved in some aspect of the water resources issue, I believe our Nation's effort is too fragmented.

Indeed, I believe President Carter recognized this when he presented his Federal water policy directives on July 12, 1978, one of which called for improved planning and evaluation of Federal water resources programs and projects. The responsibility for carrying out the President's directives was given to 19 Federal interagency task forces with the Secretary of the Interior charged with oversight. I think, however, that the Congress must play a more visible role and assert itself more in this critical area. That is why I have introduced House Resolution 445 to establish an ad hoc committee on water resources. This committee would consider and report to the House on any bill, resolution, or message or communication from the executive branch on any matter dealing with water resources for this Nation.

It is my hope that one of the first steps taken by this body would be to give serious consideration to the establishment of a select committee charged with the responsibility of insuring a wise and viable long-range plan to provide an adequate water supply for future generations. We simply must grasp the severity of the problem now not wait until the 11th hour until we are handcuffed and panicked into action as we have been in the case of energy. Let us open our eyes and survey the present situation. Let us recognize our responsibility. Already water use approaches or exceeds the dependable supply in some cities, and there are potential shortages in other areas once believed blessed with inexhaustible supplies.

It was not too long ago that we once believed our oil supply would never run short. The parallels of energy and water are many. It has been a painful lesson for many of us, but I believe we realize the value of a gallon of gasoline and the importance of deriving every drop of energy from it. But I cannot say this is true for water. Americans simply do not appreciate the value of water and the importance of using it wisely. Not long ago, the General Accounting Office reported that nearly half of the water used in this country for irrigation purposes is wasted. This trend must be stopped and stopped now. Just as we have reached the end of an era of cheap energy, so too is the era of cheap water nearing an end.

Indications of a pending water crisis abound. In many areas of the country where municipalities rely heavily on ground water supplies, there is a clearly established pattern of diminishing returns as the water is removed at a faster rate than it is replaced. This not only lowers the water table in those areas but also can result in salt-water intrusion into our freshwater supplies and reduce flows of surface water that we so casually inject a seemingly endless array of pollutants.

Even in parts of the country with seemingly abundant supplies of water, antiquated distribution systems may result in a city losing up to half of its water supply through old pipes and water main breaks. In 1977 the Pennsylvania Gas and Water Co. reported "unaccounted for water" rates of 35 percent of its Wilkes-Barre service area and 46 percent for Scranton service area. Similar unaccounted-for water statistics have been compiled in other cities, including Boston and New York.

I want to direct your attention to a few specific cities caught in the throes of planning for water scarcity.

In El Paso, Tex., a growing city of more than 322,000, the average annual rainfall is a paltry 8 inches. Like other southwest cities, El Paso gets 90 percent of its water from ground water sources. But current withdrawals are occurring at a rate of 10 times faster than the water is being replaced; and at a time when El Paso's water needs are increasing rapidly.

In Boston, the demand for water already exceeds the dependable supply. The Army Corps of Engineers has identified the Boston area as having a critical supply problem. The Metropolitan District Commission is the major water supplier in the State, providing water to about 2.3 million persons in Boston and about 40 other cities and towns. The dependable supply of the commission's system is 300 million gallons per day. The average daily use in 1976 was 317 million gallons per day. A 1977 Army Corps of Engineers report projected that the commission would need a dependable supply of 441 million gallons per day by 1990.

In my district of Norfolk and Virginia Beach, Va., studies show that average daily demand will exceed the system's dependable yield of water by the late 1980's. In Virginia Beach, a city whose economy is underpinned by the tourist dollar, spot water shortages already have occurred during the tourist season during periods of heavy consumption. Although Norfolk does not project a significant increase in population by 2000, Virginia Beach—the fastest growing city on the east coast and which receives its water from Norfolk—is expected to have a population of 359,000 by that time. At present, my district is engaged in a desperate struggle to locate future water supplies and wrestling with the delicate issue of an inter-basin transfer of water.

In conclusion, I implore you not to look away from this issue, for it begs our attention as energy did in 1973. The battle for water rights in this country promises to intensify on all fronts. It is an issue that will not soon be resolved. ●

#### A BILL TO DISCOURAGE U.S. CORPORATIONS FROM USING FOREIGN TAX HAVENS

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. TRAFICANT. Mr. Speaker, enough it enough. Too often, we have seen this country allow itself to be trounced in international trade circles and be taken advantage of by foreign countries who use America's tax loopholes against us to lure U.S. manufacturing plants overseas.

It is utterly amazing that every year, the U.S. Government allows American-based corporations to develop technology and manufacturing processes here, then suddenly—many times without prior notice—pack up their manufacturing plants, layoff workers, and move the production abroad. Only to resell the products made back in the U.S. markets. The motivation of moving overseas? The tax-free incentives corporations can take advantage of in many developing Third World countries.

As I have stated, under the existing law, the income of these corporations operating abroad is generally not subject to current U.S. taxation. To address this loophole, I have introduced the following bill that will discourage U.S. corporations from developing technology in the United States and then transporting the manufacturing operation overseas in order to take advantage of tax breaks and lower labor costs.

Enactment of the taxation of foreign controlled manufacturing corporations would eliminate the tax advantages which some U.S. companies can obtain by investing in countries offering tax holidays, or by investing in manufacturing facilities in countries with low tax rates where a significant portion of their products are intended

for the U.S. market. Simply, the intent of this legislation is to discourage tax-motivated foreign investment.

This bill will add new rules to the Internal Revenue Code to require current U.S. taxation of earnings and profits of controlled foreign manufacturing corporations which benefit from tax holidays or constitute runaway plants. The new rules will provide that a U.S. shareholder of a controlled foreign manufacturing corporation will be treated as having received his pro rata share of the corporation's earnings and profits for a taxable year if the corporation is considered a "foreign tax haven manufacturing corporation" by definition. This is accomplished by incorporating the new rules into the existing subpart F of the Internal Revenue Code.

The revenue received from the taxes imposed will be directed two ways: 75 percent of this revenue will be used to reduce the public debt and the historical Federal deficit exclusively; 25 percent will provide assistance to economically depressed areas through the newly created economic assistance trust fund.

I urge my colleagues to review this legislation and join me in sponsorship.

H.R. —

A bill to discourage domestic corporations from establishing foreign manufacturing subsidiaries in order to avoid Federal taxes by including in gross income of United States shareholders in foreign corporations the retained earnings of any such subsidiary which are attributable to manufacturing operations in runaway plants or tax havens, to provide that revenue from taxes imposed on such income shall be used to reduce the public debt and provide assistance to economically depressed areas, 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. INCOME FROM RUNAWAY PLANTS OR FROM MANUFACTURING OPERATIONS LOCATED IN A COUNTRY WHICH PROVIDES A TAX HOLIDAY INCLUDED IN SUBPART F INCOME.

(a) FOREIGN BASE COMPANY MANUFACTURING RELATED INCOME ADDED TO CURRENTLY TAXED AMOUNTS.—Subsection (a) of section 954 of the Internal Revenue of 1954 (defining foreign base company income) is amended by adding at the end thereof the following new paragraph:

"(6) the foreign base company manufacturing related income for the taxable year (determined under subsection (1) and reduced as provided in subsection (b)(5))."

(b) DEFINITION OF FOREIGN BASE COMPANY MANUFACTURING RELATED INCOME.—Section 954 of such Code is amended by adding at the end thereof the following new subsection:

"(1) FOREIGN BASE COMPANY MANUFACTURING RELATED INCOME.—

"(1) IN GENERAL.—For purposes of this section, the term 'foreign base company manufacturing related income' means income (whether in the form of profits, commissions, fees, or otherwise) derived in connection with the manufacture for or sale to any person of personal property by the con-

trolled foreign corporation where the property sold was manufactured by the controlled foreign corporation in any country other than the United States if such property or any component of such property was manufactured—

"(A) in a tax holiday plant, or

"(B) in a runaway plant.

"(2) OTHER DEFINITIONS; SPECIAL RULES.—For purposes of this subsection—

"(A) TAX HOLIDAY PLANT DEFINED.—The term 'tax holiday plant' means any facility—

"(i) operated by the controlled foreign corporation in connection with the manufacture of personal property, and

"(ii) with respect to which any economic benefit under any tax law of the country in which such facility is located accrued—

"(I) to such corporation,

"(II) for the purpose of providing an incentive to such corporation to establish, maintain, or expand such facility, and

"(III) for the taxable year of such corporation during which the personal property referred to in paragraph (1) was manufactured.

"(B) RUNAWAY PLANT DEFINED.—The term 'runaway plant' means any facility—

"(i) for the manufacture of personal property of which not less than 25 percent is used, consumed, or otherwise disposed of in the United States, and

"(ii) which is established or maintained by the controlled foreign corporation in a country in which the effective tax rate imposed by such country on the corporation is less than 80 percent of the effective tax rate which would be imposed on such corporation under this title.

"(C) ECONOMIC BENEFIT UNDER ANY TAX LAW DEFINED.—The term 'economic benefit under any tax law' includes—

"(i) any exclusion or deduction of any amount from gross income derived in connection with—

"(I) the operation of any manufacturing facility, or

"(II) the manufacture or sale of any personal property,

which would otherwise be subject to tax under the law of such country;

"(ii) any reduction in the rate of any tax which would otherwise be imposed under the laws of such country with respect to any facility or property referred to in clause (i) (including any ad valorem tax or excise tax with respect to such property);

"(iii) any credit against any tax which would otherwise be assessed against any such facility or property or any income derived in connection with the operation of any such facility or the manufacture or sale of any such property; and

"(iv) any abatement of any amount of tax otherwise due and any other reduction in the actual amount of tax paid to such country.

"(D) MANUFACTURE DEFINED.—The term 'manufacture' or 'manufacturing' includes any production, processing, assembling, or finishing of any personal property or any component of property not yet assembled and any packaging, handling, or other activity incidental to the shipment or delivery of such property to any buyer.

"(E) CORPORATION INCLUDES ANY RELATED PERSON.—The term 'controlled foreign corporation' includes any related person with respect to such corporation.

"(F) SPECIAL RULE FOR DETERMINING WHICH TAXABLE YEAR AN ECONOMIC BENEFIT WAS OBTAINED.—An economic benefit under any tax law shall be treated as having accrued in the

taxable year of the controlled foreign corporation in which such corporation actually obtained the benefit, notwithstanding the fact that such benefit may have been allowable for any preceding or succeeding taxable year and was carried forward or back, for any reason, to the taxable year.

"(3) LIMITATION ON APPLICATION OF PARAGRAPH (1) IN CERTAIN CASES.—For purposes of this section—

"(A) IN GENERAL.—The term 'foreign base company manufacturing related income' shall not include any income of a controlled foreign corporation from the manufacture or sale of personal property if—

"(i) such corporation is not a corporation significantly engaged in manufacturing,

"(ii) the investment in the expansion of an existing facility which gave rise to a tax holiday for such facility was not a substantial investment, or

"(iii) the personal property was used, consumed, or otherwise disposed of in the country in which such property was manufactured.

"(B) CORPORATION SIGNIFICANTLY ENGAGED IN MANUFACTURING DEFINED.—

"(i) GENERAL RULE.—A corporation shall be deemed to be significantly engaged in manufacturing if the value of real property and other capital assets owned or controlled by the corporation and dedicated to manufacturing operations is more than 10 percent of the total value of all real property and other capital assets owned or controlled by such corporation.

"(ii) SPECIAL RULE FOR ASSESSING PROPERTY VALUE.—The value of any property owned by the corporation is the basis of such corporation in such property. The basis of the corporation in any property which was acquired other than by purchase shall be the fair market value of such property at the time of such acquisition. Any property controlled but not owned by such corporation under any lease (or any other instrument which gives such corporation any right of use or occupancy with respect to such property) shall be treated as property acquired other than by purchase in the manner provided in the preceding sentence.

"(C) SUBSTANTIAL INVESTMENT DEFINED.—The term 'substantial investment' means any amount which—

"(i) was added to the capital account for an existing facility during the 3-year period ending on the last day of any taxable year with respect to which such facility is a tax holiday plant, and

"(ii) caused the sum of all amounts added to such account during such period to exceed 20 percent of the total value of such facility (determined in the manner provided in subparagraph (B)(ii)) on the first day of such period."

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) The last sentence of subsection (b)(4) of such section 954 is amended by striking out "subsection (a)(5)." and by inserting in lieu thereof "subsection (a)(5) or foreign base company manufacturing related income described in subsection (a)(6)."

(2) Subsection (b)(5) of such section 954 is amended by striking out "and the foreign base company oil related income" and by inserting in lieu thereof "the foreign base company oil related income, and the foreign base company manufacturing related income".

(3) Subsection (b) of such section 954 is amended by inserting at the end thereof the following new paragraph:

"(9) FOREIGN BASE COMPANY MANUFACTURING RELATED INCOME NOT TREATED AS ANOTHER

KIND OF BASE COMPANY INCOME.—Income of a corporation which is foreign base company manufacturing related income shall not be treated as foreign base company income of such corporation under any paragraph of subsection (a) other than paragraph (6)."

(d) CLERICAL AMENDMENTS.—

(1) Paragraph (4) of subsection (a) of such section 954 is amended by striking out "and" at the end thereof.

(2) Paragraph (5) of such subsection (a) is amended by inserting "and" after the comma at the end thereof.

(e) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section shall apply to taxable years of foreign corporations beginning after December 31, 1984, and to taxable years of United States shareholders in which, or with which, such taxable years of foreign corporations end.

(2) INVESTMENTS BEFORE THE DATE OF ENACTMENT NOT TAKEN INTO ACCOUNT.—No facility of a foreign controlled corporation shall be treated as a tax holiday plant (within the meaning of section 954(i)(2)(A) of such Code, as amended by this section) or as a runaway plant (within the meaning of section 954(i)(2)(B) of such Code, as amended by this section) on the basis of any amount paid or incurred with respect to such facility and added to the capital account for such facility before the date of the enactment of this Act.

SEC. 2. REVENUE ATTRIBUTABLE TO SECTION 1 AMENDMENTS TO BE USED TO REDUCE PUBLIC DEBT AND PROVIDE ASSISTANCE TO ECONOMICALLY DEPRESSED AREAS.

(a) 75 PERCENT OF REVENUE TRANSFERRED TO REDUCE PUBLIC DEBT.—The Secretary of the Treasury shall transfer to the account in the Treasury described in section 3113(d) of title 31, United States Code (relating to account resulting from gifts to the United States to retire Government obligations) amounts equivalent to 75 percent of the amounts received in the Treasury which the Secretary of the Treasury determines to be attributable to taxes imposed under the Internal Revenue Code of 1954 on foreign base company manufacturing related income (as defined in section 954(i) of such Internal Revenue Code). Rules similar to the rules contained in section 9601 of such Code (relating to transfer of amounts) shall apply to the transfers required under this subsection.

(b) ECONOMIC ASSISTANCE TRUST FUND ESTABLISHED; 25 PERCENT OF REVENUE TRANSFERRED TO TRUST FUND.—Subchapter A of chapter 98 of such Code (relating to establishment of trust funds) is amended by adding at the end thereof the following new section:

"SEC. 9505. ECONOMIC ASSISTANCE TRUST FUND.

"(a) CREATION OF TRUST FUND.—There is hereby established in the Treasury of the United States a trust fund to be known as the 'Economic Assistance Trust Fund', consisting of such amounts as may be transferred or credited to the Economic Assistance Trust Fund under this section or section 9602(b).

"(b) TRANSFER TO ECONOMIC ASSISTANCE TRUST FUND.—The Secretary shall transfer to the Economic Assistance Trust Fund amounts equivalent to 25 percent of amounts received in the Treasury which the Secretary determines to be attributable to taxes imposed under the Internal Revenue Code of 1954 on foreign base company manufacturing related income (as defined in section 954(i) of such Code).

"(c) EXPENDITURES FROM ECONOMIC ASSISTANCE TRUST FUND.—

"(1) GENERAL RULE.—Amounts in the Economic Assistance Trust Fund shall be available, as provided in appropriation Acts, for providing economic assistance in economically depressed areas.

"(2) "ECONOMICALLY DEPRESSED AREA DEFINED.—For purposes of this section, the term 'economically depressed area' means any area which is either—

"(A) a qualified census tract (as defined in section 103A(k)(2)), or

"(B) an area of chronic economic distress (as defined in section 103A(k)(2))."

(c) CLERICAL AMENDMENT.—The table of sections for subchapter A of chapter 98 is amended by adding at the end thereof the following new item:

"Sec. 9505. Economic Assistance Trust Fund."

(d) EFFECTIVE DATE.—The amendments made by this Act shall apply with respect to taxable years beginning after December 31, 1984.●

#### MY PLEDGE TO AMERICA

**HON. WILLIAM F. CLINGER, JR.**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. CLINGER. Mr. Speaker, I would like to take this opportunity to share with my colleagues an essay written by Miss Carrie Hooper, a constituent from my congressional district. Miss Hooper is a member of the senior class at Cameron County High School in Emporium, PA.

Miss Hooper's well-written and patriotic essay entitled, "My Pledge to America," captured first place honors in a writing contest sponsored by the Cameron County Veterans of Foreign Wars [VFW]. I applaud the VFW for holding this worthwhile contest and I congratulate Carrie for her efforts in providing us with such an inspirational message.

#### MY PLEDGE TO AMERICA

A pledge is a promise and should not be taken lightly, especially if it is a pledge to your country. My first pledge to America is to stand behind her in all she does and to give her my support. Without my devotion, she falters. It has been said that a house divided against itself will not stand. I realize how true this is. This has been proven by the fallen civilizations in the past. What other country offers me more than America? None can compare to her. I can criticize the way my government is doing something and not live in fear of being imprisoned or killed for it. I am free to decide what career I will pursue. Just because a person is a woman, that doesn't mean she must stay at home and be a housewife. She is free to go into any field of work she wishes. I am also free to decide what religion I will follow. If the presiding President is of X denomination, that doesn't mean that I have to be of X denomination. I can be assured that I will not be persecuted by my Government for believing in God. I do not have to denounce my faith in God.

Second, I promise to vote as long as I am able to in every election held. America gives

me the privilege to help decide what President will guide me. I realize so many people in other countries would love to have the chance to have a voice in their government so I will not throw away this honor. America gives me so much that the least I can do is take advantage of what she offers me.

Third, I pledge to America to use any talents I may have to enrich her. It is my duty and honor to help make her the best possible place in which to live. I would be glad to be given the chance to enhance her. She allows me to receive the best education regardless of my gender, so I will, in turn, give back what she has given me.

Last, I pledge my life to America. If she should ever again become involved in a conflict with another country, I promise my loyalty and to be here ever waiting her call. I will not question why or try to beg out of my mission. I have faith in my country to know that she will not lead me astray. If she believes justice needs to be done somewhere, I will believe it also. America believes in freedom, just as I do. I love America and I will do everything within my power to preserve her. Therefore, I will pledge my life, my talents, my loyalty, and my faith so that America will stand for eternity.●

#### THE TROUBLE WITH RAILROADS: WE'VE GOT THE CURE

**HON. NICK JOE RAHALL II**

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. RAHALL. Mr. Speaker, many of us in the Congress are beginning to hear from concerned constituents on matters relating to the railroad industry. One item which is receiving attention involves the manner in which the Interstate Commerce Commission is implementing the Staggers Rail Act of 1980.

In short, there is concern that the Commission, by determining that the Nation's Class I railroads are all revenue inadequate, has increased the likelihood for some very real abuses of market power which will lead to unreasonable rates on traffic with no viable transportation alternative other than a single railroad.

As this was never the intent of Congress when enacting the Staggers Rail Act, legislation has been introduced to provide a remedy which seeks to restore consideration of the plight of captive shippers, and ultimately the consumer, in the ICC's railroad rate-making process.

The proposal to sell financially profitable Conrail to another healthy railroad, the Norfolk Southern, shows that being branded as a revenue inadequate corporation by the ICC certainly does not adversely impact a railroad's ability to generate cash and profit.

And of course, the Nation's railroads for obvious reasons should and must be financially healthy. Yet, the method used to determine railroad revenue adequacy by the Commission has deep-seated flaws and is inherent-

ly unfair in that the consumer, through captive shippers, ends up subsidizing a system slanted toward allowing unreasonable rates to be levied on traffic where transportation competition simply does not exist.

In effect, a monopoly exists on this traffic and maintaining a system by which captive shippers can seek redress from unreasonable railroad rates is proper, in the public interest and was provided for under the Staggers Rail Act.

However, through a number of proceedings and proposals, the ICC has ignored congressional intent that captive shippers be protected from being unfairly charged for rail service. While the act sought to balance the revenue needs of the railroads with the established public interest in seeing that unreasonable rates are not imposed on captive traffic, the former is being achieved with little consideration to the latter. The Commission—under the formula it has advanced to make market dominance, revenue adequacy and ultimately, maximum rate reasonableness determinations—has subverted the balance worked by the Congress.

The effort to amend the Staggers Rail Act is simply intended to restore this balance. Administrative consideration of this problem has met with little success. Litigation continues but has produced a view that congressional intent must be more clearly established in the law.

The "Consumer Rail Equity Act," H.R. 1190, represents a legislative remedy that is fine-tuning in scope. This moderate proposal has the backing of a number of our colleagues from across the Nation and consumer groups, labor and shippers are rallying behind the measure.

This, then, is what the trouble is with railroad transportation today as defined by that transportation which is not being moved under contract and which is captive to a single railroad. Following is a brief description of H.R. 1190. Its main sponsors—BILLY TAUZIN, HAL ROGERS and myself—stand ready to assist our colleagues in their deliberations of this bill.

#### SUMMARY.—CONSUMER RAIL EQUITY ACT

##### I. INTRODUCTION AND OVERVIEW

This bill would retain the basic structure of existing law. The Commission will continue to have jurisdiction over a rate only if it first finds the rail carrier has "market dominance." The bill would also continue the conclusive presumption that market dominance can exist only if the rate is in excess of the jurisdictional threshold, currently 180 percent revenue-variable cost ratio. Contract rates would remain free from Commission jurisdiction.

The amendments made by the bill are summarized below.

#### II. MARKET DOMINANCE (SECTION 3 OF THE BILL)

(a) Amend to eliminate consideration of product and geographic competition.

(b) Add a provision that if shipper is served by a single rail facility, railroad is presumed market dominant unless it can show effective competition from other carriers or modes of transportation for the movement to which the challenged rate applies.

(c) Market dominance determination to be made in all cases within 90 days after initiation of rate reasonableness proceeding.

#### III. RATE REASONABLENESS (SECTION 4 OF THE BILL)

(a) Place burden on carrier to demonstrate the reasonableness of a challenged rate.

(b) Add a rate reasonableness standard: in order to approve a rate above fully allocated costs, Commission must find that the rate is no higher than it would be if the rail carrier, to the extent practicable, were to equitably allocate the burden of producing revenues necessary to achieve or maintain revenue adequacy to the challenged rate and all other rates above the jurisdictional threshold (i.e., its "captive traffic").

(c) Require Commission to make affirmative findings on the consistency of the rate with the national rail transportation policy and the Long-Cannon factors.

(d) Expand the element of the national rail transportation policy regarding the promotion of energy conservation to include as further objectives the reduction of reliance on foreign energy supplies, and encouraging the competitiveness of domestically produced agricultural commodities.

(e) Rail cost adjustment factor to reflect actual railroad costs and productivity improvements.

(f) Rail Form A accounting systems to remain in place until replaced by principles promulgated by Railroad Accounting Principles Board and implemented by Commission.

(g) Time limits on rail rate investigation proceedings to remain in effect; all other rail rate reasonableness proceedings to be concluded within twelve months.

#### IV. REVENUE ADEQUACY (SECTION 5 OF THE BILL)

(a) Add a provision that in making revenue adequacy determinations, Commission shall—

(1) identify revenues, expenses and investment base reasonably related to providing rail service,

(2) include in railroad investment base only railroad assets valued at straight-line depreciated original cost, and exclude deferred tax reserves, and

(3) determine cost of capital using actual cost of embedded debt and reasonable estimates of cost of equity.

(b) Any revenue adequacy determination shall include inquiry into and consideration of the Long-Cannon factors, several market-based indicators of the rail carrier's financial health, and the rail carrier's history and financing of mergers and acquisitions.

(c) Revenue adequacy determinations to be made annually, and to be opened to public participation, including the opportunity to specifically comment on data submitted by rail carriers.

#### V. EXEMPTIVE AUTHORITY (SECTION 6 OF THE BILL)

Exercise of the exemption authority is to be discretionary rather than mandatory, and Commission is prohibited from issuing an exemption if rail carrier has market dominance over the transportation involved.

#### VI. ENHANCEMENT OF COMPETITION (SECTION 7 OF THE BILL)

(a) Commission to require rail carriers to participate in competitive joint rates or publish proportional rates where necessary to achieve or maintain competition.

(b) Change discretionary authority in current law to mandatory direction that the Commission order use of terminal facilities and provide for reciprocal switching in any circumstance where such an order is found to be in the public interest or necessary to provide competitive rail service. If parties cannot agree on compensation, Commission to set compensation based on costs.

(c) Provide improved protection against cancellation of reciprocal switching.

#### VI. ABANDONMENTS (SECTION 8 OF THE BILL)

(a) Prohibit a railroad from applying to abandon a facility for which the ICC has refused an abandonment request unless one year has elapsed since the denial of the request has become final, or the railroad can show a material change of circumstances that would affect the abandonment of the facility.

(b) Require that upon protestants' request, the Commission provide an opportunity for a hearing on the proposed abandonment in the community or communities affected by the abandonment, unless Commission determines that such a hearing would be impractical or unnecessary.

(c) Require that the rail carrier proposing the abandonment submit, and the Commission base its decision upon, financial data based upon the operations of the facility proposed to be abandoned, rather than system-wide or industry-wide averages.

#### VIII. INTRASTATE RATES (SECTION 9 OF THE BILL)

Commission's review of a state agency decision on reasonableness of an intrastate rate is limited to an appellate review function, and any party to the state proceeding could seek review at ICC. Certification of state agencies is eliminated.

#### IX. TRANSITIONAL PROVISIONS (SECTION 10 OF THE BILL)

(a) Amendments to be made applicable to cases pending on February 20, 1985 at Commission or on judicial review.

(b) All rates deemed conclusively reasonable under Section 229 will remain free from challenge under these amendments, except any rate—

(1) not challenged under Section 229 of Staggers because a contract was in effect or entered into during the 180 day period,

(2) unsuccessfully challenged under Section 229, or

(3) the subject of a challenge under Section 229 which was terminated by entering into a contract.

(Contracts to remain in effect; challenge may be made only to underlying rate which would be applicable once a contract expired.)

### PESTICIDES USED IN FOOD PRODUCTION SHOULD BE SAFE

HON. JOHN F. SEIBERLING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. SEIBERLING. Mr. Speaker, today I am introducing legislation to prohibit the sale of pesticides and her-

bicides for agricultural production uses unless laboratory tests prove that the substances will not endanger human beings.

I am concerned that the use of dangerous pesticides and herbicides may pose serious health threats to consumers as well as to agricultural workers. Once these pesticides and herbicides enter the food chain, the long-term effects of these substances are largely unknown. We are also unsure to what extent these chemicals are contaminating our ground water. Because of these concerns, I think that pesticides and herbicides should not be used unless it is proven that they are unlikely to cause harm in human beings.

The ethylene dibromide [EDB] crisis demonstrated just how little we know about the long-term effects of pesticide use on food production. First marketed in 1948, EDB was used primarily as a fumigant for treating soil, stored grain, and boxed citrus fruit. It was approved for these uses because the then available detection technologies found no traces of the chemical in grain or fruit on which EDB had been used. However, studies in the mid-1970's indicated that EDB caused cancer in animals, and by 1980 improved detection technologies indicated that EDB residues might be present on grain and fruit and that EDB was probably leaching into ground water.

In 1977 EPA began an extensive review of the use of the chemical, but the agency did not suspend use of the pesticide during these studies. As soon as EPA learned of the cancer risks associated with EDB and that EDB residues were present in food and ground water, the pesticide should have been immediately pulled off the market. But EPA refused to ban the pesticide. By 1983, the EDB problem and EPA's lack of action caught the attention of the media. In December 1983, frustrated by EPA inaction on this matter, several States began ordering food products off grocery shelves because of EDB contamination. EPA procedures were totally inadequate to handle the crisis.

The EDB crisis demonstrated the gross inadequacies of our system of regulating pesticides and herbicides. Under the current system, when the dangers are unknown, the use of the pesticide or herbicide is automatically approved. The EDB crisis showed the folly of this approach. I think we should reverse the assumption, and not approve the use of any agricultural herbicide or pesticide unless adequate tests indicate that it is unlikely that it will endanger human beings.

Under our current regulatory framework, EPA has no idea whether certain pesticides or herbicides already in use are safe or if they are highly dangerous. The chemical manufacturers perform certain tests to determine the

safety of their own products. EPA is supposed to oversee the tests and their results, but the amount of information available is frighteningly small. The current law requires EPA to weigh the dangers and the supposed benefits of the use of each pesticide. However, it is very difficult to make this determination when so little is known about the long-term dangers of these chemicals.

It has been argued that reducing the availability of pesticides and herbicides will hurt farmers by curtailing farm production. However, to the extent that farmers are not forced by competition to buy pesticides and herbicides their costs will be lower. And to the extent that agricultural production is reduced, crop surpluses will be reduced or eliminated, thereby saving crop price support costs borne by the American taxpayer.

My bill would change the current regulatory structure to ensure that pesticides and herbicides used in agricultural production are truly safe. Under this legislation, before EPA could approve the use of any new agricultural pesticide or herbicide, the agency would be required to conduct tests within the agency to determine if the pesticide would endanger human beings. If the tests indicate that the pesticide or herbicide is likely to endanger human beings, it could not be approved. In determining if a pesticide or herbicide is likely to endanger humans, EPA should err on the side of caution and not approve any pesticides or herbicides if the probabilities are high that use of the substance will endanger human beings.

Reregistration of agricultural pesticides and herbicides already in use would also be prohibited unless appropriate testing, conducted by EPA, indicated that there would be no harmful effects on human beings. If this legislation were enacted, another crisis like the EDB crisis would be avoided. To encourage EPA to move quickly to conduct the proper tests, at the end of 3 years the legislation would revoke the registration of any agricultural pesticide or herbicide already in use which was not proven safe in appropriate laboratory tests conducted by EPA. Surely its time we acted to protect the public against the use of unsafe agricultural pesticides and herbicides. ●

#### MY PLEDGE TO AMERICA

### HON. ROBERT LINDSAY THOMAS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. THOMAS of Georgia. Mr. Speaker, the most powerful and important voices in our Nation do not belong to those of us in the Congress.

Or to those who are the leaders of the largest companies or the largest labor unions.

The most powerful and important voices in America belong to our young people. It is their voices that make up the chorus that will determine the future of this great land.

For some 37 years now, we have been listening to the youth of America through the "Voice of Democracy Scholarship Program." Since 1961, this outstanding program has been operated solely by the prestigious Veterans of Foreign Wars of the United States.

The VFW invites secondary school students from throughout the United States to compete for scholarships by submitting essays on themes of national importance. This year's subject was "My Pledge to America," and more than 300,000 students participated in the competition for some \$32,500 in scholarship money.

The winning essay in the State of Georgia was written this year by Mr. William Wright, a 17-year-old young man from Jesup, GA. I have the great honor of representing William in the Congress.

I know that William's own pride in this award is shared by his father, the Reverend R.G. Wright, his mother, Kathleen M. Wright, and his sisters, Mary Jane, Becky, and Suzie, along with all of the citizens of our district and our State.

It is my honor to submit William's essay for introduction into the CONGRESSIONAL RECORD at this point:

#### MY PLEDGE TO AMERICA

"I pledge allegiance, to the flag of the United States of America. . . ." For too many Americans those words are little more than part of a half-forgotten gradeschool ritual. "The Pledge" is seen as a casual courtesy to be tossed in the general direction of the United States flag at certain designated times. The simple, direct meaning of this promise to a flag and to a republic is too often overlooked.

During the Middle Ages, pledging allegiance was a serious matter, akin to proposing marriage or making out a will. A man who swore fealty—that is, pledged allegiance—to a liege lord reaped all of the benefits and privileges of his new station, but at the same time submitted himself completely to his superior. He would, therefore, have to do his best to serve the whole hierarchy or nobility. He would honor the King's policy, obey the King's laws, and fight the King's wars. His own property, his personal ambitions, and even his life might have to be sacrificed for the good of "King and country".

To us in the United States has come a heritage much more valuable than any baronial estate. Our land is blessed with liberty and prosperity beside which any other country's pale. Although we swear no allegiance to royalty or traditions, we should remember that our republic was bought with lives earnestly lived and freely relinquished by people who made a promise and kept it. The nation of America is made up of the lives of Americans; layer upon layer, cemented together by a bond of common purpose. Thousands have hoped and prayed and struggled

to build the society that we live in today, and thousands gave all that they had . . . for a promise.

Their promise is my pledge to America, too. Like theirs, it's much more than an oath of allegiance to our star-spangled banner, and to the republic for which it proudly stands. The flag itself is a mere symbol, a reflection of our American republic; and the republic, too is a reflection of something far greater.

Our flag has become a respected symbol throughout the world. Our government is the most successful democracy that has ever existed, a bold example for others to follow. Yet my pledge of allegiance is to something more honorable than a flag, and more powerful than government. My pledge is to the people of America. My pledge is to the people who worked for freedom, and who work to maintain it. My pledge is to the people who fought for freedom, and who stand ready to guard it. My pledge is to the heralds of liberty and the agents of justice. I pledge to use my life in an attempt to join that company of true Americans. I pledge allegiance to those that have gone before me and those that will accompany me.

These people are the ones who have earned our loyalty. From them we received our inheritance, our great republic and our noble flag. It is to them that my sworn allegiance goes, to all of those who have worked so long and hard to become . . . "one nation, under God, indivisible, with liberty and justice for all." ●

#### SPEND DOWN FOR MEDICALLY NEEDED UNDER MEDICAID

### HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. FRANK. Mr. Speaker, I introduced legislation today which corrects the unequal treatment of supplemental security income [SSI] related medically needy persons and SSI related categorically needy persons under the Social Security Act. This complex mosaic of Federal-State public assistance is best explained by the following example of a married couple now receiving about \$534 per month in Social Security benefits. The husband worked for 41 years as a longshoreman, bartender, hotel clerk, and clothing alteration checker and paid Social Security taxes during this period. As Social Security beneficiaries, the couple is not automatically eligible for Medicaid assistance. Many States under their Medicaid Program, require such a couple to pay their own medical bills, until they have spent down their income to a point where they have only \$400 a month available for non-medical expenses. At this point, the couple becomes eligible for Medicaid assistance.

SSI beneficiaries are not subject to a spend down before receiving Medicaid assistance. SSI recipients receive a basic monthly income of \$513, which is not based on tax contributions but is public assistance, and have their medi-

cal needs met by Medicaid. The different treatment results in the couple who paid Social Security taxes having \$100 less per month for food and other necessities, than an SSI recipient. My example of the couple is particularly ironic when it is considered, that if their income was less per month they would be eligible for SSI. The \$100 a month loss of income is significant to this couple, because the husband at 68 years of age has glaucoma and is a double amputee confined to a wheel chair. His twice monthly trips to the hospital by ambulance cost \$162 per trip. His medication costs are \$50 per month, which totaling all expenses make them medically needy.

The unfairness of the disparate treatment is acute when individuals who work long enough to receive Social Security must live on less than those who have paid little or no tax. My bill would correct this situation by requiring that income levels be the same for both SSI medically needy and SSI categorically needy. I invite my colleagues to join me in correcting this harsh treatment toward Social Security recipients with high medical expenses, who have as a result, less income for food and shelter than do SSI recipients.

H.R. —

A bill to amend title XIX of the Social Security Act to require that income levels for the supplemental security income-related medically needy are the same as those for the supplemental security income-related categorically needy

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1903(f)(1)(B)(i) of the Social Security Act (42 U.S.C. 1396b(f)(1)(B)(i)) is amended by inserting "the greater of (I) before "133 1/2 percent" and by inserting before the period at the end the following: "; or (II) in the case of individuals who, but for income, would be eligible to have supplemental security income payments made with respect to them under title XVI, 100 percent of the highest amount which would ordinarily be paid to such individuals, without any income or resources, in the form of money payments under such title (including any optional or mandatory State supplementary payment otherwise provided)".*

Sec. 2. Section 1902(a)(17) of the Social Security Act (42 U.S.C. 1396a(a)(17)) is amended by striking out "and" before "(D)" and by inserting before the semicolon at the end of clause (D) the following: ", and (E) provide that the income standard established for individuals who (but for income and resources) would be eligible to have supplemental security income payments made with respect to them under title XVI, shall be equal to 100 percent of the highest amount which would ordinarily be paid to such individuals, without any income or resources, in the form of money payments under such title (including any optional or mandatory State supplementary payment otherwise provided)".

Sec. 3. (a) The amendments made by this Act shall (except as provided in subsection (b)) apply to medical assistance furnished on or after October 1, 1981.

(b) In the case of a State plan for medical assistance under title XIX of the Social Security Act which the Secretary of Health and Human Services determines requires State legislation in order for the plan to meet the additional requirement imposed by the amendment made by section 2, the State plan shall not be regarded as failing to comply with the requirements of such title solely on the basis of its failure to meet this additional requirement before the first day of the first calendar year beginning after the close of the first regular session of the State legislature that begins after the date of the enactment of this Act. •

### THE COMPREHENSIVE NUTRITION ASSISTANCE ACT OF 1985

HON. MICKEY LELAND

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

• Mr. LELAND. Mr. Speaker, yesterday, I was joined by my colleagues, Representatives PANETTA, MORRISON of Connecticut, HAWKINS, BURTON of California, KILDEE, TRAXLER, GEJDENSON, WEISS, FAZIO, and YOUNG of Alaska. In introducing the Comprehensive Nutrition Assistance Act of 1985. We are submitting this legislation because of our belief that we cannot sit idle while the nutritional status of our citizens—our children, migrant farmworker families, native Americans and elderly—are allowed to run a course of steady decline.

The bill we submit today is not a dream bill promoting overnight overhaul of our domestic food assistance programs. Rather, we are presenting legislation which we feel proposes realistic improvements in these programs. It is a bill which can be supported in a bipartisan fashion and approved by a Congress that is concerned about the Federal budget, but is likewise concerned about the nutritional status of the needy people in this country. We are all in agreement that much more needs to be done. However, we are taking what we feel to be that vital first step in bringing about the changes that are necessary.

We do not know the anguish experienced by the head of a household who cannot provide adequate nourishment for his or her family. We do not know the frustration of not being able to feed our families at the end of the month. We do know that this anguish and frustration is attacking a growing number of our citizens. We do know that people are suffering because they lack the support necessary that assures the availability of adequate food on a consistent basis.

Mr. Speaker, we are confident that our bill can assist in alleviating hunger and in reducing the health consequences which occur in the absence of proper nutrition. We offer the enactment of no new programs, but seek to make modest restorations, building

upon and providing limited expansions in programs which have proven effective in addressing these problems.

To date, the bill has received the endorsement of: Bread for the World; United Church of Christ Office for Church in Society, Food Research and Action Center; American Baptist Churches of U.S.A.; Friends Committee on National Legislation; National Council of Churches of Christ in the U.S.A.; Episcopal Church Washington Office; U.S. Conference of Mayors; American Federation of State, County, and Municipal Employees; National Conference of Catholic Charities; Mennonite Central Committee U.S. Peace Section Washington Office; American School Food Service Association; American Public Welfare Association; Children's Defense Fund; Washington Office Presbyterian Church U.S.A.; Public Voice for Food and Health Policy; Community Nutrition Institute, Interfaith Action for Economic Justice; American Public Health Association; and National Council of Senior Citizens.

The following is a section-by-section summary of the bill:

#### THE COMPREHENSIVE NUTRITION ASSISTANCE ACT OF 1985

(1) Provisions from the School Lunch and Child Nutrition Amendments of 1985 (H.R. 7): H.R. 7 introduced by Chairman Hawkins on January 3, includes provisions of the School Lunch and Child Nutrition Amendments of 1984 as approved by the House last year. The Comprehensive Nutrition Assistance Act of 1985 includes the FY 86 authorization levels provided for in H.R. 7 for the WIC, School Breakfast, School Lunch, Summer Feeding, Child Care Food Program, and Nutrition Education and Training Programs.

(2) Migrant WIC Services: Reinstate special migrant grants to State WIC Agencies to insure that funds are available to migrants as they move from State to State. Recommend the expansion of the EIC Program to include migrant grants as 0.9 percent set aside. H.R. 7 authorizes WIC at \$1.7 billion for fiscal year 1986. To maintain current migrant caseload requires \$13.46 million. To increase migrant caseload in proportion to total WIC expansion would require a 10 percent increase—bringing the cost for migrant services to \$14.8 million or 0.9 percent of the total.

(3) Expanded Food Nutrition and Education Program (EFNEP): The program has been funded at \$60.35 million since fiscal year 1982. It is recommended that a set aside of \$70 million (within the Cooperative Extension Service authorization) be established for the continuation of EFNEP services. This level would allow EFNEP to expand its existing consumer and nutrition education services, with the funds over the current appropriation to be targeted to the areas with high rates of infant mortality or hunger-related disease.

(4) Food and nutrition projects for migrants and native Americans: Increase Community Food and Nutrition Program (CFNP) authorization level from \$2.5 million to \$3.5 million with no less than 25 percent of the funds being made available to organizations serving seasonal or migrant

farmworkers, giving priority to organizations which have governing boards composed of migrant or seasonal farmworkers; and Indian tribes and tribal organizations.

(5) Temporary Emergency Food Assistance Program (TEFAP): In fiscal years 1984 and 1985, this program was authorized at \$50 million to defray the cost of transporting and storing surplus commodities made available by USDA. It is recommended that this administrative assistance to State and local agencies be increased. Rural areas have reported a particular need for Federal assistance to local emergency food distributors. The additional funds should be targeted to areas which are presently unserved, with priority given to the poor rural areas.

(6) Expansion of Head Start Program: Head Start has been shown to be effective in improving the nutritional status of participating children and their families. It has been estimated by the Department of Health and Human Services that the Fiscal Year 1985 caseload will be 448,250. This increases the caseload to reach nearly 22 percent of the 2,050,000 income eligible preschoolers. It is recommended that the program be further expanded in Fiscal Year 86 to reach one-quarter of those who are income eligible, or 512,500 children.

(7) Reauthorize Commodity Supplemental Food Program for elderly feeding projects: In 1981 P.L. 97-98 authorized the institution of elderly feeding pilot projects for distribution of surplus commodities to help relieve chronic undernutrition among the elderly poor. Under the pilot projects (in Detroit, Michigan; Des Moines, Iowa; and New Orleans, Louisiana) nearly 15,000 senior citizens receive food packages which are tailored to individual dietary restrictions and preferences and valued at double the actual cost to the government. It is recommended that these CSFP projects be reauthorized.

(8) Food Stamp Program provisions: Increase earned income deduction from 18 percent to 20 percent; increase financial resources deduction from \$3,000 to \$3,500 for households with two or more persons, one of whom is age 60 or older, and from \$1,500 to \$2,250 for others; Separate Shelter and Dependent Care Deductions; raise shelter deduction cap to \$175 and dependent care deduction cap to \$160; Revise elderly medical deduction to \$35 or 5 percent of income, whichever is lower; Increase maximum Food Stamp allotment to 101 percent of Thrifty Food Plan; Permit States to operate an optional Monthly Reporting and Retrospective Budgeting system. ●

### A BLEAK VIEW OF AMERICA'S CHILDREN

**HON. WILLIAM LEHMAN**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. LEHMAN of Florida. Mr. Speaker, as chairman of the Prevention Strategies Task Force of the Select Committee on Children, Youth, and Families, I want to call to my colleagues' attention an excellent commentary on America's children entitled, "A Not-So-Bleak View of Our Kids," that appeared in the Washington Post last week.

The article's author, Lisbeth B. Schorr, as many will recall, was chair-

person of the Select Panel for the Promotion of Child Health, created in 1978 under the Department of Health and Human Services, to study and recommend to the Congress ways to improve child health. In 1980 the panel underscored the critical difference that public policy and effective programs can make in the lives of our children, especially those who are at high risk.

Schorr's article in the Post cites the impressive strides we have made in reducing the death rates in recent years for adolescents and young adults. Early education programs, improved and accessible health services, and a variety of family support programs have proven tremendously effective in bettering the life chances and circumstances of many vulnerable children and families.

As chairman of the Transportation Appropriations Subcommittee, I am also pleased that we have seen reductions in deaths on our highways because of tougher laws against drunk driving, other legislative changes and greater public education. That's the encouraging news.

The bad news is that there remain far too many children and young people whose current circumstances are bleak, and whose futures will be made more difficult as a result. They have yet to be part of any improving trends. In fact, we have learned that the life risks for many are on the increase again.

The Select Committee's Prevention Strategies Task Force has had an opportunity to see and document many interventions that work. Ms. Schorr's article further sets forth those issues clearly and with relevance to us all in the Congress.

I hope all my colleagues will read this article, and act on its message.

The article follows:

[From the Washington Post, Mar. 28, 1985]

#### A NOT-SO BLEAK VIEW OF OUR KIDS

(By Lisbeth B. Schorr)

America's young are dying at an accelerating rate, smashed up by car accidents, homicide, drugs and suicide. Right? Wrong. Death rates for adolescents and young adults have reached an all-time low.

The startling reversal in recent mortality trends for 15- to 24-year-olds goes unheralded in the popular press, as well as by academics, professionals and policy makers—perhaps because of an unwillingness to face up to the currently unfashionable idea that planned and concerted action can make a difference. The overall death rate for 15- to 24-year-olds, which stood at 106 per 100,000 in 1960, reached a high of 129 in 1969. It began falling fairly steadily during the 1970s, and had dropped to 96 by 1983.

The greatest single cause of mortality in this age group, motor vehicle accidents, peaked in 1969 and again in 1979; it has now dropped below the 1960 rate. Although the media reflect a contrary impression, even adolescent suicide rates have been going down slightly since 1979. Birth rates among school-age girls were at their highest in the

1950s; today they are well below the levels of 1960 and 1970. Every indicator of marijuana and alcohol use is down since 1979.

What caused this turnaround? We are not sure. But we can make educated guesses.

Two economic recessions and demographic changes—fewer young people at the specific ages with the highest accident risks—may have contributed to reducing auto accident rates. But deliberate social action also played an important part in each of the improved outcomes. Outraged parents, teachers and students established community programs and lobbied for legislative changes to combat drunk driving. The 55-mph speed limit and greater seat-belt use helped. Some school systems have adopted peer counseling, sex education and other programs. The availability of family planning services and legal abortions reduced the number of births to youngsters unprepared for the responsibilities of parenthood. Pre-school programs, more accessible health services and new kinds of family support programs have all helped to improve the odds that even high-risk children will grow into healthy and thriving adults.

The good news is that the trends are improving. The bad news is that an abysmally large number of youngsters continue to have poor outcomes, many are preventable. International comparisons provide some perspective. They show that young people in the United States still have five times the homicide rate of other industrialized countries. Only Romania and Hungary have higher teen-age fertility rates than the United States.

Many youngsters in our inner cities are still untouched by the forces that have improved the prospects of their more fortunate peers. Young black men remain victims of homicide at five times the rate of whites. Eight percent of 16- to 23-year olds, including 26 percent of blacks and 20 percent of Hispanics, score so low on achievement tests as to be ineligible for enlistment in the armed forces. And as recently as the end of 1984, 44 percent of young black men were still unemployed.

The picture is also bleak for disadvantaged younger children. The longstanding gap between black and white infant mortality continues and has increased in the past four years, especially in areas hardest hit by economic downturns and service cutbacks. Data assembled by the Child Health Outcomes Project of the University of North Carolina indicate that very young poor and minority children seem to be most vulnerable to current cutbacks in health and social services. Their deteriorating health status today may presage new downturns when they become adolescents.

The dramatic reversal we are witnessing today in the rates of adolescent death and damage makes clear that, as a society, we are not helpless. Carefully designed interventions can, and do, make a difference. ●

### THE REAGAN ADMINISTRATION'S ASSAULT ON OUR CITIES

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. RANGEL. Mr. Speaker, I rise to express my deep concern about the ad-

ministration's continuing war on our cities, and to ask that my colleagues oppose Ronald Reagan's budget cuts in housing and urban development.

Our cities need the Federal Government. They need Federal aid in housing, youth, and jobs programs, urban development, and block grants. The spirit of cooperation between Federal and city governments has been one of the most enduring accomplishments of the Great Society. We have seen the poor given a chance to rise up, the uneducated a chance to learn, and the unskilled a chance to learn a trade.

Urban problems have certainly not been resolved by this partnership, but many people have been given a helping hand who otherwise would have been left stranded. The Federal Government has helped out cities, notwithstanding Ronald Reagan's statements to the contrary.

Mr. Speaker, we must rededicate ourselves to aiding public housing and urban development. The administration would like to reduce housing aid from \$11 billion to \$5 billion, and eliminate urban development action grants. I find this to be absolutely unacceptable, especially considering the fact that tens of thousands of people are on waiting lists for admission to public housing projects. I am very concerned about the way Ronald Reagan has attempted to write off the needs of these people.

I will not rest until all of our citizens receive adequate housing and employment opportunities. UDAG must be restored to its former prominence if our cities are to survive. It is incumbent upon us to give our citizens a decent quality of life, and to continue the Federal-urban partnership. This is our duty, and our trust. ●

#### ALZHEIMER'S DISEASE

### HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. BILIRAKIS. Mr. Speaker, I am certain that we will all agree that recent years have witnessed an increase in the amount of public attention that Alzheimer's disease has received. I am very thankful that this has been the case, for there are few illnesses that are as traumatic and as devastating as Alzheimer's disease. This disease currently afflicts approximately 2.5 million Americans. Furthermore, the gradual aging of our population nationwide will, consequently, translate into an increase in the number of people who are afflicted by this illness inasmuch as it is largely a disease that strikes during the mid- to late-life years. Increased attention and research geared toward finding a cure are, therefore, both necessary and im-

portant. In the meantime, however, something must be done to assist these victims and their families cope with this emotionally and financially draining situation. For this reason, I have again reintroduced the Alzheimer's relief package, H.R. 66 and H.R. 67, to provide first, emotional support through the establishment of a network of family support groups, and second, demonstration projects to determine the feasibility of providing Medicare coverage for Alzheimer's disease. I am very hopeful that my colleagues will lend these bills their support so that they can be considered by this Congress.

For those who are not yet familiar with Alzheimer's disease and the burdens it imposes upon its victims and their families, I am including herein a very informative article which recently appeared in the February/March issue of the International Medical Centers [IMC] Journal. I think that this article, and its merits, speaks for itself, and I hope that all my colleagues will take a moment to review it.

The insidious affliction creeps at a deadly pace. He lost track of night and day about two years ago. Every night I hear him wandering about the house. He picks something up—like my keys or purse—and will then put it down in the pantry, or somewhere. It will take me an hour to find out where he put them. I can't get upset, though. He forgets where the bathroom is, so, often relieves himself wherever he is standing or sitting. He gets to smelling terribly, but getting him to take a bath is a nightmare \* \* \* the bath involves him remembering so many things: how to undress, how to unzip zippers, how to unbutton buttons, how to step into the tub, how to use the soap. When, and if, I do get him into the tub, he often panics because he can not remember how to manage the flow of the water. There are so many things \* \* \* I'm the one who has to wash his hair, brush his teeth, cut his toenails, feed him. He can't anymore. Eating is a big problem. I had to put a steel lock on the refrigerator, and childproof locks on the kitchen and bathroom cabinets. Otherwise he would get into foods and other things he shouldn't. He will sometimes throw food at me, or throw it on the floor if he doesn't like it. Sometimes he will take off his clothes—all of them—and wander out into the yard. Sometimes, during this self-exposure, he will masturbate. All of his dignity has been stripped away. I must continually tell myself to be patient. I get so upset when the simplest task becomes a mountain to be climbed. I must try to understand what it must be like for him, imprisoned in an ever-deteriorating body, with a mind that does not function anymore.

I remember the nights that we laid in each other's arms \* \* \* I ache to be held that way again. But I must not feel sorry for myself. I must think that tomorrow will be better.—Wife of an Alzheimer's victim, Age 66.

(By Marcia Maze)

Tomorrow. For the victims of Alzheimer's disease and their families, "tomorrow" may be years away as scientists and clinical researchers search desperately for a cure for this devastating disease.

Alzheimer's is being called "the disease of the century" because, if left unchecked, it could become the worst public health problem of the 21st century.

It currently afflicts about three million Americans—roughly seven percent of the 27 million people over 65 in the United States are severely disabled by the disease. Alzheimer's kills approximately 120,000 people every year, making it the fourth leading cause of death among the old, after heart disease, cancer and stroke. Actress Rita Hayworth, and actor Edmond O'Brien suffer from Alzheimer's, and it has claimed the lives of mystery writer Ross MacDonald and artist Norman Rockwell.

The disease is named for Alois Alzheimer, a German neurologist who, in 1906, discovered the twisted nerve cell fibers called "neurofibrillary tangles" in the brain of a woman who had shown all the signs of severe dementia. The causes, however, still remain unknown. Alzheimer's accounts for more than half of all cases of senile dementia (the others being minor strokes, Parkinson's disease, brain tumors, thyroid disorders, depression, deficiencies in certain vitamins, adverse drug reactions, anemia and alcoholism), and usually occurs after age 65, although the disease can strike in the 40's.

Fading memory is the most common early sign, and trouble with language or personality changes are among the first symptoms. Some patients believe the trouble is with their eyes because they aren't able to follow words on a page. Or, they may go for a glass of milk and end up opening the door to a closet instead of the refrigerator door.

The disease progresses slowly, but surely. Signs of true dementia soon begin to appear. The victim has trouble making appropriate judgments; he may confuse the hot and cold handles in the shower and burn himself. Then he may become incontinent, forgetting where to relieve himself. The patient may not know where he lives, or the season of the year, and even may forget the name of his spouse. During the final stage of Alzheimer's, the victim loses the ability to speak, short of saying "yes" or "no" or "O.K." to everything. He gradually becomes unable to walk, and may develop contractures of the face, arms and legs.

Relatives of Alzheimer's disease patients are as much a victim as the patient is. The act of watching someone you love disintegrate before your eyes, little by little, is agonizing. Simply being around an Alzheimer patient is physically and mentally draining. The experience can be a living hell because—until recently—the families have had no outside support and no relief from caretakers. Since insurance policies and Medicare do not generally cover "custodial care," family funds are exhausted on nursing and housekeeping help, with the result that many families resort to nursing homes. These institutions are far from an ideal environment for Alzheimer's patients, who now account for about half the residents in nursing homes nationwide. They are extremely expensive, costing the families of Alzheimer's victims and the government about \$30 billion every year.

This is one of the reasons why President Reagan is such a staunch supporter of Alzheimer's disease research. The President has emphasized that: "The emotional, financial and social consequences of Alzheimer's disease are so devastating that it deserves special attention. Science and clinical medicine are striving to improve our understanding of what causes Alzheimer's, and how to treat it successfully. Right now, re-

search is the only hope for victims and families."

As the population of the United States gradually ages, the disease will affect more and more people. In 1983, a conservative estimate of the money spent by the U.S. government on the care of Alzheimer's victims was placed at \$28 billion. At this rate, by the year 2025—taking into account that there will be 50 million Americans over the age of 65—the cost to the government of caring for Alzheimer's patients will exceed \$750 billion!

Bearing these facts in mind, the Alzheimer's Disease and Related Disorders Association (ADRDA) is one of the most important, and influential, not-for-profit organizations in the country. Its founder, Jerome Stone, scion of the Stone Container Corporation, a Fortune 300 company based in Chicago, suffered from Alzheimer's through his wife, who died of the disease last year. When she was diagnosed of Alzheimer's in 1970, Stone wanted to learn everything he could about it, and was appalled when he found only one page devoted to the disease in a 700-page neurology textbook.

With Stone at the helm, the ADRDA has had tremendous impact and influence in obtaining federal research spending for Alzheimer's. Since 1976, government funding for Alzheimer's research has increased from less than \$4 million to \$50 million allocated in 1985. Last November, which was officially designated National Alzheimer's Awareness Month, the National Institute on Aging named five medical schools—Harvard, Johns Hopkins, University of California, University of Southern California, and New York's Mount Sinai School of Medicine—as Alzheimer's research centers with a grant of \$16.6 million.

With some 120 Chapters and several hundred affiliated Family Support Groups throughout the United States and Canada, the ADRDA has become a powerful voice in the wilderness. We talked with ADRDA's founder and president Jerome Stone in his Chicago office, which is also ADRDA's national headquarters. Thanks to Jerome Stone, the world now knows about Alzheimer's disease. This is what he had to say.

IMC: You have brought Alzheimer's disease to the world's attention because of your wife, who died of the disease last year. How did this come about?

Stone: My wife was a gregarious, loving individual whom everyone adored. I first realized something was amiss in 1968. I thought she was just becoming high-strung and temperamental; she was in her late 40's, and the children had left the house. It is not uncommon for a woman whose responsibilities have suddenly been lifted at home to go into a depression.

To the ordinary person who saw her, she was fine. But her sleeping and eating habits had changed, and I knew something was wrong. I took her to a counseling psychiatrist, and to our family physician, who prescribed medication. After one and one-half years and no change, I discussed with our physician that she may need a neurological exam.

This was now 1970, and in those days, the only way to examine the brain was by an "invasive X-ray," in which dye is injected into the brain. It is a painful type of exam, which is no longer done, thanks to the CATSCAN. Anyway, I took her to the University of Chicago hospital to have this exam, and she was diagnosed as having pre-senile dementia.

I said, "What does that mean?"

The doctors replied, 'She's lost some brain cells, but we don't know why.'

I asked, 'Is there a name for this?'

They said, 'No. We just call it pre-senile dementia.'

I said, 'Well, what's the difference between that and senile dementia?'

Their reply was that if you're over 65, that's a senile dementia \*\*\*

I wasn't satisfied with their answers, so I took my wife to Massachusetts General Hospital, which is reputed to have the best neurology department in the country. Dr. Raymond Adams, who's the head of the neurology department there, as well as chairman of the neurology department at Harvard Medical School, was the first person to say my wife was in the early stages of Alzheimer's disease.

I said, 'O.K. She's got Alzheimer's. Now what do we do for it?'

Dr. Adams said, 'We don't know what to do, everything we do is trial and error. I can experiment, but I can't guarantee results.'

IMC: Was your wife aware at this time what was happening?

Stone: She was aware of my concern for her, but she protested, saying that there was nothing wrong with her. She said she was happy, and couldn't understand why we were fooling around with doctors. The reason I was so concerned was that she began misplacing things, sometimes in a bizarre way. She became worried about driving; she couldn't balance her checkbook anymore; at a restaurant, rather than admitting to me—and everyone else—that she couldn't see the menu, she'd ask what everybody else was having. And she would forget the simplest things . . . The way I describe an Alzheimer's victim, as opposed to the ordinary person who is simply forgetful, is this: I may forget a telephone number, but the victim of Alzheimer's forgets there's a phone \*\*\*

You see, she cleverly learned to work around her own inabilities, as all Alzheimer's victims do in the early stages. Most Alzheimer victims have enough survival resources and intellect to fumble through for a few years without other people knowing. It's a denial, which all of us practice one way or another. The worst thing that a human being can be faced with is that of losing control. So when you think you are losing your faculties, you don't want to admit it—even to yourself. So you learn to work around it.

IMC: Since many of these early stages of Alzheimer's do mimic a depression, how does one know whether it's Alzheimer's, or just a depression?

Stone: This is the entire thrust of our organization: to educate the public so that these tell-tale signs are quickly brought to the family's attention, who can then insist upon a neurological work-up.

IMC: So what happened to the experiments at Mass. General?

Stone: It didn't work. Nothing was working. I couldn't get answers on the cause of this thing, the cure, or the therapy. The doctors simply told me that Alzheimer's was an irreversible brain degenerative disease. They told me to put my wife in a nursing home, and go out and lead my life \*\*\*

Well, I said, 'That's not what I came here for. I want to know how to lead my life with my wife, and how to manage this situation.'

Their retort was, 'We can't help you then.'

So I went to the medical textbooks myself to see what I could learn on my own about the disease. What I found was unbelievable; out of a dozen neurological textbooks that

are used in the nation's top medical schools, only one made any mention of the disease—and this on only one page!

IMC: Through this studying, however, you did find out where research was being done.

Stone: Yes. At Albert Einstein Medical Center in New York City. I went there, and told them I wanted to support their research. Over the years, I began wondering whether there were other people like me, who were going through the same "on-the-job" training, and whether there might be an organization to help such people. Well, there was no such national organization, so Dr. Bob Terry, a research neurologist at Einstein (and the doctor who first described the "neurofibrillary tangles" in an Alzheimer brain), said that I should start an organization devoted to the victims of Alzheimer's.

I had had a good deal of organizational experience, thanks to being CEO and Chairman of the Board of the Stone Container Corporation (which is the largest manufacturer of paper bags and corrugated containers in the United States). Yet I had not the faintest idea how to organize a national voluntary health care association, but I sure could lay my hands on people who would and could give free consultation services.

So, I appeared before the National Institutes of Health in Washington and talked about Alzheimer's. There were then six organizations in the country with family support groups which dealt with Alzheimer's, but they also dealt with other forms of mental disease: there was not one organization dealing exclusively with Alzheimer's.

IMC: How did you come up with "ADRDA"—Alzheimer's Disease & Related Disorders Associations?

Stone: The "Related Disorders" was the umbrella under which we could fit other diseases, such as Creutzfeld-Jacob disease, Pick's disease, and even strokes and accidental brain damage. But with 2½ million victims in the United States, the name of the game was Alzheimer's.

IMC: The first ADRDA office opened in New York City in the Autumn of 1980, roughly a year after you appeared in Washington before the N.I.H. How did you get everyone's attention so rapidly?

Stone: About a month after we moved into this tiny office—which a friend had kindly donated—"Dear Abby" printed a letter from a person requesting information on Alzheimer's. Well, Abby called the N.I.H., and they gave her the address of our little office.

Within four days, we had received over 25,000 pieces of mail from people across the country, requesting information and telling their stories of Alzheimer's. Mail was everywhere. And the phone was ringing off the hook.

IMC: In just under four years, then, ADRDA grew to over 120 chapters nationwide. Now the organization is going on an international basis?

Stone: We formed an international organization in October 1984, and we have about a dozen European countries participating, and 35 countries have expressed interest. The problem with Europeans, however, is that they don't know how to raise money because they don't understand self-help, voluntary health care agencies. In Europe, all health care has traditionally been provided by the government's socialized medicine. What they don't understand is that socialized medicine does not take care of the

family: This is what I—the ADRDA—is trying to do.

IMC: What exactly are ADRDA's goals?

Stone: I use the acronym "RECAP" for a recapitulation of our goals, which are: Research; Education; Chapters; Advocacy; and Publicity.

IMC: There must be many other problems besides medical problems that an Alzheimer's family has to learn to deal with.

Stone: Many. There are economic, social, nursing and legal problems involved. That's why ADRDA is so vital. Alzheimer's is a disease in which you have to be either very poor or very wealthy in order to cope. The middle class family with an Alzheimer victim is completely wiped out. I was able to afford the \$100,000 a year it took to care for my wife, but how many people can afford that? Not very many.

For a long time, we couldn't get the Social Security administration to realize that Alzheimer's was a brain disease. They said the person was senile—a normal fact of life—not disabled.

IMC: How is America going to handle the Alzheimer problem, particularly as America gets older?

Stone: 11% of our population—26 million Americans—are now 65 and older. America is aging at approximately 1600 people every day. By the year 2030, over 20% of the population will be over 65—that 60 million people.

By extrapolating these figures to 84 statistics, we get this: in 1983, Alzheimer's cost the U.S. \$28 billion (based on \$20,000/year nursing home costs, \$10,000/year at-home costs at two million victims). Given these figures we come up with a cost of \$750 billion a year spent by the government for the care of Alzheimer's victims by the year 2025 \* \* \*

IMC: You presented these figures to Congress?

Stone: At the end of 1983, I appeared before Senator Tom Eagleton's (Dem., Missouri) Senator Sub-Committee on Aging. The figures got their attention: in 1977, there were zero dollars spent on government research for Alzheimer's. In 1985—unless the President cuts it—there will be \$50 million devoted to Alzheimer's research.

IMC: The citizens who serve on ADRDA's Board are an influential group. How were they selected?

Stone: Every member of the Board—with the exception of one—has an Alzheimer victim in the family. Rita Hayworth's daughter, Princess Yasmin Khan, has been a tremendous worker in the fight. I have found that, when I call someone who has had a family member with Alzheimer's disease, there is never any hesitation on their part to offer help.

IMC: Is Alzheimer's hereditary?

Stone: We still don't know why some families are struck with the disease, and some are not. The chances of getting Alzheimer's if your sibling had it are probably twice that of the ordinary non-Alzheimer family, however.

IMC: How can the average lay person help ADRDA in the fight against Alzheimer's?

Stone: Volunteer at your local ADRDA chapter is one way; and write to your Congressmen to tell them to do more for research, tax matters and disability insurance for Alzheimer victims. We also have many people who send money to national headquarters, which is used for research, education and staff needs. Many of our chapters have established day-care centers. We also have an autopsy network whereby people

who can't afford to pay for autopsies can receive assistance.<sup>1</sup> We've also established two brain banks for research.

IMC: What is the best advice you can give to a family member of an Alzheimer's victim?

Stone: Join a family support group. The children too. You'll learn that you're not alone, and you can share your experiences. For instance, I learned by trial and error that one of the greatest fears of the Alzheimer's victim is fear of the water. I also learned about the victim's need for creativity, and their response to the rhythm of music and the cadence of poetry. I used to read the 18th century romanticists—Byron, Tennyson, and Browning—to my wife, which would give her peace for hours. And, even in the later stages, she would still play notes on the piano \* \* \* It gave her something to do with her hands \* \* \*

IMC: Have you done all this work, then for your wife?

Stone: Inherently, I suppose there is a self-motive for what I'm doing, because I'm concerned about my children getting Alzheimer's. But I'm very concerned about this country—and about what's going to become of the entire world. Alzheimer's has no respect for race, color, creed, religion, or whatever. I don't want to take any credit, but until ADRDA was founded, people did not know what Alzheimer's was. Even three years ago, if I told people my wife was ill and suffering from Alzheimer's, they'd respond, 'Old-timer's disease? Never heard of it.' Now, not a day goes by that there is not some article published or TV program done on Alzheimer's.

IMC: what you've discovered, then, is that Alzheimer's has always been in existence?

Stone: Yes! I believe that King Lear had it. And what Aristotle and Plato called "senility" was very probably Alzheimer's \* \* \*

IMC: You must feel an extraordinary gratification in having brought a disease of this magnitude to the attention of the world?

Stone: Of course, but even more gratifying is having met so many dedicated and concerned people. The people at IMC are among them, and I am deeply appreciative to all of you for helping the Alzheimer's fight in Florida through your gala. To know that people can and do rise to the occasion is the greatest reward of all for me.

IMC: Is hope in sight?

Stone: Even if there is no hope for your loved ones, there's hope for the next generation. Remember: there are no hopeless situations \* \* \* only hopeless men and women.

Where there is life, there is always hope \* \* \*

### THE SUPPLY SIDE OF NARCOTICS

HON. LAWRENCE J. SMITH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. SMITH of Florida. Mr. Speaker, many efforts are being undertaken to combat the demand side of the drug problem in this country. However, as with any commodity, we also must

<sup>1</sup> It is very important for the family to have an autopsy done to help in Alzheimer research.

consider the supply side of this problem.

While efforts to reduce the demand for narcotics have been somewhat successful, the supply of drugs coming into the country continues to grow. The demand cannot decrease if drugs are readily available on our streets. To combat this problem, efforts must be made to cut off this supply from those countries overseas which continue to be the source of narcotics smuggled into the United States.

The March issue of the U.S. Journal of Drug and Alcohol Dependence published an editorial that discusses this problem and recommends several courses of action which we should consider. The editorial calls for more Drug Enforcement Administration agents to police the drug trade in over a dozen countries. These nations, the editorial argues, must be convinced of the urgency of undertaking action of their own to control the drug activity within their borders.

I believe that this body needs to give serious consideration to these recommendations. As the chairman for the 99th Congress of the Foreign Affairs Committee's International Narcotics Task Force, I will consider them. For the benefit of my colleagues, the editorial follows:

#### GETTING TOUGH ON THE SUPPLY SIDE

It's time to talk tough to those nations who profess to be our friends and trading partners, yet refuse to make good faith attempts to control the drug trade that flourishes within their borders and preys on the human wealth of others.

As a recent State Department report shows, the illicit cultivation, refining, and production of opium, coca leaf, and cannabis continues unabated in a growing number of countries. Supplies of these drugs already far outpace the ability of consumers to absorb them, yet more and more stockpiles continue to reach our shores.

Despite the millions of dollars of enforcement and interdiction efforts mobilized by our government, the drug inventories reach their customers. The international networks of gangsters who move this traffic—often with the barely-disguised aid of their own government officials—seem to run very little risk of apprehension, and even less of conviction and meaningful penalty.

That the gangsters should continue to get away with it, while their governments either turn the other cheek or help load the boats is our disgrace almost as much as it is theirs. As much effort as this Administration has put into interdiction activities, it isn't enough, so far.

There aren't enough Drug Enforcement Administration agents or dollars available for this nation to try to police the drug trade in Mexico and Bolivia and Peru and Ecuador, and almost a dozen other nations worldwide.

Those nations must be held accountable for their own efforts. If they expect to belong to a family of law-abiding nations—and reap the very clear and present benefits of such family status—then they must be convinced of the urgency of cleaning up their act.

It's possible this can be done. The advances made by Colombia—at U.S. urging—to curtail cocaine production has started to show some results. If it can be done in Colombia, it can certainly be done in Bolivia, Peru, Mexico, and several other countries.

What we are talking about here is not the suppression of small cottage industries, or occasional roving brigands. We are talking about cultivation, refining, storing, transportation, documentation and banking networks dealing in billions of dollars' worth of product. You don't produce and bring to market over 120,000 metric tons of coca leaf (Bolivia, Peru, Ecuador and Colombia in 1984), without somebody seeing it happen, without governments having some hint of who is driving the truck and fueling the plane.

What's so tragic about this booming production is that some very clear strides have been made in the United States to suppress the demand side of the drug use equation. We are starting to see some successes in terms of moderating drug consumption, changing attitudes of many young people toward dangerous drugs, and we are starting to see the positive effect of public health education.

But if we allow the traffickers and their accomplices in government posts to continue to flood our nation with cheaper and more plentiful drugs, then we will soon enough lose all the demand side gains we have achieved, and might continue to achieve. We can't afford that.

President Reagan has shown a willingness to talk tough on other issues to some pretty imposing adversaries on life and death issues: arms control, star wars, Central America.

Drug use in America is no less a social priority.

Let's see the President use his magic on the drug-producing nations. He is not without persuasive power. Neither is he without leverage—lots of it.●

IN MEMORY OF PATRICIA ROBERTS HARRIS: A PIONEER IN AMERICA

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. RANGEL. Mr. Speaker, I rise to join my many colleagues and friends who mourn the loss of a truly outstanding public servant—Patricia Roberts Harris.

Mrs. Harris was a woman of enormous energy, integrity and character; her moral compassion and conviction were inspirations to us all. Her incomparable career was precedent setting. Her standards of excellence, her keen intellect, and her unyielding courage guided her toward exemplary service. Pat Harris never forgot from whence she came; her triumphs will never let us forget how far we have come.

I submit this editorial from the Washington Post for inclusion in the CONGRESSIONAL RECORD.

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

PATRICIA ROBERTS HARRIS

The Post's account of the life of Patricia Roberts Harris, who died Saturday at the

age of 60, emphasized the "firsts"—first black to serve as a delegate to the U.N., first black woman to become law school dean, ambassador, Cabinet member. One thing about firsts is that people sometimes tend to forget them as they are succeeded by seconds, thirds and so on.

Sen. William Proxmire made this mistake during hearings on Mrs. Harris' nomination to be secretary of housing and urban development in the Carter administration. Sen. Proxmire saw before him a woman whose career was marked by success and whose reputation stood high in the governing establishment, and he wondered aloud about her ability to be "sympathetic to the problems of the poor."

"You do not understand who I am," Mrs. Harris replied. "I am a black woman, the daughter of a Pullman car waiter. I am a black woman who even eight years ago could not buy a house in parts of the District of Columbia. I didn't start out as a member of a prestigious law firm, but as a woman who needed a scholarship to go to school. If you think I have forgotten that, you are wrong."

Mrs. Harris' statement was characteristically, tough and forceful—attributes that often go with being first in areas where, for no good reason, you are not wanted—such as a segregated Washington lunch counter where Mrs. Harris led a sit-in by a group of fellow Howard University students in 1943. If some complained that she wasn't playing an activist role in the civil rights movement in the '60s, she could reply, "When I sat in there was nobody else to do it."

Her Cabinet tenure was in departments whose constituency is made up of people living on the edge. She ran the departments hard and fought for them fiercely. "She always impressed me as someone who cared very much about people who were not getting a decent shake, and she also impressed me as being tough as nails when it came to taking care of their interests," said Jody Powell, who was President Carter's press secretary.

Along with the firsts and the ups in her career there were the downs—a term as dean of the Howard University Law School cut short by a dispute over student protest, and her defeat in the 1982 race for mayor of this city. But no one should doubt that in all her work she showed—as she made clear to Sen. Proxmire that day eight years ago—that she had not forgotten either her own past or some of the darkest moments of this country's past.●

THE MX MISSILE: THE PEOPLE'S PERSPECTIVE

HON. JOHN F. SEIBERLING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. SEIBERLING. Mr. Speaker, the President has narrowly won the latest round on the MX missile, but both we and the country will pay an increasingly high price for this folly.

The price is not only the egregious waste of billions of dollars for a militarily vulnerable and strategically provocative weapons system. That is bad enough, since it will take scarce funds that could have been used to reduce the deficit or to finance the strength-

ening of NATO's conventional forces, as our colleague CHARLES BENNETT pointed out so cogently during the debate.

The price also includes, unfortunately, growing disillusionment on the part of the public over whether the President and Congress are capable of making the kinds of decisions necessary to deal with the serious strategic and economic issues facing this country, as the arms buildup and the deficits roll along with a momentum all their own.

Even while the MX debate raged in the House, the Washington Post released the results of a new national poll indicating that, despite the enormous public relations effort the administration has made, a plurality—47 percent—of the people oppose going ahead with the MX missile. The poll also indicated that a substantial majority of the American people want the defense budget to be cut.

Unfortunately, as the President said during the campaign, "You ain't seen nuthin' yet." If the public thinks the MX is expensive, with a price tag of \$34 billion to complete the first 100 missiles and harden their silos, wait till the "star wars" program gets into high gear. The initial request of \$26 billion over 5 years is just for research and testing, and only the first installment on that. If we should ever be so foolish as to deploy such a system, which at best would have enormous holes in it—since it will not defend against such things as manned bombers or cruise missiles or low trajectory submarine-launched missiles—we will find ourselves spending, not billions, but trillions of dollars.

Surely, there is a better vision of the future, if we set our minds to it. If we were providing constructive leadership, the President would be pursuing, not "star wars" but a nuclear freeze, followed by nuclear and conventional disarmament, and enforced by both national and international monitoring systems. Indeed, the development of such a system should be the goal of national leadership in both the United States and the Soviet Union, since it clearly is in the interest of both nations. Only through progress in that direction can they hope to free their people from the ever mounting spiral of defense expenditures, now on the way to bankrupting both countries.

The historic forces that brought on the nuclear arms race and the profound conflicts that continue to exist between the United States and the U.S.S.R. cannot be lightly dismissed. Nevertheless, the continued escalation of the arms race represents an immense failure of leadership on both sides of the Iron Curtain. If the President of the United States is incapable of providing dynamic leadership in the direction of disarmament, we can only

hope that the new leader of the Soviet Union, Mr. Gorbachev, will take the initiative. While it would be a miraculous departure from past patterns of conduct by Soviet leaders, it is time we started hoping and working for miracles.

Mr. Speaker, as evidence of the increasing disillusionment affecting people at the grass roots, especially young people concerned about the future, I offer for printing in the RECORD a recent article by a student, Jim Prater, from the Buchtelite, a student newspaper of the University of Akron, in Akron, OH.

[From the Buchtelite, Mar. 21, 1985]

**GOVERNMENTS WAGE WARS, BUT PEOPLE PAY WITH LIVES**

(By Jim Prater)

Personally, having been there, I hate war. I also hate taxpayers being milked for a lifetime over the threat of war. Unfortunately, both activities have been practiced throughout history.

For example, my Eastern Civilization class has been studying about the military/political turnovers in just one area of the world—the Middle East. To avoid the confusion of modern problems in that volatile area, let's go back a few years and list previous regimes in order—each turnover the result of war:

- The Ottoman Empire (1600 A.D.)
- The Mongols (1250 A.D.)
- The Crusaders (1100 A.D.)
- The Islamic Arabs (750 A.D.)
- The Byzantine Empire (550 A.D.)
- The Roman Empire
- The Hellenist Empire (300 B.C.)
- The Persians (500 B.C.)
- The Assyrians (650 B.C.)
- The Egyptians (1450 B.C.)
- The Babylonians (2100 B.C.)

No one is sure what happened before the Babylonians, but based on the above history, millions upon hundreds of millions of people have been taxed and killed by war—or the threat of war. Taxed by their own rulers in the name of defense and killed by other people in the name of something glorified.

From this, it's easy to conclude that since the first caveman hit the second caveman in the head with a rock, all the warriors in mid east history have died in vain. The same is true for all the warriors in history in the rest of the world.

Still, it continues, war seems to be inevitable. It is the most stupid activity ever developed, but it is inevitable. Historically, mankind actually loves to kill. Plato said, "Only the dead have seen the end of the war."

Today, with fifty thousand nuclear warheads between us and the Russians, all it takes is one shot, false or not, and we're all incinerated.

Nuclear war, and the threat of nuclear war, is currently paramount in everyone's mind. When it comes to Star Wars and its computerized, laser beam technology, and the MX missiles, I will admit I don't know much about the technological aspects. Maybe I don't need to in presenting my argument against both.

Cutting through all the political rhetoric and technological jargon I've read, pro and con, what it all seems to boil down to is we've invested billions of dollars developing a weapon, the MX, which is vulnerable because it has no home. The environmental-

ists, rightfully, were able to persuade the government to not tear up a third of the country developing a crazy system of transporting the MX and dummy missiles from place to place—supposedly to fool the Russians.

Out of 33 other basing modes studied, the current alternative, basing the MX in existing Minute Man silos, leaves them vulnerable, (we're told), to a Soviet strike. Ergo Star Wars, and its multi-billion dollar technology.

Star Wars, if it even works, is only required to protect the MX. What this means to me is, no MX, no Star Wars.

Sometimes, I think we must have a minister of propaganda. He might have another title, but he's doing a job of flim-flamming and propagandizing the American people. It is so effective, maybe it's a joint effort. In Washington, anything is possible.

George Will recently wrote, "In geometry, a line can have length without breadth. In Washington, the argument about the MX missile is like that."

He goes on to say, "Actually the MX argument resembles not geometry, which is reasonable, but modern art—say, abstract expressionism, which is the work of the confused, sold to the earnest."

The administration says the MX is a "bargaining chip" and a "vote on Geneva." In truth it's a bargaining chip between the Administration and Congress. The "vote on Geneva," meaning arms control, should really be called "no arms control."

Let's cut through the propaganda: Arms control is a lot of garbage. Since SALT I the number of nuclear warheads has quadrupled and the Soviets have deployed 21 new nuclear weapons systems.

The United States does the same. The 1972 treaty banned defense of Intercontinental Ballistic Missiles (ICBMs). The United States arms control negotiators of that time agreed to this and the treaty was ratified.

We, as a nation, are bound by its terms.

SALT I limited the number of launchers, hence, we built bigger launchers with multiple warheads—like the MX. At the rate we're going, by the time we reach SALT V or SALT VI, we should collectively have at least 200,000 nuclear warheads—all useless according to former Defense Secretary Robert McNamara.

Finance is done through deficit spending—more garbage. The only way the United States can be defeated is through bankruptcy.

As a taxpayer, when you begin realizing how you're being flim-flammed by the powers that be in Washington, you begin to question everything you hear coming out of the place. (Unless you decide to join in and help do the flim-flamming). The only way I could support the MX or Star Wars would be if a national referendum showed a majority of the people are in favor of the ghastly expenditures involved. I would hope most Americans, if given the opportunity would say, "Let's keep America strong, not bankrupt."

The majority of people in the work force aren't a part of the military-industrial complex. They make automobiles and refrigerators, build houses, construct highways or become educators, etc. I don't hear any of them saying they will be overjoyed and happy to contribute their \$2,000-per-person share of the Star Wars cost—in addition to their per person cost of Trident submarines, B-1 bombers, M-1 tanks, etc., etc.

For those already in or those contemplating joining the military-industrial complex,

why not pay \$2,000 in if you're going to get \$50,000 or \$100,000 back every year, enjoy a never-ending cushiony job with travel and lush vacations, \$600 toilet seats and \$7,000 coffee pots—all through the courtesy of the American taxpayer. Maybe you'll even get free boarding for your dog, too!

If Star Wars technology is initiated to protect us from enemy missiles, what is going to protect us from the people in the military-industrial complex who are doing these things right now? Our only hope may well be an Annual Federal Referendum as suggested in this column a few weeks ago.

In the meantime, some principles are needed to at least regain the confidence of the taxpaying public: They're called integrity, scruples, honesty, honor and patriotism—principles that seem sadly lacking in our current military-industrial complex.

I read where those in favor sum up their Star Wars pitch by saying, "What kind of sense does it make to ban defensive weapons? It's illogical and ridiculous." We are urged to "go ahead with the program and worry about deployment when the time comes."

That's the same bill of goods somebody in Washington sold the Congress when they wanted approval of MX development monies. Remember the window of vulnerability? Come on! Now who is being illogical and ridiculous?

As for spinoff benefits, let's compare: As just one example, what did we really get, other than a few rocks, for the billions spent going to the moon?

Ending nuclear war forever sounds good. To bad Star Wars won't do it. Cruise missiles, conventional bombers and artillery—all have current nuclear capability—are unaffected by Star Wars. We'll still have mutual assured destruction.

Ronald Reagan says Moscow considers the MX vote coming up to Congress a test of U.S. "resolve." Let's face it, we were humiliated in Iran, driven from Lebanon by a truck bomb and drug dealers fly back and forth over our borders with impunity. When it comes to "resolve," is it any wonder the silent majority is cynical?

If I am a representative of the silent majority, I am also cynical of how some of our elected representatives do business. I no longer believe they vote in my best interest, or the country's best interest. And that's based on special interest lobbying! (In Washington, it's called lobbying. In private industry, it would be called bribery.)

Fortunately, in the Akron area, we have Congressman John Seiberling, who is honest, concerned and will respond to written requests or comments. Want to try helping save a few hundred billion tax dollars over the course of your lifetime?

Write your Congressman.

Remember, no MX, no Star Wars. ●

**PHOBIA CLINIC HONORED**

**HON. GARY L. ACKERMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. ACKERMAN. Mr. Speaker, it is with great pleasure that I call the attention of my colleagues to the honor recently bestowed upon the Phobia Clinic of Long Island Jewish-Hillside Medical Center, in New Hyde Park,

NY, for its outstanding efforts on behalf of the mentally ill. The clinic was selected from 134 applicants to receive an award of significant achievement from the American Psychiatric Association at its 36th Annual Institute on Hospital and Community Psychiatry.

The Phobia Clinic, directed by Charlotte M. Zitrin, MD, serves as a model for the Nation through its direct approach to ameliorating the plight of the severe phobic, as well as through its research and training in the field.

The Phobia Clinic began its innovative program 12 years ago, funded by a grant from the National Institute of Mental Health. The clinic's goals were to conduct research, and to provide free treatment for New York City-area patients with phobic disorders. Extensive coverage in the media triggered an onslaught of patient inquiries from around the Nation about the possibility of treatment.

Today, the clinic serves an average of 183 patients each year. Although treatment is no longer free, the clinic has instituted a sliding-scale fee schedule so that income level will not exclude a patient from treatment.

Mr. Speaker, I commend the Phobia Clinic not only for its selection by the American Psychiatric Association, but also for the example it has set by showing what can be done for our Nation's at-risk emotionally ill. I draw to the attention of my colleagues also to an article published in the *Journal of Hospital and Community Psychiatry* that describes the award-winning program, and ask that it be printed in the RECORD.

**TREATING PHOBIAS IN A SPECIALIZED CLINIC—  
THE PHOBIA CLINIC, LONG ISLAND JEWISH-  
HILLSIDE MEDICAL CENTER, GLEN OAKS, NY**

Each week at the Phobia Clinic of Long Island Jewish—Hillside Medical Center in Glen Oaks, New York, phobic individuals meet with a therapist and discuss their progress in conquering debilitating fears. After the group discussion, everyone embarks on an in vivo assignment, such as taking a train or shopping in a supermarket, that will force the patients to confront their fears.

With repeated exposure and the support of aides who accompany them on assignments, the phobic patients gradually become desensitized to the situations they dread. Because everyone in the group shares the same acute fear (claustrophobia or acrophobia, for example), patients find empathy and understanding within the group. Between clinic sessions group members often meet and carry out homework assignments together. Patients who feel too anxious to participate in group therapy, however, may opt for individual sessions.

Twelve years ago a press release announced the opening of this specialized clinic, funded by a grant from the National Institute of Mental Health. The clinic proclaimed that its goals were research and free treatment for patients with phobic disorders from the New York metropolitan area.

Extensive media coverage triggered an onslaught of patient inquiries about the possi-

bility of treatment. Today the clinic serves an average of 183 patients each year. Although treatment is no longer free, the clinic has instituted a sliding-scale fee schedule so that finances will not exclude a patient from therapy.

One innovative technique practiced by the phobia clinic is the group family meeting. During these sessions relatives ask questions about the patient's symptoms and the degree of distress he or she experiences. Such meetings improve strained family relationships and help relatives to deal with denial of the problem or resistance to treatment.

Approximately 80 percent of the phobic individuals receiving treatment at the clinic have improved significantly, reports Charlotte M. Zitrin, M.D., the psychiatrist who directs the clinic. Of all the phobias, says Zitrin, agoraphobia—fear of open spaces—is the most difficult to treat because it affects every aspect of daily living. Agoraphobic patients who are terrified by the prospect of driving on freeways, crossing streets, or shopping in malls eventually become housebound. Some of Zitrin's patients have been agoraphobic for as long as 20 years.

Zitrin estimates that agoraphobia afflicts six out of every 1,000 individuals: the majority of agoraphobic patients are women who have recently married, moved into a new home, had a baby, or suffered the loss of a loved one. Zitrin theorizes that phobic patients are predominantly women because society's "values and roles have affected women's dependency needs, self-esteem, and self-assertion."

Agoraphobic patients often suffer from panic attacks marked by such symptoms as dizziness, shortness of breath, chest pain, palpitations, headache, sweating, trembling, and fear of impending doom. Staff of the phobia clinic have found that antidepressants such as tricyclics and monoamine oxidase inhibitors can suppress the symptoms of panic attacks.

Other research studies conducted at the clinic have uncovered a high incidence of thyroid dysfunction among phobic patients and of mitral valve prolapse syndrome among agoraphobic women. The staff believe their research was partially responsible for the changes in diagnostic classification of phobias and other anxiety disorders that were published in the third edition of the *Diagnostic and Statistical Manual of Mental Disorders*.

In addition to its treatment and research functions, the clinic trains mental health professionals and advises those who are interested in starting their own phobia clinics. Zitrin and her staff maintain that the diagnosis and management of phobias demand specialized skills that a general psychiatrist might lack. They stress the need for more phobia clinics "where diagnosis and both psychosocial and medication therapy are undertaken by highly skilled and experienced professionals."

(More information is available from Charlotte M. Zitrin, M.D., Phobia Clinic, Long Island Jewish-Hillside Medical Center, P.O. Box 38, Glen Oaks, New York 11004.)

**STUDENT FINANCIAL AID: THE  
STAKES FOR THE FUTURE**

**HON. EDWARD P. BOLAND**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. BOLAND. Mr. Speaker, when the House begins its consideration of the fiscal year 1986 budget resolution, a number of issues will compete for our attention. We will have to make many choices, choices which will have an immediate impact on the lives of millions of people in this country.

The choices we make on one issue—student financial assistance—however, have the potential to shape our society not only in the near term, but for generations to come. Federal loan and grant programs have opened our system of higher education to young people who could not otherwise fully avail themselves of it. By introducing diversity into the student bodies of our most select colleges and universities, these programs have enriched the educational experience for aid recipients and nonaid recipients alike. The benefits of this process should be obvious, and we should therefore approach budget recommendations that would weaken it with a great deal of care. On March 31, the *Washington Post* carried a column by David Border on this subject. The column contained a portion of a discussion Mr. Broder had with the president of Georgetown University, Rev. Timothy S. Healy. Father Healy's comments forcefully articulate the real stakes in the student aid debate. I hope the Members of the House will consider the points Father Healy makes when we consider the various budget proposals for education in the coming weeks.

Mr. Speaker, I would like to insert Mr. Broder's column at this point in the RECORD:

[From the *Washington Post*, Mar. 31, 1985]

**A DANGER TO GEORGETOWN—AND THE  
REPUBLIC**

(By David S. Broder)

While the nation's basketball fans were watching Georgetown University try for a second straight NCAA title, the eyes of Georgetown's president, the Rev. Timothy S. Healy, were focused on a less glamorous sight.

When I saw him in his office recently, he was poring over a report from a university vice president on the impact of President Reagan's proposed reductions in student aid. It was a lot less pretty than a slam dunk by Patrick Ewing. I had gone to Georgetown because, under Father Healy, it has made a special effort to recruit not just basketball players, but academically gifted students from the ghettos, who can benefit from its first-class education.

I had already heard the views of Healy's friend, Joseph S. Murphy, the chancellor of the City University of New York. CUNY has the largest black and Hispanic student body in the world, and 85 percent of its students

come from families in which neither parent graduated from college.

Murphy, who minces no words, said the administration aid cutbacks—in his view—part of a strategy to “rigidity the class structure of America,” by closing down the main channel to middle-class jobs for poor youths and forcing them to compete for available low-wage jobs with little future.

That is one view. But with Georgetown on the country's mind, I wanted to know if the administration's proposals would affect Healy's college. This is what I found out: half of Georgetown's degree candidates—5,599 of 11,187—this year received financial aid. That aid totaled \$52 million. If the Reagan cuts had been in effect, the university thinks 4,337 of the aid students—77 percent—would have lost \$14.2 million, an average of \$3,274 each.

Some of the loss might have been made up by unsubsidized loans. But a first-year undergraduate or graduate student who borrowed from the bank to make up for the loss of the government-guaranteed loan would—if accepted as a good credit risk—pay back 68 percent more over 19 years than under the old program.

I asked Healy if it were not true, as the administration maintains, that Georgetown and other well-endowed institutions could do more to help their own. “In 1975,” he said, “financial aid was 7 percent of our budget; in 1980, it was 12 percent; this year, it's 15 percent. It's doubled in a decade. This year, we raised tuition \$800 and 27 percent of that increase is earmarked for student assistance. But there is no way we can fill a \$22 million gap.”

I asked Healy for his best judgment on the effect the Reagan proposals would have on Georgetown.

“Georgetown would not go out of business,” he said, “but you would destroy a mix that's profoundly healthy for this republic. . . . We would still be able to handle some poor kids—if they applied—but there would be a huge gap between them and the rich kids whose family paid their way. If you cut \$22 million out of the grants and loans that are available, you would just liquidate the middle-class kid who's bright enough to come to Georgetown but who needs massive help.”

Could they make it by working? Healy said too many of his students were already carrying too much of an outside workload. A survey in 1983 found half the underclassmen and even more of the juniors and seniors were spending from 10 to 30 hours a week in jobs. It is not realistic to think they can earn enough to make up the average loss of \$3,200 and still have time or energy for education.

Then Healy said: “This administration forgets that the element of choice for poor kids is a guarantor of the reality of education for all the rich ones. It's part of the education of the rich that they go to school with kids who aren't as rich as they are.”

“That didn't happen when I was kid. [He is 62.] But American colleges learned that lesson. And now more black kids are getting into more selective colleges, and we're launching a black middle class. There's been real progress there.”

“But look what they are proposing to do. They would limit the assistance to any kid—no matter how poor—to \$4,000. They tell them to borrow the rest. The cabdriver in this city isn't going to do that. . . . That's half his take-home pay. That's crazy.”

“I'll tell you what will happen; it's already happened. Seven years ago, 32 percent of

the cohort of black kids went to college. It's down to 27 percent this year. And all of this publicity about student aid cuts will lower it further.”

“Kids get the idea, particularly when they're not well guided, that the administration had already decided this, and it's done already—that where there was financial aid available, there isn't going to be any. So they don't apply.”

And then he said: “If we lose this battle to educate black kids, then we are setting up for your grandchildren a permanent underclass of uneducated incompetents who cannot cope with the 20th century. We're building a real Orwellian horror.”

That is why the president of Georgetown had his mind on something other than a basketball game. Maybe we should too. ●

#### WITNESS FOR PEACE

### HON. BOB EDGAR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. EDGAR. Mr. Speaker, as the House moves toward a decision on funding the rebel forces opposing the Sandinista government in Nicaragua, I want to bring my colleagues' attention to a briefing I recently held with Witness for Peace (WFP) on the situation in Nicaragua and along its borders.

Witness for Peace is a national interfaith organization which, for the last 15 months, has had members living in the war zones in Nicaragua. Hundreds of citizens have been part of short-term delegations and 40 citizens have been residents for 6 months or longer. WFP participants have lived in the areas of conflict along the northern and southern borders on Ocotol, San Juan de Limay, Jalapa, and elsewhere.

The purpose of the briefing was to hear WFP members discuss their experiences in Nicaragua, explain the effects of the rebel attacks, and share other first-hand impressions of the war. The testimony of two of the members was particularly striking, and I ask unanimous consent to insert their remarks into the RECORD following my statement. The two are Dr. Edwin Myer, a member of the Church of the Brethren from Seattle, WA, and Mr. Larry Leaman, a Mennonite from my home State of Pennsylvania. Dr. Myer has practiced medicine in the United States and Puerto Rico for a dozen years, and also has medical experience in Mexico, Peru, and pre-revolutionary Nicaragua. He has just returned from 7 months in Nicaragua as a long-term volunteer with WFP. Mr. Leaman has also just returned from Nicaragua, where he spent 9 months traveling extensively throughout the zones of conflict in both the north and south of Nicaragua.

I commend their words to my colleagues.

TESTIMONY OF DR. ED MYER, MARCH 5, 1985

In August 1984, I left my family practice in Seattle, Washington to join Witness for

Peace. I was assigned to the northern war zone and in less than one week on the job, I found myself in the midst of what I now call the Nicaraguan reality.

On September 1st, three Cessna rocket-fitted airplanes and a Huey Diana 500 helicopter were involved in a contra attack which killed three little girls and a farmer. I was in Santa Clara two and half hours after the attack. Early the following morning, I went to a home where two 12-year-old victims, Juanita and Elena, had been laid out on tables. Later that day, I helped carry the casket of a 13-year-old in the procession for her funeral. This wasn't exactly the kind of medical work I had in mind when I went to Nicaragua. Within 24 hours of the time the helicopter had been shot down, I was at the crash site. Two U.S. mercenaries were in that helicopter. With so much continued terror during my time in Nicaragua that Santa Clara attack seems very long ago.

In another incident, I interviewed 28-year-old Maria Julia Ortiz Chavarilla from a settlement near Jalapa. Early on the morning of October 24, 1984, contras entered her home, and she hid under her bed. From there she watched as the contras threatened her husband verbally, then struck a heavy blow to the base of his skull. Three of the contras lifted him up and took him into the adjacent hallway, where she saw them strike him in the face, opening a deep gash. When he pled to speak to his wife before they killed him, they stuffed a green rag in his mouth, threw him to the ground and slit his throat. He was 40 years old. His two-year-old daughter was hiding under the bed with her mother and gasped, “my daddy!” giving away their location. The contras pulled Maria Julia from under the bed, stripped her naked, struck her on the head, and left her for dead. Her children ages 2, 9, and 10, were also left naked. Maria Julia was three months pregnant at the time.

Another incident: I have questioned and cross-questioned witnesses to the contra kidnapping of 25 people, including 4 children and 3 women from a coffee farm near Dipilto this past January 29. One man I interviewed was a 36-year-old father of 4 children. He was kidnapped, then later escaped. He refused to give his name to me because the contras took his full name at the time of the kidnapping, and he feared revenge from the contras if his story was made known. From this and numerous other testimonies which Witness for Peace has gathered, we have identified kidnappings as a pattern for the contras' military recruitment. I wish I had time here to share with you the grief of the mothers whose young boys are kidnapped. As a physician, I assure you that the mental anguish suffered by these mothers is perhaps more significant than any of the physical scars I have seen.

My 7 months in Nicaragua were filled with almost daily occurrences of the type just described. As I left Nicaragua 3 days ago, I picked up reports from my co-workers which were of incidents less than a month old: Felicita and Matilde Rodriguez, 68- and 74-years-old, endured a “contra visit” on February 8th. The contras raped their 40-year-old daughter-in-law, whose husband they had killed a year ago. The contras also raped their 22-year-old daughter, Florencia, and their 13-year-old grand-daughter, Matilda. Florencia was raped in bed beside her 7-year-old nephew. Matilda, the 13-year-old, was forced to ride around on their shoulders naked, and was tossed through the air like a plaything. The younger woman and girl were then kidnapped.

The next day, in another village called Los Potreros, the contras kidnapped a grandfather, his son, and his 6-year-old grandson. These are civilians I'm talking about.

It is unconceivable to me, that with the knowledge we all now have, we would entertain the thought of further funding of the counter-revolutionaries who so terrorize and kill the civilian population of Nicaragua.

#### TESTIMONIES OF CONTRA VIOLENCE DIRECTED AT CIVILIANS

(By Larry Leaman, March 1985)

Having traveled widely in Nicaragua, it is apparent to me that contra attacks, and the threat of contra attacks, are a very real part of the day to day reality of the Nicaraguan people. Be it direct attacks, or the economic effects felt after attacks, the suffering is very real and continues.

I spent three months living and traveling along the southern border area, and witnessed first hand the results of contra attacks coming from Costa Rica. The customs border post of Penas Blancas, first attacked in September 1983, is subject to continued harassment by contras firing from within Costa Rican territory.

The southern town of Cardenas, located just 4 kms from the Costa Rican border suffers regular shelling from within Costa Rica. Many townspeople, 10 in December of 1984 alone, have been kidnapped by the contra while working on their outlying farms. The road connecting Cardenas to the Pan-American highway has long since been shut due to frequent ambushes. As a result, this isolated town now relies solely on infrequent boat service on Lake Nicaragua for supplies and transportation. Because of these frequent attacks, many rural people have had to move further inland, leaving behind their homes, their farms, their belongings.

In the North the story is the same. Around the North Zelaya town of Waslala contras continuously attack and ambush civilian vehicles bringing in food and supplies for the town. One such attack occurred on October 11, 1984, when the contras ambushed 3 civilian trucks on the Matagalpa-Waslala road. The trucks were carrying important supplies of corn and beans. The contras burned all 3 trucks and their loads.

In mid-November 1984, I had the opportunity of speaking with survivors of the November 14, contra attack on the important coffee farm of La Sorpresa, Jinotega. One young man related to me how he escaped by fleeing into the mountains. Upon return to the farm he found the body of his 17 year old wife. The contras had shot her at point blank range in the mouth, and had sliced open her stomach with bayonets. She was 4 months pregnant with their first child.

Another survivor, a young woman who worked in the child day care center, told me how she had tried to rescue a 14 month old baby that had strayed outside. As she scooped up the baby in her arms and turned to enter a building, a contra caught sight of her, and opened fire. A bullet went through her elbow, entered the baby's back, and exited through the baby's chest. The baby fell from her arms dead.

On December 6, 1984, I attended the funeral in Esteli of 7 civilian (Telcor) workers, ambushed on their way to pick coffee in San Juan de Rio Coco. Thousands of townspeople attended the funeral to express their repudiation of this violent attack.

Survivors of the ambush recounted to me how the contras fired heavy machine guns, automatic rifles, rockets and hand grenades

at the truck in which the coffee pickers were traveling. One survivor who managed to escape by hiding in the brush near-by witnessed the following. "The contras murdered the wounded survivors scattered on the ground near the truck with bayonets and point blank gunfire. Then the contras splashed diesel fuel on the truck and set it on fire, burning alive 7 of the wounded civilians who remained inside, including a 5 year old child.

We must realize these are not statistics, but rather human beings that are suffering. Contra attacks continue, and are exacting a heavy toll. The suffering of many innocent civilians continue.●

#### FEDERAL SUPPLEMENTAL COMPENSATION PROGRAM

### HON. WILLIAM F. CLINGER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. CLINGER. Mr. Speaker, I rise in support of this measure to ease the burden on those unemployed people across the Nation who are scheduled to receive unemployment compensation as this program expires.

It is reluctant support. Reluctant because a number of my colleagues on both sides of the aisle and I have been working to extend the Federal Supplemental Compensation Program to workers who—through no fault of their own—remain unemployed. All we have done here is to allow a phaseout of the current program.

Mr. Speaker, I come from a part of the country that has lagged far behind the rest of the country in recovering from the recession of the early eighties. We still have unemployment rates high above the national average.

I had hoped this Congress would not turn our backs on those people; that we could be more generous even in the face of deficits. In my capacity as co-chairman of the Northeast-Midwest Congressional Coalition's Task Force on Unemployment Insurance, I have joined my Democratic colleague Representative DON PEASE in supporting extension. On my own side of the aisle, I have joined with Representative NANCY JOHNSON to urge our colleagues to support an extension of FSC. I would like to ask unanimous consent to include a letter sent by Mrs. JOHNSON and myself to our colleagues on the Ways and Means Committee which reported this legislation.

An extension is not going to happen today and many of us, I believe, have overlooked the nurturing of one of our Nation's primary assets—our people, the people that make our factories run and pay the taxes that keep our cities and towns viable.

Though we cannot extend the program now, I urge my colleagues to vote for this phaseout. But I want to send a message to those unemployed people in Pennsylvania and around

the country—you are not forgotten and the fight for comprehensive reform of the unemployment insurance system will continue.

NORTHEAST-MIDWEST CONGRESSIONAL COALITION, U.S. HOUSE OF REPRESENTATIVES

April 1, 1985.

HON. DAN ROSTENKOWSKI,  
Chairman, Committee on Ways and Means,  
2111 Rayburn House Office Building,  
Washington, DC.

DEAR MR. CHAIRMAN: As Republican members of the Coalition's Task Force on Unemployment Insurance, we are writing to urge you to support an extension of the Federal Supplemental Compensation (FSC) program tomorrow when the issue is considered by the full Ways and Means Committee.

It has been argued that we should not take any action to extend this unemployment insurance program—that continuation of these supplemental benefits cannot be justified at a time of economic expansion. We cannot agree. The extensions being considered by the Ways and Means Committee are modest compared to extensions of the program in the past. The human cost of inaction would simply be too great.

While national unemployment has declined significantly, many states and communities still have jobless rates much higher than the national average. Indeed, there are thousands of unemployed workers in our districts—and hundreds of thousands across the country—who, through no fault of their own, have lost their jobs and have been unable to find work despite the economic recovery.

We support the view that endless unemployment benefits are not the answer to our joblessness problem and that the lasting solution is sustained economic growth. However, as we work toward this goal, we cannot stand by and forget those who already have fallen victim to economic dislocation. We must continue to help these long-term unemployed in their struggle to get back on their feet.

For these reasons, we urge you to support an extension of the Federal Supplemental Compensation (FSC) program and to oppose any efforts to delay bringing the bill as soon as possible to the House floor.

Finally, we believe our current unemployment insurance program is in need of comprehensive reform. We would like to take this opportunity to bring to your attention legislation reported by the Subcommittee on Unemployment Compensation and Public Assistance that would make many long-overdue changes in the system. This bill would merge the current Extended Benefits program with the Federal Supplemental Compensation program to form a streamlined program of extended benefits for the long-term unemployed.

Thank you for the opportunity to present our views. We hope they will be helpful in your deliberations.

Sincerely,

WILLIAM F. CLINGER, JR.,  
Co-Chair, Task Force on Unemployment Insurance.

NANCY L. JOHNSON,  
Member, Task Force on Unemployment Insurance.●

## WHERE IS MEXICO'S PRIDE

## HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. RANGEL. Mr. Speaker, I wish to bring to the attention of my colleagues a timely editorial which appeared in the March 22, 1985, edition of the New York Times entitled, "Where Is Mexico's Pride?"

The article states:

A decade ago, Mexico was the main source of marijuana and heroin consumed in this country. Commendably, it responded to U.S. pressure and help with an effective crop eradication program. By 1981, Mexico's share of marijuana shipments to the U.S. had fallen to 4 percent. Its heroin share was down to 33 percent by 1983.

But now Mexico's marijuana shipments have rebounded to 24 percent, while heroin shipments have crept back up to 37 percent. The reversal coincides with disturbing signs of official indifference.

The recent kidnaping of Enrique Camarena Salazar, and his subsequent murder, have received wide publicity in the media. He was kidnaped on February 7, 1985, and his body was not discovered until March 6, 1985. Secretary of State Shultz met with Mexican officials to express American displeasure at the pace and results of the investigation. Subsequently, seven suspects were arrested in connection with his kidnaping and murder.

On March 22, 1985, U.S. Attorney General Edwin Meese III and Mexican Attorney General Sergio Garcia Ramirez met and agreed to share information "about corruption linked to drug trafficking \* \* \* and to cooperate fully in strengthening the eradication programs in Mexico." They also agreed to meet in 6 months to assess progress.

Mexican authorities charged several members of the Jalisco State Judicial Police with crimes related to the Camarena case. Acting Drug Enforcement Administrator John Lawn said the DEA and Mexican authorities worked together until the bodies of Camarena and the Mexican pilot Alfredo Zavala Avelar, who flew occasional missions for the DEA, were discovered. However, cooperative efforts then ceased.

As chairman of the Select Committee on Narcotics, I have followed the events in Mexico with keen interest. I can tell you that the cooperation of foreign drug-producing nations is absolutely essential, if we are going to significantly curtail the flow of narcotics into America. I am concerned that a large marijuana farm, discovered last year in November, could go undetected for so long. However lax Mexico may have been in recent months in discovering and prosecuting drug traffickers, I am hopeful that Camarena's death, and subsequent meetings between American and Mexican officials, will

galvanize Mexican authorities to vigorously pursue drug traffickers wherever they may be found.

Joint American-Mexican drug eradication efforts were one of the few successes realized in our antinarcotics efforts in the 1970's. I am hopeful that the events of the last 2 months will cause Mexican President de la Madrid to view Mexican narcotics production with new urgency. It is in the interest of both nations to work cooperatively to limit narcotics production, so that more punitive measures can be avoided. I have confidence that Mexico, our "good neighbor," will respond positively to this situation, and I will closely watch for tangible signs of progress in the months ahead.

I ask that the New York Times article entitled "Where Is Mexico's Pride?" be inserted in the CONGRESSIONAL RECORD at this point. The article follows:

[From the New York Times, Mar. 22, 1985]

## WHERE IS MEXICO'S PRIDE?

The United States is rightly alarmed by evidence that drug traffickers are corrupting Mexico's law enforcement. Why are Mexican officials so reluctant to share that alarm?

A decade ago, Mexico was the main source of marijuana and heroin consumed in this country. Commendably, it responded to U.S. pressure and help with an effective crop eradication program. By 1981, Mexico's share of marijuana shipments to the U.S. had fallen to 4 percent. Its heroin share was down to 33 percent by 1983.

But now Mexico's marijuana shipments have rebounded to 24 percent, while heroin shipments have crept back up to 37 percent. The reversal coincides with disturbing signs of official indifference.

Last November Mexican authorities seized 2,500 tons of marijuana produced on a farm employing 6,000 peasants. How could that immense business operate without official complicity? The question grew sharper this month when Mexican authorities were suspiciously slow to investigate the murder of a U.S. drug enforcement agent. Under heavy pressure from Washington, they finally arrested several Mexican police officers. "It's hard to tell the good guys from the bad guys here," reported one U.S. agent. "They all carry badges."

Though they might have been knocked off balance at first, Mexican drug dealers, whose wealth reaches into the hundreds of millions, have now found it easy enough to purchase protection. In addition, President de la Madrid may now be hesitating to move against political allies with possible ties to the illicit trade. And Mexican officialdom sees the whole effort as a big favor to the United States—less urgent now that relations with the Reagan administration have cooled.

What then can the United States do? Some in Washington are enraged to the point of demanding an end to help from the World Bank and Inter-American Development Bank, which last year lent Mexico more than \$800 million. But that would further limit Washington's influence and also penalize United States businesses in Mexico. Besides, the Mexicans have a point when they insist that the problem really begins with the demand for drugs in the United States.

But in their terms, it's risky to dismiss the issue so casually. Colombia, Pakistan, Thailand and Malaysia once considered drug production for export a relatively harmless activity. All now find themselves having to cope with large and growing addict populations. The Mexican economy already is infected as Mexico's drug traffickers have invested their millions in real estate and other legitimate businesses. Unchecked, their bribing and bullying of officials is sure to continue.

Does a country so dependent on tourists from the United States really want a reputation for addiction, corruption and violence? Is its legitimate economy so weak that it must settle for one rooted in crime? Why does a Government properly proud of its standing in the hemisphere allow itself to be pushed around by thugs?

Pride should dictate Mexico's cooperation with drug enforcement. So should self-interest. ●

IMPORTANCE OF REA  
ENGINEERING STANDARDS

## HON. THOMAS A. DASCHLE

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. DASCHLE. Mr. Speaker, when the Rural Electrification Administration [REA] was established 50 years ago, American electric utilities were primarily urban, and each system was generally individually designed to meet the needs of its higher density urban areas. Early REA leaders took a different approach to rural utility design, however, noting that economically feasible service to rural consumers would require engineering, material, and construction standards that could be used nationwide to offset, in part, the higher costs of providing service in lower density rural areas. From that early time, REA's engineers took an industry lead in developing designs to solve the unique problems facing rural utilities.

Now, REA has under consideration abandoning its engineering and standards responsibilities—functions performed in the Electric Program by the Electric Engineering and Standards Division and in the Telephone Program by the Telecommunications Engineering and Standards Division. Some of the work in establishing standards to provide rural system designs may be contracted out to private entities. The result would increase costs to the Government, the rural systems, and the consumers they serve because these private entities would not be able to monitor and enforce these standards effectively.

Mr. Speaker, before the administration proceeds with this plan, I think it is important for Congress and the public to know exactly what is at stake. I would like to take a few minutes to describe the work of the REA telecommunications engineers. I also

feel strongly about the fine work of the Electric Engineering and Standards Division, and have made public statements to that effect on prior occasions.

#### STANDARDIZATION

Standardization of specifications, designs, materials, and construction techniques is a vital element in the continuing success of the REA Telephone Program. In testimony before Congress last year, a representative of the Power and Communications Contractors Association, Mr. Lee Hogan, stated that contractors can build projects for rural utilities for between 5- and 9-percent less than they would normally cost, due to the system of standardization that REA has developed over the years. This translates into savings of about \$133 million per year. Other benefits of standardization include: Lower equipment and material costs due to competition among manufacturers and a volume market for their products; improvements in equipment performance and construction due to standards based on technological advances and rural telephone company operating experiences; ease of maintenance due to familiarity of personnel with standardized equipment and materials; and reduced inventory and material stocking costs.

REA uses existing national standards and specifications when they are available and applicable. Otherwise, REA establishes them, after allowing for comments and consultations with manufacturers, engineers, rural telephone companies, contractors and other interested parties. Equipment meeting the standards is compiled in a list which is updated bimonthly and is widely used for rural design and construction.

A standardized construction contract keyed to the list is used for the provision of outside plant. Outside plant, such as the buried or aerial telephone cable, telephone poles, and so forth, accounts for about half of all the loan dollars in the rural telephone programs.

REA subdivides the entire construction project into standardized units, so that contractors can more easily bid competitively. Inside plant, including switching equipment, and electronic transmission equipment are purchased using standardized performance specifications for the equipment, installation and acceptance testing.

REA also provides the only comprehensive engineering and construction manuals for rural telephone systems designs.

It updates both the manuals and specifications periodically to cover technological changes as well as actual operating experiences of borrowers.

When there is no prior performance history for new equipment, REA initiates a field trial procedure. This in-

volves a small number of installations carefully monitored for operating characteristics in rural environments. Satisfactory performances result in inclusion of the equipment on REA's list of equipment acceptable for general use. For example, successful field trials have been performed on digital switching systems, rural subscriber carrier transmission systems and rodent-resistant buried cable designs.

#### DEVELOPING DESIGNS FOR THE RURAL NETWORK

Perhaps the most important function of REA's engineering staff is to encourage the design of equipment needed for provision of rural service. Weather conditions can be extreme in many rural areas, and the low subscriber density is a challenge compared to designs planned with urban areas in mind. If it were not for REA, it is likely that few, if any, of the technological advances most useful to rural telephone systems would have been made.

Thus, REA takes these steps to foster design changes for rural telephone use:

First, monitoring technical problems reported by borrowers. REA monitors various operating experiences reported by borrower systems, and solicits information about any major problem areas.

Second, developing ideas and specifications for products or changes to address the problems. REA engineering staff develops ideas for new products or design changes in existing products to address the problems, and develops specifications for the products or changes.

Third, encouraging private sector participation. REA encourages manufacturers and engineering consultants to design, test, field trial and manufacture new equipment for rural service.

It encourages development of new products by offering the incentive of new business, since REA borrowers mainly purchase only REA listed equipment with their Federal loans. As an aid to interested manufacturers, REA also provides technical assistance in the form of performance guidelines or specifications for new equipment as well as guidance on compatibility with existing rural systems and rural environments.

This successful public-private partnership has resulted in a number of important technological developments in rural telecommunications. These advances are in use now, not only in rural telephone systems, but also in telephone companies and administrations around the world. Examples of developments of this type are:

Rural subscriber carrier systems; economical rural subscriber loop transmission design using fine-gauge telephone cable; electronic loop extenders; electronic subscriber loop voice frequency repeaters; and direct buried rural telephone cables.

Additional advances, which resulted in the past from partial development grants by REA include:

Dial mobile radio systems for unattended central offices; early pair-gain electronic equipment; new approaches to moisture-resistant buried cable splice closure design; and a rural fiber optic transmission system evaluation.

REA engineers actively participate in efforts of professional organizations to develop and revise private sector voluntary consensus standards. REA is represented on steering committees such as the American National Standards Institute, the Electrical and Electronics Standards Management Board and the Institute of Electrical and Electronics Engineers Standards Board. REA is also represented on numerous technical committees, including the T1 Technical Committee and its various subcommittees of the Exchange Carriers Standards Association.

REA standards and specifications have been adopted by a number of U.S. Government agencies, and are used by the telephone administrations of a number of foreign countries.

Mr. Speaker, REA's engineers have been working at the forefront of rural telecommunications to help direct some of our Nation's tremendous technological resources in solving the problems of rural telephone. By contracting out or eliminating the telephone standards and specifications activities, which requires only slightly more than 8 professional staff years, REA would lose a key ingredient to the continued success of its rural telephone program in controlling the high costs of construction in rural areas. The real losers in this battle will be the rural telephone customers and eventually, the entire country, as the cost for this effort increases, or the technical quality of the rural network deteriorates.●

#### USDA STUDY EXTENSION LEGISLATION INTRODUCED

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. FORD of Michigan. Mr. Speaker, I am pleased to join with Mr. GOOLING today in introducing a bill to provide for a limited extension of two important programs that assist the National School Lunch Program participants and related child nutrition components.

Section 1 of the bill extends, through June 30, 1987, the pilot study on alternative means of assisting States and local school districts in delivering the School Lunch Program. This pilot project permits school districts desiring to participate to continue to do so until such time as the Con-

gress, after reviewing the study results, either implements one of the alternative methods nationwide or sends all school districts back to conducting their programs in the usual manner. The two alternatives permit participating districts to receive either all cash in lieu of commodities, or to receive all letters of credit in lieu of commodities, and to purchase much of the food products used in school lunch programs locally.

In addition to continuing the study methodologies already in place for this pilot project, school districts will, during the extension period, begin to receive bonus commodities in the same manner as those commodities are made available to any other school district participating in the National School Lunch Program.

The desired result of this pilot study project is to provide the Congress, the Department of Agriculture, and other interested parties with the advantages and disadvantages of specified alternative approaches to the current Commodity Distribution Program for school lunches, based on actual operations in representative samplings of school districts.

Section 2 of the bill provides for a 2-year extension, from July 1, 1985, to October 15, 1987, for the National Commodity Processing Program. This program permits private companies to enter into agreements with the Secretary of Agriculture, so that whenever a surplus commodity is made available without charge or credit under any nutrition program administered by the Department, the Secretary shall encourage consumption of such commodities by permitting private food processing companies to reprocess them into end-food products for use by eligible recipient agencies, including schools. The expense of reprocessing shall be paid for by eligible recipient agencies.

The extension in the bill for the NCPP is a straightforward extension of previous law, except that for the first time, such private food processors having agreements with USDA's Secretary to process bulk surplus commodities must settle all accounts with the Secretary and any appropriate State agency on an annual basis. This addition to the law is intended to assure accountability for commodities received as well as to assure their use is only for eligible recipients and not for commercial resale.

The National Commodity Processing Act was begun under Public Law 98-8, the Temporary Emergency Food Distribution Act of 1983, and was intended to make lower priced processed foods available to schools and institutions not now able to obtain them. Private processors, such as the Pillsbury Co. of Minnesota and Better Baked Foods of Pennsylvania, for example, will convert USDA surplus dairy and

other products into items that are easier to use and prepare and that are more attractive to consumers, particularly to schoolchildren.

Schools will receive a wider variety of products, and the Government will be able to reduce its inventory of surplus foods. Such processed foods made from bulk USDA commodities also reduce the costs to States for storage of commodities, eliminates the spoilage of certain foods stored over long periods of time, and eliminates plate waste in the School Lunch Program.

It is my hope that my colleagues will join in cosponsoring this extension legislation in order to improve and enhance the National School Lunch Program for schools, as well as for other institutions and the eligible populations they serve. ●

FRANCIS W. STOVER

HON. G.V. (SONNY)  
MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. MONTGOMERY. Mr. Speaker, on March 31, Francis W. Stover, deputy chief counsel of the Committee on Veterans' Affairs, retired, closing out an exemplary 29-year career as an innovator and guiding force in the field of veterans' benefits and services.

Frank served the committee for approximately 10 years. He was a great asset to the Committee, specializing in Education, training and employment matters. He was the committee expert on the Veterans Preference Act and was very experienced in the area of labor law.

Frank Stover is devoted to his country, having served honorably in France and Germany in World War II with the 94th Infantry Division of Gen. George S. Patton's Third Army. He was wounded in combat and received numerous awards for wounds he sustained during the Rhineland campaign.

Following his service, Frank obtained his law degree and, after practicing law for awhile, became an advocate for veterans. He spent many years in a major position of leadership with the Veterans of Foreign Wars and is held in high esteem by the members of this great veterans organization. Through his work on Capitol Hill, Frank became known as the dean of the veterans organizations national legislative directors. He had a keen insight into how the U.S. Congress functions and he knew his subject area. His expertise and ability benefited the veterans of our Nation through his work with the Veterans of Foreign Wars and the House Committee on Veterans' Affairs. He is known as a man of great character and integrity and his

reputation as an advocate for veterans is second to none.

Frank Stover served the committee with distinction and our members and staff are going to miss him.

Mr. Speaker, on February 26, the committee staff invited a few of Frank's friends to a committee farewell party. Because of his personal popularity approximately 200 people attended the event, including about 15 members of the committee. During the evening Frank received numerous awards from veterans organizations and friends. It was a special privilege for the ranking minority member of the committee, JOHN PAUL HAMMERSCHMIDT, and me to present Frank with a resolution on behalf of the committee expressing our deep appreciation for the contributions he has made as a key member of our staff for the past 10 years. The text of the resolution follows:

RESOLUTION

Whereas Frank Stover served his country honorably in France and Germany in World War II as a member of the 94th Infantry Division of General George S. Patton's Third Army and, during this period, which included the Battle of the Bulge, he was awarded the Purple Heart medal for wounds he sustained during the Rhineland campaign, presented the Bronze Star in recognition of meritorious military service, and the Combat Infantry Badge, and

Whereas as a result of this experience, Frank Stover, a graduate of Georgetown University Law School and a lawyer by profession, was to become a spokesman and advocate of the veteran, especially those who have made the extra sacrifice by their participation in combat against the enemy, and

Whereas his concern and activity in veterans affairs led to his being appointed National Legislative Officer for the Veterans of Foreign Wars of the U.S. from 1959-1975, and

Whereas since 1975, he has served as counsel to the Committee on Veterans' Affairs, achieving immeasurable success in the formulation and development of veterans' education, employment and training programs, including the new GI Bill, and

Whereas as Deputy Chief Counsel to the Committee on Veterans' Affairs, he has firmly established himself as a trusted friend and advisor to its Members, its staff and the veterans they represent and serve: Now therefore be it

Resolved that the Committee on Veterans' Affairs of the U.S. House of Representatives on this 20th day of February, 1985, commends Francis W. Stover and gratefully acknowledges his dedication to excellence, the wisdom, expertise and guidance he has so unselfishly provided in the execution of the Committee's mission and, above all, his lifelong commitment to improving the lives of his fellow man.

G.V. (SONNY) MONTGOMERY,  
Chairman.

JOHN PAUL HAMMERSCHMIDT,  
Ranking Minority Member.

Mr. Speaker, I know the Members of this great body, many of whom have worked closely with Frank over the years, will want to join with me in extending our best wishes to Frank and

his wife, Rebbie, for a healthy and happy retirement and our thanks for a job well done.●

**NO TROOPS TO EL SALVADOR  
OR NICARAGUA WITHOUT  
CONGRESSIONAL AUTHORIZATION**

**HON. MEL LEVINE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. LEVINE of California. Mr. Speaker, today I am joining Congressman FOLEY and 10 Members of Congress on a bipartisan basis in introducing a bill to prohibit the introduction of U.S. troops into or over El Salvador or Nicaragua for combat unless authorized by the Congress. I am doing so because the administration's Central America policy is basically flawed. It relies too heavily on military solutions, and has neglected the root causes of the problems in the region. Evidence of what makes that policy frightening and dangerous are abundant.

For example, last April within a period of only 10 days a series of chilling revelations were disclosed about U.S. activity in Central America. They were: that U.S. personnel were being used to mine the harbors and territorial waters off Nicaragua; and that the Secretary of State had placed this country above the law by withdrawing it from the jurisdiction of the world court with respect to disputes with Central American nations. Last November a storm of controversy was created by the administration over the alleged delivery of Migs to Nicaragua. There was no evidence that the Nicaraguans in fact received these planes or that they were or are planning to receive them. But because of scare tactics, the administration succeeded in creating unnecessary fear and tension in both Central America and the United States.

U.S. warships have been stationed off the coast of Nicaragua. U.S. reconnaissance planes have overflown Nicaraguan territory. In the past year three Americans were killed along the Honduran-Nicaraguan border. In El Salvador an American adviser was assassinated and four CIA-employed Americans died while engaged in an intelligence mission over guerrilla territory. U.S. advisers in El Salvador armed with automatic weapons faced hostile fire.

Last April two disturbing reports appeared in the newspapers about possible future administration action regarding Central America. On April 8 the New York Times ran a story, "U.S. Said to Draw Latin Troops Plan." The lead sentence said:

Senior officials in the Reagan administration say that contingency plans are being

**EXTENSIONS OF REMARKS**

drawn for the possible use of U.S. combat troops in Central America if the current strategy for defeating leftist forces in the region fails.

And on April 10 a Washington Post headline read, "CIA Views Minelaying Part of Covert 'Holding Action.'" The first line read:

The CIA views its involvement in the laying of mines in ports off Nicaragua as part of a holding action until its covert war against that country's leftist Sandinista government can be stepped up if President Reagan wins reelection, according to senior administration officials.

The contents of these stories were repudiated in an April 10 White House statement. But what are we to believe with respect to White House policy on Central America? What are its intentions with respect to military activity in that region of the world?

The bill we are introducing today is designed to ensure Congress its rightful role in Central America policy. It would prohibit the introduction of U.S. combat forces into or over El Salvador or Nicaragua unless Congress has declared war or specifically authorized such use of U.S. forces, or unless the introduction of such forces is necessary to meet a clear and present danger of hostile attack upon the United States, or to meet a clear and present danger to, and to provide essential and immediate evacuation of, citizens of the United States. The bill contains provisions for expedited Congressional consideration of any resolution or bill introduced at the request of the President to send troops to El Salvador or Nicaragua.

Mr. Speaker, we all know the tragic history of U.S. involvement in an undeclared war in Vietnam. We all know the tragic consequences of our experience in Lebanon. We all know the consequences if Congress is not vigilant in carrying out its responsibilities to this Nation. Congress has a constitutional role and the responsibility to carry out that role in deciding whether or not this country sends its troops into battle, and whether or not war is declared. This bill, which is similar to legislation I introduced in the last session of Congress, would strengthen that role and our ability to carry out our responsibility.

Last May the House overwhelmingly passed an amendment to a defense spending bill which incorporated the major provisions of our bill. In October these provisions were included in a House-passed continuing resolution. However, in both instances the language was weakened in conference with the Senate to that of a sense of Congress. The bill we are introducing today would strengthen that language and prohibit by law the introduction of U.S. combat troops unless specifically authorized by Congress.

Polls have shown that the American people are opposed to direct U.S. military involvement in Central America.

April 3, 1985

Let us try to carry out the will of the American people and to ensure that Congress has a say in whether or not this country sends its troops into battle.

We are seeking cosponsors of this bill, and we invite each of our colleagues to join us. The text of the bill follows:

H.R. 1865

A bill to limit the introduction of United States Armed Forces into El Salvador and Nicaragua for combat

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That none of the funds appropriated for any department or agency of the United States Government for fiscal year 1985 or fiscal year 1986 may be obligated or expended for the purpose of introducing United States Armed Forces into or over El Salvador or Nicaragua for combat.

Sec. 2. As used in this Act, the term "combat" means the introduction of United States Armed Forces for the purpose of delivering weapons fire upon an enemy.

Sec. 3. This Act does not apply with respect to an introduction of United States Armed Forces into or over El Salvador or Nicaragua for combat if—

(1) the Congress has declared war or enacted specific authorization for such introduction; or

(2) such introduction is necessary—  
(A) to meet a clear and present danger of hostile attack upon the United States, its territories or possessions; or

(B) to meet a clear and present danger to, and to provide necessary protection for, the United States Embassy; or

(C) to meet a clear and present danger to, and to provide necessary protection for and to evacuate, United States Government personnel or United States citizens.●

**INTRODUCTION OF A SENSE OF  
THE CONGRESS RESOLUTION  
CALLING FOR AN END TO THE  
USE OF PLASTIC BULLETS BY  
BRITISH SECURITY FORCES IN  
NORTHERN IRELAND**

**HON. BRIAN J. DONNELLY**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. DONNELLY. Mr. Speaker, today I am introducing a sense of the Congress resolution calling on the British Government to end the use of plastic bullets against civilians in Northern Ireland. A similar resolution has been introduced in the other body by Senator Dobb.

Plastic bullets have been responsible for 15 deaths and numerous maiming injuries in Northern Ireland. Obviously, there can be no doubt that plastic bullets are lethal weapons, and the manner in which they have been used in Northern Ireland argues convincingly for their immediate withdrawal. They are used in no other civilized land, but they are used, and often with

tragic consequences, in the crowded streets of Northern Ireland.

Several years ago, British cities were besieged by violent riots. However, use of plastic bullets against the rioters was ruled out by British officials due to the lethal nature of those rounds. There should be no double standard in the case of Northern Ireland. The continued use of plastic bullets against civilians in Northern Ireland only serves to incite further violence, and to widen the gulf of alienation that exists between the nationalist minority community and the institutions of the state in which they live. Especially at a time there is renewed hope for peaceful, political progress that will improve the quality of life for both communities in Northern Ireland, it is essential that the use of plastic bullets be ended.

H. Con. Res. 118

Calling upon the Government of the United Kingdom to ban the use of plastic and rubber bullets against civilians

Whereas the people and the Congress of the United States are deeply troubled by the unending cycle of violence and misery in Northern Ireland which has been a reality there for far too long;

Whereas Members of Congress have, on many occasions, expressed their belief that the use of plastic bullets by security forces in Northern Ireland is morally indefensible, and is a practice that should be ended;

Whereas the European Parliament has voted overwhelmingly in favor of a ban on the use of plastic bullets against civilians in the member states of the European Parliament;

Whereas in recent years fifteen people, many of them children, have been killed in Northern Ireland by plastic bullets fired by British security forces and over one hundred and sixty people have sustained injuries, including brain damage, loss of eyes, and total blindness;

Whereas all of these injuries have been suffered by civilians, many of them in non-riot situations;

Whereas the British Home Secretary has described plastic bullets as "lethal";

Whereas in serious rioting in 1981 in fourteen British cities, during which gasoline bombs and other potentially lethal missiles were used against police, plastic bullets were not used in any instance; and

Whereas the use of plastic bullets in the United Kingdom has been limited to Northern Ireland alone: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring),* That the Congress condemns the use of plastic or rubber bullets in Northern Ireland and calls upon the Government of the United Kingdom to ban the use of plastic or rubber bullets against civilians.

SEC. 2. The Clerk of the House of Representatives shall transmit a copy of the resolution to the President for the purpose of informing the Government of the United Kingdom.●

H.R. 1623

HON. THOMAS N. KINDNESS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. KINDNESS. Recently, Mr. Speaker, several of my Judiciary Committee colleagues from both sides of the aisle joined with me in introducing H.R. 1623, a bill which deals with the problem of assuring adequate compensation to injured parties of large-scale accidents in which the Government is involved. The Government's often predominant role in establishing product specifications, in maintaining and repairing products, and in making post-delivery alterations to products can result in the Government being more at fault than any single contractor in the event of a large-scale accident. Additionally, many Government contracts for products or services involve substantial tort liability risks because of their military nature or the experimental or state-of-the-art technology involved. The interests of the victims of such accidents, as well as those of the Government and the contractors involved, likewise require that a system of fair allocation of responsibility be established.

Indeed, Mr. Speaker, large-scale accidents often lead to two problems: fair apportionment of fault and adequate compensation to victims. The first of these problems involves the so-called Stencel issue (*Stencel Aero Engineering Corp. v. United States*, 431 U.S. 666 (1977)), and refers to a 1977 Supreme Court ruling which held that a contractor sued by a military employee for a work-related product injury cannot bring a third-party suit against the Government for damages, regardless of whether the Government is partly or totally at fault in the accident. When coupled with the use of strict liability in many States, Mr. Speaker, the Stencel doctrine has left firms in the private sector to bear potential liability for millions of dollars in damages over which they had no control. The precedent set by Stencel and subsequent cases of its type is clearly unfair and should be changed.

By way of solution, section 3 of the bill establishes a system of equitable reduction which would reduce the liability of a contractor to an injured Government or military employee in proportion to the Government's fault in causing the harm. Under this system, the contractor is liable only for the damages he causes. The Federal employee, who will have already received compensation for his injuries under the military benefits programs or the Federal Employees Compensation Act, would have the Government's subrogation lien against his award from the contractor reduced by

the percentage of the Government's degree of fault.

The second problem facing Government contractors is the potential of extraordinary liability caused by a product or service. As I mentioned at the outset, Mr. Speaker, Government contractors often develop products that can be hazardous and have the potential, however slight, to cause a large-scale accident. To the extent possible, all contractors purchase liability insurance to cover their potential liabilities in the event of a harm caused by their product, and the cost of this insurance is usually included in the cost of the contract.

But, obviously, Mr. Speaker, large amounts of insurance may be too costly to be practical in some cases. As a result, many contractors are now potentially liable for millions, if not billions, of dollars in damages in excess of the levels of insurance available in the commercial markets. Recent world events have demonstrated that this excess liability could easily exceed both a company's insurance coverage and its net worth.

A contractor bankrupted by such an accident would be unable to compensate many of the victims of the catastrophe. The victims' sole alternative would be an ad hoc Federal aid program approved by the Congress. As a matter of public policy, I believe Congress has an obligation to ensure our systems of Government contract and tort law do not become vehicles through which injured parties are reduced to the status of judgment creditors presiding over the liquidation of otherwise profitable companies—a process which would visit the greatest harm upon the injured parties and the innocent employees of such a firm.

Section 4 of the bill would indemnify all Government contractors for liabilities and exceed either a level of commercial insurance agreed upon in advance by the contractor and the contracting agency, or an amount that would be considered reasonable at the time the liability occurred. The indemnification procedure in section 4 will provide both contractors and injured persons with an established mechanism and procedure for compensating the victims of a large-scale accident. This would eliminate much of the delay, uncertainty and protracted litigation that would now beset both injured persons and contractors in a large-scale case involving substantial liabilities. This section of the bill is supported by the American Bar Association Section of Public Contract Law as the fairest and most effective means of providing indemnification in the event of an extraordinary occurrence. In order to protect the Government from unnecessary and unworthy claims for indemnification, liability caused by goods or services that are

also sold to nongovernmental purchasers for nongovernmental use or applications would not be afforded indemnification. In addition, liability created by the gross negligence, willful misconduct or lack of good faith by a contractor would not be subject to indemnification.

In short, Mr. Speaker, H.R. 1623 is the product of many years of discussion and debate and strikes a fair balance between the needs of injured persons, the Government, and the thousands of firms which contract with the United States. Almost half of the members of the Judiciary Committee supported the bill in the last Congress, and I hope my colleagues will work with me in bringing this much-needed legislation to fruition. ●

#### FISHERY CONSERVATION AND MANAGEMENT ACT

HON. DOUGLAS H. BOSCO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. BOSCO. Mr. Speaker, both Congress and the U.S. fishing industry hoped that enactment of the Fishery Conservation and Management Act [FCMA] in 1976 would offer an effective and responsive regulatory mechanism for managing our fishery resources. Two of the more important objectives of the act were promotion of the domestic commercial fishing industry under sound conservation and management principles, and to enable all affected groups an opportunity to participate in the management process.

In many important respects, the FCMA has failed to live up to its promise. Almost 10 years later, it has proven itself neither particularly effective in protecting the resource, nor responsive in addressing the concerns and needs of affected commercial fishermen and fishing-dependent coastal areas. Along the west coast, we now find ourselves with both a crisis of the salmon resource and an industry that has virtually no say in the regulatory process. Hundreds of fishermen face imminent bankruptcy and many coastal communities face uncertain economic futures.

Fortunately, reauthorization of the FCMA this year offers us an important opportunity to seek constructive changes. Today, I was joined by Congressman JAMES WEAVER, Congressman LES AU COIN, and many other west coast Representatives in introducing legislation aimed at addressing the act's shortcomings—particularly as it affects the west coast fishing industry. Because reauthorization of the FCMA is undoubtedly among the most important issues facing our fishing industry this year, I urge my colleagues to give this proposal serious consideration.

This legislation was developed in close consultation with both conservation groups and a coalition of fishermen from California, Oregon, and Washington known as fishermen's solidarity. These fishermen should be commended for their willingness to spend hours of their own time developing a coastwide response and for advancing FCMA proposals that I believe will strengthen both fishery resource protection and the economic standing of the west coast fishing industry.

First, this legislation would provide for a significant restructuring of the Pacific Fishery Management Council [PFMC] aimed at fostering more balanced and responsive decisionmaking in the fishery management process. Under the current system, the fishing industry has only 2 out of the 13 available seats on the council. Perhaps most symptomatic of the industry's diminutive role in the management process is the fact that a commercial salmon troller has never been appointed to the council. This despite the fact that the council spends more than 80 percent of its time on salmon management issues, and the Governors of California, Oregon, and Washington have recommended several superbly qualified salmon fishermen to the Commerce Secretary for appointment.

This proposal would mandate that out of a 13-member council, 7 members shall be active participants in the recreational, or commercial fishing, or processing sectors of the fishing industry. The remaining members would consist of the principal State fishery officials from California, Washington, Oregon, and Idaho, and two at-large seats to be filled by an ocean scientist and a tribal representative. Moreover, unlike now, the Governors would have to consult with commercial and recreational fishing interests as well as conservation and tribal representatives before making council appointment recommendations.

The intent of this representational management scheme is to strengthen the role of affected fishermen while ensuring a more effective balance between commercial, recreational, scientific, and conservationist interests on the council. We have rejected the idea of mandating a set number of commercial troller or trawler seats to help establish this balance, but I believe it is clear that good fishery management will not be possible without more participation allowed for those who possess practical fishing experience. In sum, this type of council restructuring is flexible enough to allow the Commerce Secretary to ensure that each major fishery under the jurisdiction of the PFMC will have an experienced, knowledgeable voice in the regulatory decisionmaking process—allowing for a much needed diversity in council management philosophy.

The second major element of this legislation addresses the critical issue of fishery habitat protection. Habitat protection and enhancement are indispensable to maintaining adequate fishery production. Conflicts over fishery harvest allocation will only worsen unless this fact is clearly recognized and addressed. Inexplicably, however, the FCMA is virtually silent on this issue.

Since 1976, our Nation has continued to engage in Federal activities which have destroyed and degraded fishery habitat, thereby reducing the number of fish available for harvest and reproduction and exacerbating problems facing the industry. For instance, our Nation now loses to development each year over 450,000 acres of wetlands, which provide invaluable breeding areas for many different kinds of fishery resources. Along the west coast, thousands of miles of anadromous fish spawning habitat have been destroyed or degraded by water diversions, hydroelectric projects, mining, roadbuilding, and poor timber harvest practices.

This proposal would mandate two changes to address this serious problem. First, it would codify the current National Marine Fisheries Service [NMFS] habitat policy by requiring the inclusion of habitat information in fishery management plans developed by the councils. I believe this is necessary both to enhance our knowledge of how Federal activities affect fishery habitat and to allow for better coordination between fishery management decisions and habitat considerations. The need for more information between the two is much too important to be left up to the councils. The NMFS would be provided with the responsibility to provide the councils with the necessary habitat information and analysis for inclusion in the plans. This information would include current and future fishery habitat conditions, the life and habitat requirements important to the sustenance of the fishery and its food base, and the measures needed for the conservation, restoration, or enhancement of habitat that is essential for the fishery.

Next, it would establish a flexible national standard that confirms that fisheries under Federal management are of extraordinary significance to the Nation. It would also establish explicit consultation guidelines and timetables through which the Secretary of Commerce and other Federal agencies are to confer relative to Federal activities that could cause significant fisheries harm.

Presently, the most significant law relevant to maintaining fishery habitat is the Fish and Wildlife Coordination Act [FWCA]. The FWCA requires Federal agencies to consider the effects of proposed projects on fish and

wildlife on an equal basis with project benefits. While the National Marine Fisheries Service is allowed under the FWCA to provide comments on a proposed project's effects on fisheries, the law accords no special significance to their comments. In effect, most other Federal agencies ignore these comments, including requests for information from either NMFS or the regional fishery management councils. Therefore, fishery habitat protection remains virtually ignored in Federal decisionmaking.

One of the great failings of the FWCA is the absence of any explicitly defined guidelines and timetables for consultation between the Commerce Department and other agencies. By requiring that other agencies respond to the Secretary in a timely and responsive manner, I believe that we will be enhancing the role of the Secretary to see that responsible mitigation is seriously considered for actions that are likely to cause significant fisheries harm. This proposal will not provide the Secretary with authority to halt or delay other Federal agency activities. But any agency that refused to comply with Commerce's recommendations would have to clearly identify the public interest that outweighed the need for habitat protection.

Finally, this bill would establish a more timely appeals process and arbitration board for either a State or fishermen affected by Federal preemption of a State fishery management plan. Under FCMA, a State is allowed to apply to the Commerce Secretary for reinstatement of its authority within 3 miles offshore after a Federal preemption has occurred. If the Secretary finds that the reasons for which State management was preempted no longer prevail, he or she is required to promptly return State authority. However, no other specific guidelines for preemption are included.

There is a general consensus that the current preemption process is too long and drawn out to take into consideration the quickly changing nature of resource conditions. For their part, the fishing industry is concerned that one hearing before an administrative law judge, as presently occurs, does not constitute adequate opportunity to present scientific evidence. Establishment of a timely arbitration process should meet both of these concerns.

Mr. Speaker, these issues are of vital concern to west coast fishing interests, and I would once again urge my colleagues to give prompt consideration to this legislation. ●

## EXTENSIONS OF REMARKS

### WESTWAY LANDFILL FUNDING PROHIBITION

HON. FRANK J. GUARINI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. GUARINI. Mr. Speaker, today I am joined by 22 of my colleagues from across the Nation in introducing legislation to prevent one of the most fiscally irresponsible, illegitimate Federal expenditures in history—the multi-billion dollar Federal funding of the Westway Landfill in New York City. My bill will prohibit the illegitimate use of Highway Trust Funds and other Federal moneys to fill in more than 200 acres of the Hudson River as part of the Westway plan to create real estate for commercial, industrial, and residential development and to change the shape of a public waterway.

As proposed, Westway is a 4.2-mile interstate highway partially tunneled through a landfill which would run from the tip of Manhattan to 42d Street. Because of its complex construction, maintenance and ventilation requirements, Westway would be the world's most expensive highway. Westway's construction is scheduled to proceed until 1994. With cost overruns, inflation and interest, Westway could cost American taxpayers between \$4 billion and \$10 billion.

In no way should New York be denied the right to obtain Federal highway funds to construct a highway. The need for a new highway is as clear as the need for an efficient mass transportation system which can move millions of workers and shoppers through this great city.

However, the use of scarce and much needed Highway Trust Fund moneys for massive real estate development is reprehensible. This expenditure is totally inconsistent with the purpose of the Highway Trust Fund. The Federal Highway Act of 1981 states that "funds shall be limited to the construction necessary to provide a minimum level of acceptable service on the Interstate System." Since there exist less costly alternatives which would accommodate a comparable level of traffic, financing the landfill is clearly an illegitimate use of Highway Trust Funds.

Moreover, funding the landfill is fiscally irresponsible and financially devastating. New York's share of interstate highway funds will never cover the projected 90-percent Federal funding of Westway's final construction cost. Its constructors will have to return to the Federal Government for more funding to finish the project. With a diminishing cash balance already forecast for the Highway Trust Fund, Westway could be left without funding and unfinished.

Instead, New York could obtain \$1.5 billion in highway trade-in funds if Westway was not constructed. According to Federal Highway Administration estimates, these trade-in moneys could easily be used to finance a suitable, but less costly nonlandfill highway and provide aid to New York's crippled mass transit system.

Funding the Westway Landfill would jeopardize the integrity of our environment. In dredging and filling more than 200 acres of the Hudson River we risk the destruction of the last vital striped bass habitat on the Atlantic Coast, and endanger a \$200 million industry. Westway's construction process would also stir up unpredictable amounts of toxic waste from the river bottom and contaminate the shore area. It could cause potential flooding problems on the west side of the Hudson as well. It is obvious that funding Westway undermines the intentions of the Clean Water Act of 1972 which requires that landfills not be constructed if they would have an adverse aquatic effect and if there are practical nonlandfill alternatives which would cause less environmental harm.

Finally, using Federal highway funds for the Westway Landfill sets a dangerous precedent allowing others to pave in public waterways and change the flow of our rivers for private real estate development.

For over 7 years, the Environmental Protection Agency, the Department of Interior's Fish and Wildlife Service and the Department of Commerce's National Marine Fisheries Service have stood in steadfast opposition to the Westway Landfill on the basis of the serious environmental risks surrounding it. Key legislators in both the Senate and the House of Representatives, the New York State Assembly and the New York State Senate have all gone on record opposing Westway. Concerned New York City residents, environmentalists and taxpayers throughout the United States have joined together in this worthy fight against funding Westway.

At this time of severe budgetary pressures, we should not sanction this precedent setting, illegitimate use of Federal highway funds for costly real estate development. We cannot afford Westway's potential adverse environmental impact. We must act quickly to prohibit the use of Federal funds for the Westway Landfill. I urgently ask for your support of this vital legislation. ●

## EMBARRASSINGLY IGNORANT

## HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mrs. SCHROEDER. Mr. Speaker, on March 25, the Denver Post commented on President Reagan's rather ignorant remarks about recent events in South Africa.

## FORGETTING OUR HERITAGE

President Reagan's views of race relations in South Africa, as he expressed himself at his Thursday night press conference, display not only an almost tragic blindness toward that troubled nation, but also an ignorance of the trauma in his own nation only two decades ago.

The president's defense of South African police who killed at least 17 blacks as on "the law and order side" and his characterization of the victims as "rioting" and intent on "a violent settlement" through "trouble in the streets" were chilling reminders of the language of official statements once issued from Alabama and other southern states where black Americans sought civil and human rights.

It was Sheriff Jim Clark and his Selma, AL, possemen who were on "the law and order side" when they brutally beat blacks seeking the right to register and vote. It was Alabama Gov. George Wallace—then the "segregation forever" George Wallace—who was also on "the law and order side" when he sent troopers to bludgeon the line of marchers attempting to take their grievances to the state capital.

And throughout that era of bloody violence and repression, it was the Clarks and the Wallaces and their defenders—even high national officials—who maintained that criminal and subversive motives were driving the victims of "law and order," just as President Reagan asserted Thursday night.

The President even offered the shocking suggestion that blacks in the pay of the South African police forces, under the discipline of the brutal and inhumane system of apartheid, were on the right side of the stand against human rights and dignity that has made South Africa a hated pariah among nations.

He found it "significant," the President said, "that some of those enforcing the law and using the guns were also black policemen."

Other members of his own administration, including Secretary of State George P. Shultz and Chester A. Crocker, the secretary of state for Africa, issued strong denunciations after the South African killings—not just against the apartheid system, but against its awful results.

Shultz said the action "only underlines how evil and unacceptable that system is." Crocker, traveling in South Africa, said the slayings served as "a tragic reminder of what happens when there is no basis for consent and no effective dialogue between those who govern and those who are governed."

President Reagan, almost as an afterthought, said at his press conference that he sees the "system there repugnant" in South Africa. But when he cloaks the instruments of that system with "law and order" and suggests that an oppressed people can be dismissed as rioters intending

## EXTENSIONS OF REMARKS

"trouble in the streets," he offers evidence that he knows and remembers little of the legitimate aspirations of millions of his own people and millions more elsewhere in the world.

We are embarrassed for the President. We can only wonder at a frame of mind that even the one-time segregationist oppressor George Wallace now says is blindly mistaken. ●

## TRIO PROGRAMS

## HON. JOE MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. MOAKLEY. Mr. Speaker, I would like to take this opportunity to share with my colleagues my support for the special programs for students from disadvantaged background [TRIO]. These excellent and cost-effective programs have been extremely successful in helping many of our disadvantaged youth to realize their full potential through the learning and social opportunities offered by postsecondary education. Because I believe so strongly in the worth of TRIO programs, I was extremely distressed to learn that President Reagan in his fiscal year 1986 proposed budget plans to reduce TRIO budget funding by more than 50 percent. I believe that such cuts would severely diminish the effectiveness and success of the TRIO Program to an extent that would far outweigh the relatively small economic gains of such reductions.

The purposes of the TRIO programs are to identify qualified individuals from low-income families who are in the first generation in their families to attend college, to prepare these students for postsecondary education, to provide special supportive services for low-income, first-generation, and physically handicapped students while they pursue programs of postsecondary education, and to train persons serving or preparing for service in programs and projects so designed.

These TRIO programs have proved beneficial to disadvantaged students from various backgrounds throughout this country. In fiscal year 1984, 1,275 TRIO projects which operated in over 800 higher educational institutions and 80 community agencies served a total of 505,000 students. Two-thirds of these students are from families where first, the total taxable income is less than 50 percent of the poverty level, and second, neither parent had graduated from college. Among TRIO students, 41 percent are black, 35 percent are white, 17 percent are Hispanic, 4 percent are American Indian, and 3 percent are Asian. Eleven thousand TRIO students are physically handicapped.

TRIO refers to five programs which provide supportive services for disadvantaged students to enroll in and

graduate from college. These programs are funded under the special programs subpart and include: educational opportunity centers, special services for disadvantaged students, talent search, upward bound, and a training program for TRIO staffs. These programs provide low-income students a realistic opportunity to escape cycles of poverty and to achieve the upward mobility afforded by higher education.

If in fiscal year 1986 the administration is successful in reducing TRIO funding by 53 percent, the result would be devastating. An estimated total of 380,000 students would be completely eliminated from these most valuable programs. The 167 talent search and 33 educational opportunity center projects would be eliminated. These projects provide 294,000 disadvantaged students with information about college and financial aid opportunities. Twenty percent of black and Hispanic students who enter college receive assistance from these two projects.

The administration's budget would also cause 20,000 students to be eliminated from special supportive services projects. These projects provide counseling, tutoring, and remedial coursework assistance. The low-income and first-generation students who benefit from these services are more than twice as likely to stay in school as similar students who do not participate in such services.

Proposed budget cuts would also eliminate 15,600 students from the Upward Bound Program and the total number of these projects would be reduced from 421 to approximately 200. Such cuts in Upward Bound are difficult to justify in light of its effectiveness. High school students who participate in Upward Bound are four times as likely to graduate from college as similar students who do not have the benefit of such participation.

Although I realize that due to the Federal deficit, budget cuts are necessary. I do not believe that TRIO should be made a target for reductions. The benefits of the program both to disadvantaged students and to education in this country as a whole far outweigh the comparatively low costs. ●

## FOR BULLETPROOF VESTS

## HON. TIM VALENTINE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. VALENTINE. Mr. Speaker, I am today reintroducing legislation that I introduced during the 98th Congress designed to insure the safety and protection of local law enforcement officers. The purpose of this legislation

is to provide for a one-time purchase of needed protective soft body armor—bulletproof vests—to be worn by police officers in the line of duty.

Simply put, the life of a police officer is in constant danger. When an officer responds to a call for assistance and knows that an individual with a weapon is involved, there is time to take precautions to protect and defend against the threat, reducing the risk of injury or death to the officer. It is not surprising, however, that officers are most often killed or injured during incidents in which the attack is totally unexpected.

The Institute of Justice sponsored a major program to develop a lightweight body armor that an officer could wear on a full-time basis throughout an entire working shift. This development was in response to the rapid increase in police injuries and fatalities from assault with guns and knives during the period from 1960 to 1970.

The rationale for my legislation is just as obvious now as it was then. If an officer always wears body armor, the vulnerability to serious injury or death from unexpected assault is greatly reduced. While armor that could be concealed under normal clothing was available during the early 1970's, it was too heavy and uncomfortable and most officers would not wear it even if they had it. Consequently, soft or lightweight armor was developed and is still considered today preferable for full-time law enforcement officers.

Since about 1975, law enforcement officers have been using protective armor of the soft or lightweight variety to an increasing extent. This type of armor has been developed so that it quite effectively stops the penetration of many types of handgun bullets and some rifle bullets which pose threats to law enforcement officers.

Interestingly enough, however, prior to 1975, State and local governments began to purchase new body armor for their officers, and many officers purchased their own if their department did not provide it.

Today, over half of the Nation's 528,000 law enforcement officers wear soft body armor on a daily basis. Law enforcement officers recognize that soft body armor was designed to stop the handgun bullets like the ones that killed 791 police officers between 1971 and 1980. They also recognize that the bulletproof vests have proven to be a very effective protective device.

Recently, local news media reported on the death of a Washington, DC police officer who was killed in the line of duty. In ending the news story, the reporter indicated that the officer's life could have been saved if only he had been wearing this protective armor during the line of duty.

The U.S. Justice Department estimates that these vests have saved the lives of more than 400 police officers since the law enforcement community began wearing the body armor in the mid-1970's. It is interesting that the approximately 28-percent decrease in firearm-related deaths could be accounted for partially by the increased use of soft body armor by law enforcement officers.

Mr. Speaker, the legislation, I am introducing today on behalf of the Nation's law enforcement community would provide for the authorization of a one-time purchase of soft body armor for the protection and safety of law enforcement officers.

Specifically, the measure would authorize the Attorney General to make grants to States for the purpose of assisting local governments in the purchasing of bulletproof vests for use by police officers. The measure also requires local governments to contribute no less than 25 percent of the cost of the vests, and funds not expended by the local governments shall be returned to the general funds of the U.S. Treasury Department as miscellaneous receipts.

Mr. Speaker, the intent of my bill is simple: It would help save the lives of police officers whose public duties and responsibilities are to protect the citizens of this country. By routinely wearing body armor during all shifts, an officer is assured by full-time protection from most likely threats.

Mr. Speaker, I urge my colleagues to review the legislation, to seek me out on the House floor, or call my office for further information and/or sponsorship.

Thank you. ●

#### SUPERFUND LAW

**HON. THOMAS J. DOWNEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. DOWNEY of New York. Mr. Speaker, I am introducing legislation today that will reverse an inequity that exists in this Nation's Superfund law that has prevented the Environmental Protection Agency from responding to this Nation's fastest growing environmental hazard—leaking underground storage tanks. I am joined by my good friend JIM FLORIO, who shares my concern over the dire health threat posed by these leaking tanks.

My interest in the need for this legislation has grown over the past 2 years as I struggled to provide assistance to nearly 60 families in my district affected by a massive gasoline spill in their neighborhood. Over 2 years ago, 100,000 gallons of gasoline leaked from storage tanks belonging to

a gasoline station into the ground below these homes. As a result, the homes in the area near the gas station have been inundated with fumes containing benzene, toluene, and xylene. These chemicals are dangerously toxic—in fact, benzene is a carcinogen. The supplying company and the county and State governments are still working to remove the bulk of the spilled gas. Legal action by the State and county governments against the responsible parties for the relocation of the residents took a long time to get off the ground. These delays and the drawn out negotiations prolonged my constituents' exposure to this severe health threat as well as the emotional hardship they were forced to bear.

I requested EPA assistance for these residents on two occasions and was denied both times. In the first instance, the Agency responded that its "regulatory jurisdiction over oil in ground water is extremely limited." I requested EPA assistance at the beginning of last month and was turned down again. I submit the heart of their response below:

Under section 104(a) of CERCLA, the President is authorized to undertake actions to respond to a release of a "hazardous substance" or a "pollutant or contaminant." The definition of "hazardous substance" in section 101(14) specifically excludes "petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as hazardous substance \* \* \*". The definition of "pollutant and contaminant" in section 104(a)(2) contains an identical petroleum exclusion. EPA interprets the petroleum exclusion to apply to materials such as crude oil, petroleum feedstocks, and refined petroleum products, even if a specifically listed or designated hazardous substance is present in such products.

This response clearly depicts an Agency whose hands are tied. Outrageous as it may seem, the letter demonstrates that even if EPA acknowledges the presence of a hazardous substance such as benzene at a hazardous wastesite, the Agency will not respond if the presence of the substance is traced to a petroleum product.

The facts demonstrate, moreover, that these tanks present an imminent hazard to the health of millions of Americans. Nearly half the country relies on ground water for its supply of drinking water and leaking tanks are one of the leading suspects for ground water contamination. New York State has estimated that nearly a fifth of its underground gas tanks are leaking now. Experts estimate that there are 75,000 to 100,000 gasoline tanks nationally that may currently be leaking and that up to 350,000 tanks may be leaking within the next 5 years.

Last year, Congress took action during the reauthorization of the Resource Recovery and Conservation Act to create a comprehensive Federal regulatory program for underground

tanks. The RCRA amendment was designed to prevent future spills, but it did not lift the shackles that prevent EPA from cleaning up tank leaks and toxic wastesites where petroleum is involved.

My legislation will simply give EPA the mandate it currently lacks to clean up underground tank leaks and sets aside a designated percentage of Superfund to deal with these tanks. By lifting the so-called petroleum exclusion, this legislation will free EPA to take actions to prevent, minimize, or mitigate damage to the environment caused by leaking gas tanks. It would allow EPA to give the assistance that was needed to help my constituents including such provisions as alternate water supplies, temporary evacuation and housing of people threatened by gasoline tank leaks.

The massive spill that occurred in my district can happen anywhere. The time has come for Congress to complete the work it began last year to deal with leaking tanks. Let us allow EPA to get to work on these leaking gas tanks before it is too late.

H.R. 1881

A bill to provide that the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 will apply to certain petroleum and to establish a separate account in the Superfund for leaking underground storage tanks

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

#### SECTION 1. PETROLEUM EXCLUSION.

(a) AMENDMENT OF CERCLA.—Section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 is amended—

(1) by inserting "(a) IN GENERAL.—" after "101.";

(2) by striking out "does not include petroleum" in paragraph (14) thereof and all that follows down to "does not include natural gas"; and

(3) by adding the following new subsection at the end thereof:

"(b) PETROLEUM.—The provisions of this Act shall apply to petroleum, including crude oil or any fraction or component or derivative thereof, in the same manner and to the same extent as such provisions apply to any hazardous substance referred to in paragraph (14), but only if such petroleum (or fraction, component, or derivative thereof) is otherwise specifically listed or designated as a hazardous substance under subparagraph (A), (B), (C), (D), (E), or (F) of subsection (a)(14)."

(b) CONFORMING AMENDMENTS.—All references in any provision of law to section "101" of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 or to any provision of that section are hereby amended to refer to section "101(a)" of that Act.

#### SEC. 2. SET-ASIDE FOR UNDERGROUND STORAGE TANKS.

Section 221 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 is amended by adding the following new subsection at the end thereof:

"(d) ESTABLISHMENT OF SEPARATE ACCOUNT FOR LEAKING UNDERGROUND STORAGE TANKS, ETC.—

"(1) CREATION OF ACCOUNT.—There is established in the Superfund a separate account to be known as the 'Leaking Underground Storage Tank Account' (hereinafter in this subsection referred to as the 'Account') consisting of such amounts as may be transferred to the Account as provided in paragraph (2).

"(2) TRANSFERS TO ACCOUNT.—The Secretary of the Treasury shall transfer to the Account from the Response Trust Fund amounts equivalent to 8.5 percent of the amounts appropriated to that Trust Fund under this section.

"(3) EXPENDITURES FROM ACCOUNT.—Amounts in the Account shall be available for expenditures which may be made from the Response Trust Fund under subsection (c) solely by reason of the amendments made to section 101 by the Superfund Leaking Underground Storage Tank Amendments of 1985. Any expenditure which may be made from the Account may be made only from the Account.

"(4) REPAYABLE ADVANCES.—

"(A) AUTHORIZATION OF TRANSFERS.—The Secretary may transfer, as repayable advances, to the Account from other amounts in the Response Trust Fund such sums as may, from time to time, be necessary to make the expenditures described in paragraph (3).

"(B) REPAYMENT OF ADVANCES.—Advances made to the Account pursuant to this paragraph shall be repaid, and interest on such advances shall be paid, to the Response Trust Fund, when the Secretary of the Treasury determines that moneys are available for such purposes in the Account (or when required pursuant to subparagraph (D)).

"(C) RATE OF INTEREST.—The interest on advances made pursuant to this paragraph shall be at rates determined under the rules of section 223(b)(2) and shall be compounded annually.

"(D) LIMITATIONS ON ADVANCES.—Rules similar to the rules of section 223(c)(2) shall apply for purposes of this paragraph."●

### WE ARE THE WORLD

#### HON. RICHARD RAY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. RAY. Mr. Speaker, I rise today to share with my colleagues something that I saw on television, because I hope that everyone in this Chamber and in the country will get a chance to see it.

All of us are aware of the absolutely tragic situation which is taking place in Africa. Children are starving by the tens of thousands; and when that happens it tells me that there is something wrong with the way the adults are running the world.

Like most of you, I voted for legislation to send more funds into that troubled area. Although there are few issues that we vote on up here that are clear cut, providing food and help for those that are starving is a clear choice for me.

What I saw on television has to do with the efforts that some people, who are not involved with government,

have made to help, and I was moved by what I saw.

Apparently, after the night of the American Music Awards, some of the highest priced musical talent on this planet went to a recording studio and made a record and a video disk entitled "We Are the Children."

In addition to their talent, these musicians contributed \$1 million of their own money to cover the production and distribution costs. All the proceeds of the album, video, record, and T-shirts will go for African famine relief and current estimates are that these efforts should bring in over \$250 million for this cause.

I won't even pretend to say that I recognized all, or even a majority of the famous faces which I saw on the screen. I am not very much in touch with today's music.

But although I did not recognize the faces, I certainly felt the mood and emotion which flowed from that group. These entertainers had just been nominated for the most prestigious awards in their industry. Some had won and some had lost.

But all that seemed forgotten and insignificant in the faces that I saw. These talented musicians had combined their efforts and abilities to come forward with a message of hope and eternal optimism that people seem to be able to hang onto in spite of everything that confronts us.

I hope that everyone in this Chamber and, indeed, everyone in our country will buy a copy of this record, and take the chance to see the video. Because it reminds us that children come to us straight from God, and are the hope that we have for the future.

But it also tells us that the only chance we truly have to work our way into the brighter future that we all want is to care about one another as human beings. Government can help. But unless we, as a people care enough about each other to put aside our individual problems and concerns and devote some attention to the world that we are leaving for our children and grandchildren, there is no constitution that has ever been written or no government that has ever been formed which will be able to save us.●

### A NICARAGUAN REFUGEE FAMILY'S PLEA FOR HELP

#### HON. BOB LIVINGSTON

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. LIVINGSTON. Mr. Speaker, since the Sandinista government took power in Nicaragua in 1979, thousands of Nicaraguan citizens have fled their country to seek refuge from the harsh policies of that totalitarian rule. It is right and proper for the United States

to come to the aid of these refugees and to oppose the Sandinista government which has forced them from their homes.

It is hard for the American people to conceive of a situation bad enough to make home-flight happen. We do not see much about it on television, and we do not have any personal experiences to draw on in trying to understand it. Consequently, I would like to read a short but poignant letter from Salvador Pierrot Armijo, who is president of the Civic Committee of Nicaraguan Emigrants. He wrote the letter on February 10, 1985, to the Jenkins family of Baton Rouge, Louisiana, thanking them for their refugee relief efforts through Friends of the Americas, a privately funded, nonprofit group they have formed. I understand this letter is typical of those received by Friends of the Americas in the course of their work with refugees.

This is an English translation, of course, Mr. Speaker, but I would be pleased to provide anyone interested with a copy of the Spanish original. The letter reads as follows:

FEBRUARY 10, 1985.

THE JENKINS FAMILY,  
Baton Rouge, LA.

I would like to thank you for your Christmas card and letter. Our best wishes that you and your family are well.

We had a difficult time understanding the letter because we don't speak English, but we could see the beautiful home you have formed with your wife and beautiful children and see that God exists in your home as you profess your Christian faith as every human being should.

In regard to how we Nicaraguan refugees are living, I want to tell you that the violence grows in Nicaragua every day because the Nicaraguan people cannot stand the injustice of the communist regime that rules my country.

Recently we have received several preachers who have come with their arms and legs inhumanly mutilated, tortured by the Sandinistas.

This week an Evangelical pastor arrived with his body almost completely burned. He is only alive by the grace of God. He told me that he was locked in a house by the Sandinistas, then tied up with two other companions. The Sandinistas then spread gasoline around the house, the walls of which were made of wood. Then they set fire to the house. The two other Evangelical pastors died in the fire and he alone was saved by God's divine salvation.

This type of incident is frequently repeated and the Human Rights Commission is notorious by its absence and never makes statements regarding such circumstances. It appears that the communists enjoy the privilege of murdering our Nicaraguan brothers in such a humiliating way and the Human Rights Commission overlooks these acts.

We would like for our friends in the United States to organize and help us raise our voices of protest to the world so all will know of the inhuman acts being committed against the Nicaraguan people.

We have sufficient evidence and are prepared to document similar cases such as I have narrated.

I also wish to express once again in the name of the Nicaraguan people, and for

myself personally, the valuable help you have been, along with the other group of friends who presented us with Shoeboxes for Liberty. I also plead to your spirit of good heartedness and the philanthropic spirit of the organization directed by your dear wife, that you help the Nicaraguan refugees who are living in Honduras without work and under inhuman conditions because we have no economic resources.

The number of Nicaraguan refugees is growing by the day, they are sick, wearing rags, and hungry. The majority of those refugees are children, women and the elderly.

The young people remain in the mountains of Nicaragua fighting along side the freedom fighters, the true heroes of the Nicaraguan people. We would appreciate a visit from you and your wife so that together you could witness the need of our people and you could give us the help we need from charitable persons such as you.

I will say no more.

I send best wishes to you and to your family.

SALVADOR PIERROT ARMIJO,  
*Presidente del Comité Civico de Emigrantes Nicaraguenses, Contiguo a la Logia Mazonica, Danli, Department del Paraiso, Honduras, Central America.*

So Mr. Speaker, this is the result of the lofty promises the Sandinistas made to the world—and to their own people—upon the success of their revolution. Let's face it, Mr. Speaker, they broke their promises of yesterday. We should not be foolish enough to believe their promises today. ●

#### USER TAX EQUITY

HON. NORMAN Y. MINETA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. MINETA. Mr. Speaker, nothing would be of greater assistance to the budget crisis we face than to increase reliance on dedicated user fees. Both the administration and the Budget Committee have advocated this approach. Yet the budget process itself provides powerful disincentives to raising those dedicated revenues. It does so because in the aggregate it looks at total revenues and at total expenditures and compares the two, but it tends to ignore the dedicated relationship between some of those revenues and some of those expenditures. Once the dedicated revenues are enacted, the budget process tends to take their existence as a given, but treats the expenditures side as a completely open question, subject to severe limitation even where dedicated revenues continue to flow in unabated.

We have had this problem in the Aviation Trust Fund for more than a decade. Dedicated revenues are enacted based on certain levels of need and authorized spending. But then in subsequent years the budget process considers those spending levels completely disembodied from the dedicated revenues on which they are based.

The result is that budget resolutions and enforcement devices are easily used to cut the expenditure side while leaving the revenue side untouched. The close relationship originally intended by Congress when it enacted the dedicated revenues is lost.

This is not only detrimental to the programs and the taxpayers involved, it is also detrimental to the budget process itself, because this kind of experience is used to oppose new dedicated revenues which would ease the budget squeeze and would provide assured financing mechanisms particularly for our capital investment-type programs. The argument against proposals to support additional program areas with dedicated revenues is that the promises accompanying dedicated tax proposals are just a ruse: "Once you get the revenue, we'll never see the spending you've promised." Until we deal with that concern, we will continue to face stiff opposition to user fees and other forms of dedicated revenue.

Programs supported by dedicated revenues and afflicted by the problems I have just mentioned include not only aviation, but also such programs as highways and transit. Legislation I am introducing today, the User Tax Equity Act of 1985, would deal with that concern by providing that programs supported by dedicated revenues would not be subject to the various enforcement devices of the budget process, if and only if the dedicated revenues provided by the Congress were fully adequate to cover the costs of the program. In other words, if you can raise the revenue, you can spend it. This would apply not only to existing dedicated revenue programs, but to such new dedicated revenue programs as the Congress might choose to enact, either of the contract authority type or the prior appropriation type. This bill would not in any way affect the entitlement programs, such as Social Security.

This is basically, therefore, a pay-as-you-go proposal. The Congress would be assured that the programs covered by this bill would not contribute one dime to the deficit, since they would be required to be at least fully self-supporting.

It also does not take these programs off budget: their anticipated revenues and expenditures would still be included in the unified budget.

Mr. Speaker, the bill I am introducing today is similar in concept to language I worked to have included in last year's budget resolution and which this House did approve last year as part of the House budget resolution. So I think the Members of this House have come to recognize that it is no longer enough that in imposing dedicated user taxes we make reasonable efforts at the outset to size those

taxes so that they will produce revenues roughly equal to what we plan to spend on the relevant programs in future years. In fairness to those who pay these user taxes, and in defense of our own credibility in imposing them, we also have to provide some reasonable likelihood that we will in fact spend in future years those amounts we assumed at the outset when we determined the level of the user taxes.

In short, if we are serious about pay-as-you-go, then we are going to have to let pay-as-you-go work. These user tax-supported programs are fully self-supporting; they don't contribute one dime to the deficit; they represent exactly the approach we should be encouraging. This legislation would simply allow us to live up to the promise we make when we impose these dedicated user taxes that they will be spent for certain dedicated purposes. It would do that by allowing spending for such programs to be as great as, but never greater than, the dedicated revenues being collected for that purpose. The programs covered by this bill are now fully self-supporting and would remain so if this bill were enacted. What would be different, however, is that we would be less likely to set dedicated tax levels based on one set of spending assumptions, only to find ourselves railroaded into lower spending levels, ballooning trust fund surpluses, and an angry citizenry which feels it was hoodwinked when we set user tax levels.●

#### FREE TRADE VICTIMS ACT OF 1985

**HON. DONALD J. PEASE**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 2, 1985*

● Mr. PEASE. Mr. Speaker, today I am introducing what might aptly be termed the Free Trade Victims Act of 1985. This bill extends the Trade Adjustment Assistant [TAA], Program for import-impacted U.S. firms and workers for 4 years. While preaching about the magic of the marketplace and the virtues of the strong dollar for American consumers, the Reagan administration continues to ignore the mounting toll of American markets and jobs that are being sacrificed to its disastrous trade and fiscal policies. The TAA Program is needed more desperately now than at any time since it was created in 1974, if we are to do anything to help those victimized by a trade deficit that exceeded \$120 billion in 1984.

My bill is in tune with our times. It simply extends the current TAA Program for 4 years. The other salient feature is that it provides for a different means of funding the TAA Program in the future than continued re-

liance upon general revenues. Specifically, it directs the President, upon enactment, to commence negotiations in the GATT context to secure approval for member countries to levy an adjustment fee on imports to finance trade adjustment.

Senator ROTH has offered a similar proposal in the Senate programs. Such fees would be akin to user fees to be levied on importers and nations exporting to America.

Under my bill, if the President is successful in negotiations, the adjustment fee would be applied as soon as GATT approval is won, if the President is unsuccessful in negotiating GATT approval of the establishment of adjustment fees during the next 4 years, then the fees will be imposed on October 1, 1989.

I hope for expeditious action on this bill. We must keep faith with those American companies and workers who have supported trade liberalization in the national interest in exchange for a commitment honored by every President from Kennedy through Carter to provide trade adjustment assistance.●

#### EXPLANATION FOR MISSED VOTE

**HON. BENJAMIN A. GILMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 2, 1985*

● Mr. GILMAN. Mr. Speaker, I was in a meeting earlier today with Attorney General Meese and the chairman of our Select Committee on Narcotics, Congressman RANGEL, and so was unable to cast my vote on rollcall No. 42, on agreeing to the conference report to H.R. 1239, supplemental appropriations for African famine relief. Had I been present at that time, I would have voted "aye."●

#### PLEDGE TO AMERICA

**HON. DOUG WALGREN**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 2, 1985*

● Mr. WALGREN. Mr. Speaker, I am honored to place in the RECORD an award-winning entry in the annual Voice of Democracy scriptwriting contest held by the Veterans of Foreign Wars and their ladies auxiliary. Marjorie Scholtz is a senior at Fox Chapel High School in the 18th Congressional District of Pennsylvania and the daughter of Kenneth and Marjorie Scholtz of O'Hara Township. She is also an active participant in a number of scholastic, local, and community organizations and would like to pursue a career in law.

I am proud to insert in the RECORD, "My Pledge to America," by Marjorie R. Scholtz:

Listen to me America. I speak to you. I speak not with one voice but with the richness and power of millions of voices. I bring you a promise to keep our country strong by not forgetting the past. I pledge to remember that the excitement and vitality of America is an echo—it is a refrain not a new song. Its melody was sung by Pilgrims and immigrants—by doughboys and sailors. It has a chorus with an accent on acceptance, freedom, and hope. This song tells us that today was shaped by yesterday—tomorrow will be framed by today!

I am a child of today. A progeny of astronauts, of the 23rd Olympiad, of personal computers and of Neilson ratings.

America's young people look to generations of long ago for guidance. They explore each horizon with the confidence of two hundred some years of ingenuity and grit behind them.

Young America pledges to remember: That Sally Ride would not have been an astronaut had there never been a Charles Lindbergh—that Jesse Jackson would not have made a bid for the presidency had there never been an Abraham Lincoln—that Jeane Kirkpatrick could not address the United Nations had there never been an Eleanor Roosevelt—that Lee Iacocca could not have rescued Chrysler had there never had been an Andrew Carnegie—that General Eisenhower could not have taken Normandy had General Washington never crossed the Delaware—that Andrew Wyeth's beautiful paintings are rich with the colors of Gilbert Stuart—and that Neil Diamond sings with the voice of an Al Jolson. America leads the world because it looks forward but she also leads because she doesn't forget to look back. Democracy is strong because of its history not in spite of it.

I am proud to be an American—proud of a nation whose power and wonder come from its diversity. Our flag tells the world that strength comes from tolerance not from insensitivity—that wealth is built on incentive and free choice not on government mandate. I pledge to be loyal to that flag. I pledge to America to work for you . . . to work at being well informed, to know politicians and what their goals are, to know about the world beyond the United States, to know about America's problems. Why are our school's mediocre? Is nuclear disarmament possible? Can we create jobs for the unemployed? Is there a way to stop hunger? These challenges face us as we move toward the next century and like our forefathers, we will meet these problems head-on . . . for we are a nation of action.

America is a democracy built on dreams but based on reality! With determination and hard work we will solve our problems. We are a country whose fabric is woven of strands of blue collar muscle and soldiers' sweat.

As a child of this country I promise to remember America's history and I promise to work for America's future.

This is my pledge to America.●

INTERNATIONAL DOLLAR  
TRADING

HON. THOMAS J. TAUKE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. TAUKE. Mr. Speaker, one of my constituents and a good friend of mine, John N. Knapp, president of the SCI Financial Group, Inc., of Cedar Rapids, IA, recently sent me the following letter to the editor of the Wall Street Journal. His points are well taken, and I commend his comments on the international trading of our dollar to my colleagues.

SCI FINANCIAL GROUP, INC.,  
Cedar Rapids, IA, March 18, 1985.

To the EDITOR,  
The Wall Street Journal, 22 Cortlandt Street,  
New York, NY.

DEAR SIR: Perhaps our preoccupation with the domestic economy is obscuring the answer to the recent daily puzzle of why new highs are being set in international dollar trading. In our introductory economic courses we learned about the powerful impact of the multiplier on the banking system and how the multiplier has the power of creating money. The multiplier also works internationally. An example of the international multiplier in action occurred in the 1970s with the unprecedented increase in Euro dollars and Euro dollar credit. For this reason it is probably no accident that current international dollar strength is happening simultaneously with reports of an extraordinary drop in foreign lending by U.S. banks. Increases in U.S. bank lending overseas have slowed from \$111 billion in 1982 to an estimated \$300 million during 1984. Possibly in 1985 there will be an actual decrease! Is the multiplier now working in reverse?

Because of a change in the international liquidity preference of banks, recent growth in the money supply (which normally would be more than adequate to satisfy our domestic economic needs) is not sufficient to overcome the international contraction of liquidity which the new reluctance to lend (or borrow) internationally has caused. The monetary policy appropriate for current circumstances can only be discerned from an international perspective. What may once have been considered to be an excessive rate of domestic monetary growth may, in a global environment, actually represent a contractionary policy. The continued strength of the dollar coupled with weakness in commodity prices is providing an important message to the Federal Reserve Board. We are in the midst of an international dollar crisis caused by a credit contraction which, on a world scale, cancels out more dollars in international credit than are being created by domestic money supply growth.

Against the backdrop of a contracting supply of dollars, international demand for dollars remains largely inelastic. Dollar denominated debt looms large in the global economy and the service of this debt insures a constant international demand for dollars regardless of price. Moreover, in a worldwide environment of declining inflation, investment portfolios are increasingly being restructured to include a larger proportion of financial assets of which 75 percent of the world's supply are denominated in dol-

lars. The debt service and investment requirements for dollars do not represent speculative demands which are subject to rapid change, but rather are demands which are fundamental in nature. The bottom line which measures whether sufficient dollar liquidity exists throughout the global economy to satisfy these demands will be found in the action of the international currency market. As long as dollar strength prevails, we will know we are short of international dollar liquidity. With a declining international dollar multiplier and strong dollar demand, an inflation-minded U.S. Federal Reserve Board will succeed in keeping inflation low, probably too low.

Our present course of tight monetary policy will increasingly destabilize our domestic economy by, (a) contributing to dollar strength, (b) promoting larger trade deficits, (c) weakening the domestic economy and leaving large amounts of capacity unutilized, and, thereby, (d) increasing the size of the Federal budget deficit. We should not fear a policy of promoting economic growth in this environment because of the possibility of reigniting inflation. There is a large amount of unused capacity in the world economic system, and the deflationary risks of our present course appear to substantially outweigh the dangers of inflation.

The proper policy should be to back off interest rates allowing the dollar to stabilize and retrace part of its advance. This will help our economy to grow with the added result that we will shrink our budget deficit when economic growth adds incremental tax dollars to the coffers of the government. On the other hand, if we do not supply adequate international dollar liquidity, we risk the destruction of American agriculture, the abandonment of American manufacturing and, because of an ongoing collapse of world commodity prices, the bankruptcy of world money center banks.

Sincerely yours,

JOHN N. KNAPP,  
Chairman and President.●

## AUTO SAFETY AND CAR PHONES

HON. ROBERT G. TORRICELLI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. TORRICELLI. Mr. Speaker, I rise today to share an article on the matter of car phone safety with my colleagues. Written by Mr. Gerald LeBoff, of Teaneck, it outlines the potential safety hazards associated with telephones in cars. It is an article which provides valuable insights into a problem which has yet to be fully examined by auto manufacturers and highway safety officials. I urge my colleagues to consider its points carefully.

[From the New York Times, Feb. 1, 1985]

ARE CAR PHONES SAFE?

(By Gerald A. LeBoff)

TEANECK, N.J.—Has anyone stopped to consider the safety problems of car telephones? Advertisers of the new service, obviously trying to downplay the issue, show pictures of cool executives cruising down uncrowded highways, one hand on the wheel and one on the set. But what about the hard-driving, get-it-done-yesterday type

fighting his way to work on a crowded urban highway? Will he see those distant brake lights while he's absorbed with closing a multimillion dollar European deal?

A few years back, we had a President who was partisanly described as having trouble chewing gum and walking at the same time. Can we expect as much from the average driver?

Can drivers safely pick up a telephone, dial it and talk at length—presumably about subjects that are too important to wait? I don't think so. The car telephone is an invitation to visual, tactile and auditory conflict. Even if the driver has the expensive "hands-free" option, talking and listening on the phone adds a dangerous sensory complication to driving.

Too often, we accept the consequences of technology without questions about its uses and limits. What is this cellular telephone? Is it a tool or a toy? If a toy, it should give the user pleasure and not subject him to unwarranted hazards. If a tool, where concentration is a necessary element, then it should be used in the repose of the back seat or a parkway rest area.

Last year, 50,000 people died in car accidents. To help combat this slaughter, many states are raising drinking ages and almost all have banned the use of stereo headphones by drivers. By allowing driving and telephoning, we are introducing an element of serious distraction, both physical and mental, that can lead to collisions.

As cellular-telephone service is quite new, there are no statistics about its effects on road safety. In New Jersey, for example, accident-report forms do not require information about whether a cellular phone was being used at the time of the incident.

But why should we wait for the inevitable confirmation, when common sense dictates some sort of safety guidelines for car telephones? The Federal Communications Commission and our state legislatures should quickly devise such guidelines. Cellular-telephone manufacturers and installers should make safety the centerpiece of their marketing strategies. And we all should recognize the potential dangers of this medium and demand prudent regulation.●

PATRICIA ROBERTS HARRIS

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. RODINO. Mr. Speaker, it is with a deep sense of sorrow that I take this opportunity to pay tribute to Patricia Roberts Harris, who passed away last week.

Pat Harris truly left her mark on this city and this Nation, and there is a great deal for which we will always remember her. Her achievements were many—the first black woman to serve in a President's Cabinet, as a U.S. Ambassador, and as dean of one of our Nation's outstanding law schools.

Although we will remember her for her contributions, we cannot forget that Pat Harris embodied a spirit that swept this Nation during her lifetime—the spirit of the civil rights movement, of which she was an inte-

gral part. She fought all her life to make this country live up to the ideals of equality and justice for all. The civil rights movement opened up the gates of opportunity in this Nation for so many, for whom they had long been closed. These were the same gates through which Pat Harris proudly passed. With all of the success she achieved—as a lawyer, an Ambassador, a law school dean, and as a member of President Carter's Cabinet—Pat Harris never forgot how hard the struggle had been or how many had been left behind.

That is why, as Secretary of Housing and Urban Development, Pat expanded the UDAG Program. She knew that equal opportunity meant little to those without a roof over their heads.

That is why, as Secretary of Health, Education, and Welfare, Pat was an ardent advocate of child nutrition programs. She knew that empty stomachs meant empty minds.

That is why, as a leader in the corporate world, Pat insisted that companies serve the best interests of their communities. She knew that a business which only served itself serves no one.

Dignity, strength and resolve, grace and humor—Pat Harris had all of these qualities in abundance. Those of us who were privileged to know her can only hope to emulate her in our own public service. She left a lasting legacy, one that will serve to enrich and strengthen life in our society, especially the lives of the underprivileged.●

McINTYRE-McCLOSKEY  
ALBATROSS

HON. THOMAS J. BLILEY, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. BLILEY. Mr. Speaker, our finest hours have come when we have been able to pull together in a bipartisan fashion and pass legislation benefiting the whole of the American people. I think we need to have one of our finest hours to solve the budget deficit crisis. But I am not sure that is possible with the McIntyre-McCloskey albatross hanging around our necks.

I agree that an investigation should continue, but I know Mr. McIntyre should be seated during that investigation as all precedent dictates.

The lost, liberal leadership has finally found an issue around which it can rally its party. What they need to understand is their stance on this issue—like so many of their other stances—ignores the Constitution and has no input from the common man. Well, the people have spoken on that type of government and the count was 49 to 1—against.

I ask those of you on the other side of the aisle who are pure at heart to

join the American people and ask your leadership to give back to the people of Indiana's Eighth District their constitutional rights.

Thank you.●

THE MOST REVEREND BISHOP  
VILMOS APOR

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. HORTON. Mr. Speaker, today marks the 40th anniversary of the death of Hungarian Bishop Vilmos Apor. Bishop Apor died from wounds received from Soviet soldiers while he tried to protect several young women from being raped. Bishop Apor's demonstration of courage in the face of death has served as a rallying point for Hungarian nationals around the world.

To remind people everywhere of the sacrifice Bishop Apor made, the Coordinating Committee of Hungarian Organizations has prepared a commemorative resolution. I ask unanimous consent that this resolution be included in the RECORD.

THE MOST REVEREND BISHOP VILMOS APOR,  
DEFENDER OF HUMAN RIGHTS, MARTYR OF  
HUNGARY

The martyrdom of the Hungarian bishop Baron Vilmos Apor takes us back to the last few weeks of World War II. On Good Friday, forty years ago, in the process of protecting young girls and women from being raped he was fired upon by drunken Soviet troops, and succumbed to his wounds a few days later, on April 2, 1945.

Vilmos Apor was bishop of the city of Gyor in Western Hungary during the most difficult years of the war, 1941 to 1945. His name was well known throughout the country. His social commitment, his helpfulness, and his willingness to stand up on behalf of anyone in need of his aid, were public knowledge. Thus it is no wonder that so many people sought his protection in times of persecution and war.

Among other things he was the ecclesiastic head of the Hungarian Holy Cross Association, an organization of Roman Catholics of Jewish origin. He applied all his energy to alleviating the fate of those Jews whose situation had become desperate as a result of the German occupation. His care was not limited to those who were baptized, however. It extended to anyone suffering persecution. In his sermons, in his pastoral letters, in his letters and telegrams to the head of the government, to ministers of state, etc., he demanded that inhuman decrees and practices be stopped. He called personally on the local head of the Gestapo to lodge his protests. Totally without fear, and with untiring energy, he waged a desperate battle on behalf of every victim of persecution, whether personally known to him or not. He turned no one away, for it was his creed to assume responsibility for all who appealed to him, and to protect them at whatever price. And he himself paid that price; he gave his life for those under his protection.

Toward the end of March 1945 the advancing Soviet troops reached Gyor. A

fierce battle was fought for this city on the banks of the Danube. The withdrawing German troops blew up the bridges and laid heavy artillery fire on the Soviet battalions pushed toward the inner city. Somehow, in the midst of the devastation, the bishop's palace remained almost entirely unharmed. But, following the battle, further trials were in store for those who had sought refuge there. Reports of the atrocities committed by Soviet troops filled everyone with dread, particularly the young girls and women. Their defense and protection now became one of Bishop Apor's main tasks.

He hid the women, resisting to the end of the violent assaults and demands of the Soviet troops. On Good Friday, however, a group of soldiers, blinded by drink and violence, ended the drama brutally and abruptly: maddened by the bishop's resistance, they began firing at random. Bishop Apor was hit by three bullets; one that eventually caused his death struck him in the abdomen. Blood from a wound on his forehead streamed down his face, staining his habit and crimsoning the pavement. The soldiers, who only a moment before had been shouting and firing wildly, suddenly took fright at what they had done, released their intended victims and fled to the street. The only words uttered by the dangerously wounded bishop, when he was told that the women and girls had been spared the Soviet atrocities, were: "It was worth it. I thank God for accepting my sacrifice."

An operation on Bishop Apor was performed in an emergency operating room set up in the basement of a ruined hospital. The surgeons worked by the light of a petroleum lamp—there was no electricity. The operation was successful. Hopes were raised high. But two days later, on Easter Sunday, the bishop developed a high temperature. The doctors diagnosed peritonitis. He suffered terrible pain, which he endured without a word of complaint. Hampered by their extremely limited resources, the doctors did everything they could, but were unable to save him. On Easter Monday, April 2, 1945, the bishop of Gyor died. The nun who closed his eyes at the last wrote later: "••• he suffered a great deal, endured it all with great patience, and died like a saint."

The ruined city could offer only a temporary resting place for Bishop Apor: a crypt in the church of the Carmelites. An appropriately solemn transfer of his remains to the cathedral of Gyor was arranged for November 23-24, 1948. The entire Bishops' Conference of Hungary, headed by Cardinal Mindszenty, announced that they would attend the funeral. However, on November 20, three days before it was to take place, Janos Kadar, the then Minister of Internal Affairs, now the First Secretary of the Hungarian Socialist Workers' Party, prohibited the transfer and the funeral rites, raising transparently false arguments.

The body of Bishop Apor remains in the church of the Carmelites to this day, 40 years after his martyrdom. But the Communists have not succeeded in erasing his memory. Reverence for him and his deeds is alive, within Hungary and without, wherever there are decent men and women. The man who gave his life for his people is not forgotten by them. The men who sacrificed his life to prevent the most despicable violation of human rights, rape, is admired and respected forever not only by his contemporaries, but future generations as well.

Coordinating Committee of Hungarian Organizations in North America, Istvan B.

## THE YOUTH SUICIDE PREVENTION ACT OF 1985

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. LANTOS. Mr. Speaker, today, with 27 of my colleagues, I introduced the Youth Suicide Prevention Act of 1985. Our legislation is a much needed initial step by the Federal Government to deal with this devastating public health and social problem in our country.

At a meeting with the press before our legislation was introduced, I was joined by several of these members as well as officers of the American Association of Suicidology, the American Psychiatric Association, and the American Psychological Association. There is clear agreement that this issue must be confronted and that Federal action is appropriate.

### THE SCOPE OF THE PROBLEM OF YOUTH SUICIDE

Some 30,000 Americans took their own life last year, and a disturbingly high proportion of those suicides—6,000—were young people. Even this shocking figure, based on the most recent data, may underestimate the problem. The actual number probably is much higher, but is intentionally or erroneously under-reported.

Suicide is currently the eighth leading cause of death in the United States, but among young people it is even more significant. Suicide is the third leading cause of death among adolescents, and the second leading cause of death among college and university students. Furthermore, the rate of suicide during the last 25 years among individuals 15 to 24 years of age has increased threefold.

For every suicide reported it is estimated that at a minimum 10 others are attempted. Thus, while there were 6,000 youth suicides last year, there could have been as many as 60,000 or more attempted.

### THE PHENOMENON OF "CLUSTER" SUICIDES

A deeply disturbing phenomenon has emerged recently as waves of suicides have occurred in communities as a result of one adolescent's death. In Plano and Clear Lake, TX, and in Westchester County, NY, such clusters of sequential suicides have been reported.

The first death may or may not have been preventable, but surely additional suicides could have been prevented if we knew how and had the local resources to help the peer group with its own adolescent reaction to the suicide of a friend.

## EXTENSIONS OF REMARKS

### CAUSES OF YOUTH SUICIDE

Most of those who attempt suicide are not mentally ill, but are healthy people experiencing severe personal crises. Crises and intolerable stress can occur in anyone's life. Thoughts of suicide are more common than we like to believe. There is an unwillingness to talk about it, to confront the problem, and to dispel the myths surrounding this ongoing tragedy. This contributes to our inability as a society to reduce a rising suicide rate.

This problem touches every corner of our country—respecting no age, ethnic, regional, or socioeconomic group. Teen suicide eludes classification as a tragedy affecting only low-income youths. As a matter of fact, young people in economically and academically successful families are among those at high risk. Youth suicide victims often are academically and socially successful.

The dramatic increase in teenage suicide is frequently attributed to the breakdown of the family. Divorce rates are higher today than ever before in history. Only 38 percent of all teenagers live with both natural parents. Pressures and stress on the family may be greater in these times when both parents must be employed full time.

Also thought to contribute to youth suicide is the increase in geographic mobility with its potential for disruption, uprooting, and loneliness. Models of violence and the romanticism of death displayed on television and in films may also play a role in teen suicide. Religion, which for some provides spiritual strength in times of stress, is often alien to many young people. Altogether, current social conditions leave youth especially vulnerable and at risk.

The taboos surrounding suicide are many and varied. The stigma of suicide clings to those who unsuccessfully attempt it, and to the family and friends of those who complete the act. Our Judeo-Christian tradition has led us to view suicide as murder. Indeed, many laws regarding suicide and attempts at suicide reflect this punitive point of view.

### SAN MATEO COUNTY CRISIS CENTER

As a legislator and an economist, I claim little expertise in the study and treatment of suicide. I do, however, know the importance to my own district in San Mateo County of the outstanding crisis intervention center with its model program for education about and the prevention of suicide.

Mr. Speaker, I want to make particular mention of the director of this center, Charlotte Ross, who has given untiring effort in this field. She has made great contributions to public awareness of the problems of youth suicide both locally and nationally.

The San Mateo Center, along with a similar institution in Los Angeles,

spurred California to be the first State in the Nation to pass legislation mandating a statewide youth suicide prevention school program. I believe we need to look to California for a national model for reducing the tragic problems associated with suicide.

Programs that have achieved success in suicide prevention, such as the San Mateo County Crisis Center, can serve as models for other areas of our country. This cross fertilization and dissemination of programs will be an important step toward youth suicide prevention.

### THE NEED FOR FEDERAL ACTION

Mr. Speaker, a tragedy of this dimension required Federal action, yet for more than a decade the Federal Government has made little effort to address this problem.

A tiny, underfunded unit for suicide research exists in a remote branch of the National Institute of Mental Health within Public Health Service. No Federal funds are targeted for prevention programs or research on prevention models through this unit. Those projects which are funded generally support biochemical research, clinical searches for physiological causes of suicide, and do not support research on prevention models.

### PROVISIONS OF THE YOUTH SUICIDE PREVENTION ACT

The Suicide Prevention Act establishes two short-term programs at the Federal level. Both programs will be set up under the U.S. Department of Health and Human Services in cooperation with the U.S. Department of Education.

### COMMISSION ON YOUTH SUICIDE

The bill creates a short-term Commission for the Study of Youth Suicide, whose principal task will be to examine the causes of youth suicide and identify the most promising crisis intervention strategies. The most important task for the Commission will be establishing short- and long-term national plans to assist States and communities in implementing effective youth suicide prevention programs. The Commission will be in existence for only 18 months.

The Commission will be composed of 13 members designated by the Secretary of Health and Human Services; a designee of the Secretary of HHS; a designee of the Secretary of Education; three individuals representing the public at large; and two individuals from each one of the following professional organizations, selected from five names submitted by each organization: the American Association of Suicidology, the American Psychological Association, the American Psychological Association, and the American Psychiatric Association.

## GRANTS FOR YOUTH SUICIDE PREVENTION PROGRAMS

The bill establishes a temporary 3-year grant program to aid States, local governments, and private nonprofit agencies to implement programs for the prevention of suicide among children and youth. The act authorizes \$10 million per year for the next 3 fiscal years for this purpose.

Programs eligible for funding under the bill include: Youth education programs; training personnel who work with youth to recognize signs of self-destructive behavior; establishing community suicide-prevention resources such as 24-hour teen hot-lines; providing educational materials, including public service announcements for radio and television; and holding appropriate national conferences on youth suicide.

## REASONS FOR SHORT-TERM PROGRAMS

Both programs established by the legislation are short term. One of the principal objects of the bill is to establish the longer term national agenda for action on youth suicide. These interim measures will encourage the expansion and dissemination of information on existing programs which have been shown effective in preventing youth suicide, but it will also encourage the creation of the agenda for further Federal measures.

Mr. Speaker, the time clearly has come for the Federal Government to act more aggressively and vigorously to deal with this national crisis affecting our young people. I invite my colleagues in Congress to join me in this effort by cosponsoring this important legislation.●

## THE MYTH OF FREE TRADE

## HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. FORD of Michigan. Mr. Speaker, today I am cosponsoring a "sense of the Congress" resolution introduced by my friend and colleague, the Honorable JOHN DINGELL, that calls on the President to retaliate against the unfair trade practices of Japan if that country fails to alter its discriminatory trade actions.

During 1984 our merchandise trade deficit with Japan totaled \$37 billion, with nearly \$27 billion in automobiles alone. At the same time, the administration ignores the realities of world trade and continues to profess its support for "free trade." What will it take to convince the President that there is no such thing as free trade? While our Nation operates under the guise of free trade, the Japanese are operating under their own restrictive and protective system. It's long past time for the administration to be both tough and

realistic in negotiations with Japan. If negotiations fail to open Japanese markets, our alternative is clear—retaliation. We simply cannot stand idly by while American workers and firms are displaced.

For me, the last straw was the announcement that Japan would increase auto imports to the United States by 25 percent next year in response to the Reagan administration's announcement that it would not seek to renew the voluntary restraint agreement [VRA] which limited the number of cars that Japan could import into our Nation. Just as predicted, the Japanese did not reciprocate or otherwise operate in good faith to open up their markets to American products. Rather, the Japanese will import an additional 450,000 cars into our market, resulting in 90,000 fewer jobs for American workers. Lifting the quotas may ultimately result in the loss of 3 million American jobs.

Not only will expiration of the VRA result in a substantial increase in imports of Japanese cars into the United States, it has already had an adverse affect on domestic production in our Nation. On March 7, 1985, Chrysler decided to cut \$2 billion from its plans to invest \$12.5 billion in new plants and products in North America. This will cost our Nation up to 20,000 desperately needed jobs in the auto and supplier industries. In addition, on March 13, Chrysler Chairman Lee Iacocca stated that he may build high-technology Liberty small cars in Japan or Korea. The Liberty project is similar to GM's Saturn car project. Lifting the quotas will also go a long way toward enabling General Motors to fulfill its Japanese strategy of importing 200,000 to 300,000 subcompacts from Japan's Isuzu and nearly 100,000 minicars from Suzuki after the expiration of quotas.

Clearly, decisive action must be taken to protect our Nation's automobile industry, particularly while Japanese cars enjoy a \$1,500 price advantage resulting from the dollar-yen imbalance and rebate of Japanese taxes on exported autos. I would prefer that the Congress enact H.R. 1050, the Made in American Act, which would limit foreign car imports to 15 percent of the U.S. market and apply to manufacturers who sell more than 100,000 vehicles in the United States in a given year.

Of course my interest, and that of my constituents, centers on the problems that imports of Japanese cars have had on the auto industry, its workers and communities. However, by no means are trade problems limited to the auto industry. Our trade deficit with Japan in telecommunications equipment has grown from \$516 million in 1979 to \$1.9 billion in 1984. When AT&T was divested, Japanese telecommunications manufacturers

were allowed to compete with American firms in our domestic market. However, Japan has failed to reciprocate by allowing American companies access to the Japanese market. Other industries affected by Japan's trade practices include steel, agriculture, timber, textiles, and footwear. This list could go on and on. I urge my colleagues to join me in cosponsoring this measure.●

## INTRODUCTION OF LEGISLATION TO MAINTAIN STATUS QUO FOR PILOT PROJECT SCHOOL DISTRICTS AND TO EXTEND THE NATIONAL COMMODITY PROCESSING PROGRAM

## HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. GOODLING. Mr. Speaker, together with my Education and Labor Committee colleagues, the distinguished gentleman from Michigan [Mr. FORD] and the distinguished gentleman from Vermont [Mr. JEFFORDS] I am introducing child nutrition legislation which we must act upon within the very near future.

The first provision in this legislation will allow local school districts now participating in the congressionally mandated pilot project study of alternatives to commodities in the National School Lunch Program to continue to use the alternative program they are now testing through the school year ending June 30, 1987.

Unless further legislative action is taken quickly, 70 pilot school districts in 30 States will have to terminate their current test programs and return to the traditional commodity donation program at the end of the current school year. For the past 3 years, these pilot school districts have been testing the use of cash in lieu of commodities or a commodity letter of credit which entitles them not only to purchase locally those products which they can use most efficiently but also products containing those commodities which the U.S. Department of Agriculture wants supported through School Lunch Program purchases.

At the present time, the Department of Agriculture is in the process of reviewing the pilot study data and expects to send two reports on the study findings to Congress this year.

This legislation would, therefore, enable those school districts, at their option, to continue in their alternative cash or letter of credit program while Congress reviews the pilot study findings, assesses the alternative methods, and decides whether further legislative action is appropriate. Cooperating pilot project school districts will be

spared costly and disruptive changes in School Lunch Program operations.

A list of the pilot project school districts and their locations follows:

- LOCATION OF SCHOOL DISTRICT AND SCHOOL DISTRICT NAME
- Amarillo, TX, Amarillo Independent S.D.
  - Atco, NJ, Waterford Township School District.
  - Bar Mills, ME, School Administration District No. 6.
  - Batesburg, SC, Lexington School District No. 3.
  - Boise, ID, Boise Independent School District.
  - Bremerton, WA, Bremerton Public Schools.
  - Brodhead, WI, Brodhead School District.
  - Brooksville, FL, Hernando County School District.
  - Chipley, FL, Washington Public School District.
  - Covington, VA, Alleghany County School District.
  - Dayton, OH, Dayton Public Schools.
  - Dublin, GA, Laurens County School District.
  - Edgefield, SC, Edgefield County School District.
  - Elaine, AR, Elaine School District.
  - Elba, NY, Elba Central School.
  - Elk Point, SD, Elk Point School District No. 61-3.
  - Ely, NV, White Pine County Schools.
  - Franklin, WV, Pendleton County School District.
  - Fredericksburg, VA, Fredericksburg City Schools.
  - Fruitland, ID, Fruitland Idaho Public Schools.
  - Gilroy, CA, Gilroy Unified School District.
  - Glenrock, WY, Converse County S.D. No. 2.
  - Goldfield, NV, Esmeraldo County School District.
  - Gonvick, MN, Gonvick-Trail Community School.
  - Grace, ID, Grace Joint No. 148.
  - Greeley, CO, Weld County School District.
  - Green Forest, AR, Green Forest School District.
  - Greenwich, CT, Greenwich Public Schools.
  - Huntington Beach, CA, Huntington Beach City, S.D.
  - Indiana, PA, Indiana Area School District.
  - Jonesboro, AR, Jonesboro Public School.
  - Key West, FL, Monroe County School District.
  - Knoxville, TN, Knox County School District.
  - Lancaster, PA, School District of Lancaster.
  - Longview, WA, Longview School District No. 122.
  - Loudon, TN, Loudon County School District.
  - Lyndonville, VT, Lyndon Town School District.
  - Medina, OH, Highland Local School District.
  - Menahga, MN, Menahga School District No. 821.
  - Merrill, WI, Merrill School District.
  - Morrisville, VT, Morristown School District.
  - Mt. Vernon, IA, Mt. Vernon Community School.
  - Norton, OH, Norton City Schools.
  - Oakland, CA, Oakland Unified School District.

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- Oldham, SD, Oldham School District No. 38-4.
  - Page, AZ, Victoria Independent S.D.
  - Paris, IL, Crestwood School District No. 4.
  - Parkersburg, IA, Parkersburg Community School.
  - Petersburg, WV, Grant County Schools.
  - Philadelphia, PA, Archdiocese of Philadelphia.
  - Plaquemine, LA, Iberville Parish School District.
  - Portland, ME, Portland Public Schools.
  - Reading, PA, Reading School District.
  - River Falls, WI, River Falls School District.
  - Romulus, MI, Woodhaven School District.
  - Seattle, WA, Shoreline Public Schools.
  - Shreveport, LA, Caddo Parish School District.
  - Springfield, OH, Northwestern Local School District.
  - Springfield, VA, Fairfax County Public Schools.
  - St. Louis, MO, St. Louis Public Schools.
  - Sylvester, GA, Worth County Public Schools.
  - Tamms, IL, Egyptian Community Unit.
  - Ten Sleep, WY, Washakie Community Con. S.D. #2
  - Troy, MI, Troy School District.
  - Tucson, AZ, Flowing Wells Schools.
  - Tyler, TX, Tyler Independent School District.
  - Vincetown, NJ, Shamong Township School District.
  - Waverly, TN, Humphreys County School District.
  - Westminster, CO, Adams County S.D. #50
  - Windsor, CT, Windsor Public Schools.
- I would urge my colleagues who represent pilot project schools to contact their school food service directors directly and to learn first hand of their interest in continuing in either a cash or commodity letter of credit program for the next 2 years.
- Mr. Speaker, the second provision of this legislation would extend the USDA-administered National Donated Commodity Processing Program through October 15, 1987. Thanks to this program, elementary and secondary schools, correctional facilities, nonprofit hospitals and nursing homes as well as senior citizen food service programs, nonprofit summer camps, food banks, and day care centers can buy products utilizing USDA-donated commodities at a discount.
- Under the National Donated Commodity Processing Program, the U.S. Department of Agriculture enters into contracts with food processors to make finished end products from nonfat dry milk, butter, cheese, and honey—commodities which the Department has in storage. The food processing companies take the USDA commodities, make finished products, and discount the price of the finished food products to eligible recipient agencies by the value of the donated commodity contained in the end product.
- National Commodity Processing has been operating for about 18 months during which in excess of 35 million pounds of USDA commodities have been moved out of storage and to eligible agencies in the form of finished

end products ready to be served to the individuals served by these agencies.

By extending the National Commodity Processing Program for an additional 2 years and requiring that all eligible recipient agencies be notified of its existence and the benefits it affords, we can insure the wise utilization of foods that would otherwise remain in storage at the taxpayers' expense.

I would urge all of my colleagues to take a careful look at this legislation and join us as cosponsors.●

CONVENTIONAL FORCE REDUCTIONS

HON. CECIL (CEC) HEFTEL

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. HEFTEL of Hawaii. Mr. Speaker, reports have surfaced that the Senate Armed Services Subcommittee on Manpower has voted to cut the Pentagon payroll by 175,000 people over the next 2 years in an effort to hold down defense spending. The cut, if enacted, would reduce the active duty force of the Army, Navy, Air Force, and Marine Corps by 75,000 service personnel, and the Defense Department's civilian work force by 100,000 employees over fiscal years 1986 and 1987.

These proposed cuts are deeply troubling in the manpower priorities they signal for our military, namely, that more jobs will be targeted to programs such as the MX and the B-1 bomber and fewer jobs will earmarked for our conventional forces such as the 600-ship Navy. We run a substantial risk that we will have new ships being delivered without enough capable people to run them.

Mr. Speaker, our distinguished colleague from the other body, Senator JOHN GLENN, has remarked that these cuts if enacted would also undermine such critical defense operations as intelligence, communications, and training. I second Senator GLENN's remarks and would add that the current round of proposed cuts in defense spending demonstrates the dangerous inconsistency in our current defense planning.

We seem willing to spend billions on the development of potentially destabilizing weapons systems such as the MX, and yet, we are seemingly unwilling to make the same sort of commitment toward our conventional forces.

The total cost of the administration's MX program is likely to end up costing the taxpayer at least \$50 billion. This expenditure will not buy America more security. Rather, it will only heighten the tension between the United States and the Soviet Union because the MX is a first strike weapon and it will add to our already

exorbitant budget deficit. Yet, while we spend billions on doomsday weapons, we jeopardize our best means of defense, our conventional force strength. I hope that the upcoming congressional debates on defense spending will reverse this troubling trend. The time is short, but the stakes are high, and the American people deserve a defense policy that provides genuine security, not an invitation to confrontation and global instability. ●

THE 140TH ANNIVERSARY OF  
MONITEAU COUNTY

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. SKELTON. Mr. Speaker, it is with great pleasure I announce the celebration of the 140th anniversary of Moniteau County, in the great State of Missouri, which was formally organized on April 2, 1845.

Moniteau County is situated in central Missouri along the Missouri River. The history and tradition of this county run deep, Mr. Speaker. In the early part of 1800's many settlers from Kentucky and Tennessee were attracted to its rich soil and fine location, as were many Europeans seeking the land of golden opportunity.

The county seat is located in California, MO, which today is the largest city in the county and was named in 1846 and incorporated in 1848. The railroad, which first arrived in California in May of 1858, was all that was needed to spark growth in the community.

Tipton, to the west of California, also received many benefits from the expansion of the Pacific Railroad. Settled in the 1850's and named by William Tipton Seely, it became an important community for the railroad and Butterfield Overland Stage Line, which carried passengers and mail to San Francisco.

Because of its strategic location and the railroad and stage depot, Moniteau County was deeply coveted by both the North and South during the Civil War. Much of the county, like many parts of Missouri, found itself pitting brother against brother in the conflict.

Union Gen. John C. Fremont, early in the war, established headquarters, according to local history, in the Maclay mansion at Tipton. To this day, the mansion stands as a beautiful example of Missouri antebellum architecture. The army of Confederate Gen. Sterling Price, of Missouri, went through California, Tipton, and many of the surrounding communities in his effort to secure the area for the South.

Following the conflict, the county continued its steady growth, as did the railroads. Many towns dotted the countryside of Moniteau County, including McGirk, Clarksburg, Fortuna, and Jamestown. Along the Missouri River are the once busy riverports of Lupus and Sandy Hook.

Those in the countryside and smaller communities have for generations relied on the soil and God's blessing to provide themselves with a living. They prefer the neighborly atmosphere of Enon, Latham, High Point, Kliever, and the surrounding countryside.

Mr. Speaker, I am proud to represent the people of Moniteau County in Congress. The county stands as a fine example of the strengths, hard work, and dedication attributed to rural America. While driving along highway 50, through Moniteau County, you can feel the warmth that is so characteristic of Missouri. I ask you join me in the celebration of its 140th anniversary. ●

EUROPEANS RALLY TO  
NICARAGUAN RESISTANCE

HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. COURTER. Mr. Speaker, as the original sponsor of House Concurrent Resolution 81, which calls upon both President Reagan and the Organization of American States to extend explicit political recognition to the Nicaraguan resistance, I was gratified to see that distinguished Western Europeans are equally interested in doing more to hold the Sandinistas to the promises about democracy they so freely made in 1979.

A partial list of these European statesmen, soldiers, and scholars has been assembled by Mr. Bill Outlaw for the Washington Times, and was printed by that newspaper on March 28, 1985. I commend it to those of my colleagues who share my interest in obtaining a just resolution of the Nicaraguan war.

EUROPEANS RALLY TO NICARAGUAN  
RESISTANCE

(By Bill Outlaw)

A group of European intellectuals and politicians, including several leaders of the resistance to the Nazis during World War II, have signed a petition calling on Congress to provide aid for the anti-Sandinista resistance.

The "problem of Central America is also a European problem," they say.

The petition was published as an open letter to Congress in many European newspapers earlier, including the Paris daily *Le Monde*, *Le Soir* of Belgium, *La Stampa* of Italy and *De Telegraaf* of the Netherlands.

A group of the signers, including Vladimir Boukovsky, the Soviet dissident who lives now in France, will come to the United

States Tuesday to present personal pleas for aid to the Nicaraguan resistance.

"The freedom of the Nicaraguans is also your freedom, as it is ours," the petition asserts. "If you fail in Nicaragua, we must ask, where will you fail next? If freedom and democracy are not worth defending in your own hemisphere, where are they worth defending? The free world awaits your answer. Its enemies are waiting too."

Among the signers are Winston Churchill, a member of the British Parliament and grandson of the World War II prime minister; Lord Chalfont, a former British foreign minister; playwright Eugene Ionesco; French author Jean-Francois Revel; former Australian Prime Minister Malcolm Fraser, and Robert Conquest, the British historian.

The visiting delegation of about 12 has requested a meeting with the president during next week's visit, said a Reagan administration official.

He said the White House was pleased with the support and the prestige of those signing the petition was impressive.

The petition and the pending U.S. visit are the latest in what has become an intense lobbying effort in a battle between the Reagan administration and those opposed to a proposed \$14 million appropriation for Nicaraguan resistance.

Last month, a delegation of lawmakers from several European countries visited the U.S. to lobby against funding Nicaraguan resistance. That delegation met with members of Congress and registered objections to the Reagan administration policy in Central America at meetings in the State Department.

The petition argues that the aid is necessary because the Sandinista junta is a totalitarian regime which since its inception has "declared its aim to be the incorporation of Central America into a single Marxist-Leninist entity."

The petition also contends the resumption of the aid is "necessary morally" because Western countries must be "forthright in support for those who are struggling to gain the rights which your own Declaration of Independence declares are inalienable and, therefore, possessed by all men."

The petitioners describe Central America as Europe's "Fifth Frontier."

To deny aid to those who seek freedom in Central America, they argue, "is to deny the meaning of your own country." It says the United States would be placed in a difficult strategic position in dealing with the Soviet Union should the aid be suspended.

The trip to the United States and the published statements in connection with the petition are sponsored by Resistance International, a Paris-based human rights, anti-communist organization.

Others who signed the petition include former North Atlantic Treaty Organization Gen. Robert Close; Cuban poet Armando Valladares; Marie Madeleine Fourcade, chairman of the Action Committee of the French Resistance during World War II, and former French Prime Minister Jacques Chabrin Delmas.

Also, Italian publisher Massimo Pini; Marcelle Lentz Cornette, of Luxembourg, a member of the European Parliament; Simon Wiesenthal, of Austria, president of the Documentation Center on Jews persecuted by the Nazi regime; writer Leif Hovelsen, a Norwegian Resistance Fighter during World War II, and Joseph Luns, former secretary general of NATO. ●

**CHARLES ELLIOT, BAY SHORE  
HUMANITARIAN OF THE YEAR**

**HON. THOMAS J. DOWNEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. DOWNEY of New York. Mr. Speaker, today I am privileged to pay tribute to Mr. Charles Elliot, who was unanimously selected by the Bay Shore Chamber of Commerce to receive their 1985 Humanitarian of the Year Award.

Mr. Elliot has served the local community as a member of the Bay Shore Fire Department for 57 years. He began his service to the Bay Shore community in 1927 when there were only 23 fire alarms. Today, this department has over 300 alarms.

Mr. Elliot rose through the ranks, becoming captain of the fire department in 1946. He also held the position of treasurer of the Bay Shore Fireman's Benevolent Association for 12 years. Mr. Elliot was the first president of the Suffolk County Fireman's Parade Officials Association and co-chairman of both the Southern New York State Fireman's Association and the South Shore Fire Department Association.

Mr. Elliot still continues to devote his time on a senior active basis with the fire department by making daily visits to the sick firemen in our community hospitals and is readily available to assist in other matters.

Mr. Elliot has earned the respect and admiration of his colleagues and the members of the Bay Shore community for his sincere dedication to community service.

I am honored to offer my gratitude and congratulations to Mr. "Bay Shore Fireman" Elliot. ●

**ADDRESSING FLAW IN IMPLEMENTATION OF STAGGERS ACT**

**HON. BYRON L. DORGAN**

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. DORGAN of North Dakota. Mr. Speaker, I am introducing today a bill to address a small but vital flaw in the implementation of the Staggers Act. That legislation permits railroads to enter into contracts with shippers, so long as the contracts are not discriminatory. It is my concern that small shippers be protected so that they do not get the short end of the deregulatory stick, which would be the result if railroads entered into preferential contracts with the larger shippers.

The seeds of this problem have been germinating since the Staggers Act was passed. Since October 1980, when

**EXTENSIONS OF REMARKS**

contracts were permitted for the first time in a century, about 21,000 contracts have been signed by railroads and shippers. I have no quarrel with these contracts, if they do not give favored treatment to the contracting shippers.

Are these contracts discriminatory? We do not know, and we will never know if the Interstate Commerce Commission has its way. The Staggers Act provided that the essential terms of contracts be made public, to ensure that discriminatory pricing would be exposed to the antiseptic of sunlight. The ICC has thwarted the intent of Staggers, taking a bizarre approach in defining how rail contracts should be disclosed. Until prodded by the courts, the ICC claimed that the essential terms of rail contracts included neither the identity of the contracting parties nor the pricing structure. The ICC has modified their regulations, under duress, to provide ground rules for limited discovery for affected third-party shippers.

The new regulations of the ICC give us not even half a loaf, just a few crumbs. Requests for discovery of contract terms must be made simultaneously with complaints of discriminatory pricing, even though the information necessary to argue discriminatory pricing is not available until after discovery. The costs of entering into ICC discovery proceedings deter smaller shippers from seeking contract information, even though these are the very shippers most likely to be discriminated against. Further, in States like North Dakota public and private clearinghouses often act on the behalf of smaller shippers, providing expert analysis and counsel. These bodies cannot enter into discovery proceedings: They are not shippers, and are not themselves affected directly, and so have no ability to petition the ICC for contract information.

The ICC has set up a neat paradox: Small shippers, the parties most likely to be hurt by discriminatory pricing, are the ones least likely to get the information they need to make a case for discrimination. It is no surprise that the ICC has received only 4 petitions for discovery, and granted only 1 of these, for the 21,000 contracts in their files. It should be obvious that small shippers need to know who is getting a contract, and what the rates are, if they want to judge its fairness. The ICC has managed to overlook the obvious in rail contract disclosure. The direction taken by the ICC is consistent with much we have seen from this administration: long on free-market rhetoric and textbook approaches to regulation, and short on common sense and protection for the smaller producers.

I note with some irony that there were similar concerns a century ago, when the original Interstate Com-

merce Act was considered. The railroads at that time reduced rates where they had competition, and increased rates where they had none. Shippers in rural areas, with access to only one railroad, were forced into paying outrageously high rates to get their goods to market. The public outcry over rate discrimination and other abuses of the market system led to the passage of the Interstate Commerce Act in 1887 and the establishment of the first Federal independent regulatory agency, the Interstate Commerce Commission. Contracts, and resulting discrimination in setting rates, were outlawed.

This legislation says that all terms of rail contracts must be disclosed within 2 business days after filing with the ICC. It provides a measure of protection for small shippers, and no additional burden on large shippers or railroads. It is entirely consistent with the intent of the Staggers Act: Rail contracts are still permitted, but discrimination as a result of those contracts is not.

ICC regulations on rail contracts have satisfied big shippers and railroads, and left small shippers a few stale crumbs. Small shippers deserve more. This legislation will let the small shippers sit at the same table, on an equal footing, with their larger brethren. ●

**FDIC, H.R. 107 AND BROKERED DEPOSITS**

**HON. ROBERT GARCIA**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. GARCIA. Mr. Speaker, I wish to commend recent FDIC action identifying financial institutions that have used deposit brokers to place funds in other banks, seemingly without regard to the condition of these banks. Banks paying above market rates of interest often are experiencing serious problems. If other institutions place funds through brokers into these banks, with regard only for the rate of return and without any means to individually check each institution where these funds are placed, then the very insurance system that all banks enjoy can be undermined.

I have introduced legislation with other members of the Banking Committee to end this practice. H.R. 107, the Broker Deposit Limitation Act prevents financial institutions, whether they be banks, thrifts or credit unions from using a broker to place funds in other institutions. The FDIC is also circulating a draft proposal to deal with broker funds. Though I do not agree with every aspect of the FDIC proposal, primarily with respect to the differences between short and long-term deposits, it is important to

note that the FDIC effort adopts the language in my bill to limit the use of deposit brokers by financial institutions.

H.R. 107 strikes a reasonable balance. It recognizes the benefits that broker funds can provide and the abuses currently existing in the system. The legislation institutes a 15 percent cap on the amount of short term brokered funds any one institution may hold. Any troubled institution is restricted from accepting short term brokered funds. In order to monitor the activity of brokers and institutions, each are required to report their activity.

Last year, 17 members of the House Banking Committee wrote to the regulators asking that they keep in mind that broker funds provide a mechanism to channel funds into regions of the country where they are needed to satisfy the credit needs of individual businesses and homebuyers. They have also afforded individual savers an additional option for purchasing certificates of deposit and other types of long-term saving certificates.

Since the courts have stricken the regulator's rules on broker funds, it is important that Congress adopt legislation to deal with any abuses while establishing a set of guidelines for the safe, sound, and beneficial use of broker funds. I look forward to continuing the dialog with the regulators and members of the industry in order to pass H.R. 107. ●

**NEEDED: STRONG RIGHT TO  
KNOW PROTECTION**

**HON. BRUCE F. VENTO**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 2, 1985*

● Mr. VENTO. Mr. Speaker, the terrible disaster which occurred late last year in which more than 2,000 people died as a result of a chemical spill near Bhopal, India was perhaps the most striking example of the need for strong safety standards when dealing with chemicals and hazardous substances. The accident at the Union Carbide plant was a large-scale tragedy for many victims and their families. However, here in our own country, we must act to insure that such a tragedy does not occur. Unfortunately, accidents on a similar scale do happen here every day.

Millions of Americans are being exposed daily to an ever-increasing number and variety of toxic and hazardous substances which pose a threat to their health and well-being. Exposure to hazardous substances can and does lead to occupational disease and injury. Workers are often unaware that they are handling or have been exposed to hazardous substances on the job.

In November, 1983, the Occupational Safety and Health Administration [OSHA] issued its hazard communications standard. Unfortunately, however, the OSHA standard extends limited protection to only the 25 percent of our work force in manufacturing and offers no protection at all for the remaining 75 percent of workers in other industries and services, such as construction, and transportation. Today, I am introducing the hazardous substances right to know resolution which affirms the right of all workers to know when they are handling or are exposed to hazardous substances which threaten their health or well-being. Additionally, this resolution calls for OSHA to revise its standards to provide for the dissemination of meaningful hazard information to all workers under OSHA jurisdiction. Finally, this resolution commends those 20 States and numerous local governments which have enacted strong right to know laws for the benefit of their workers on the job and the community at large. This resolution is similar to one which I sponsored in the 98th Congress which received the support of 92 of my colleagues. I hope that you will join me in supporting the strongest possible protection against exposure to hazardous substances by American workers on the job. ●

**PETER GIULIANI: A MODEL OF  
LEGISLATIVE LEADERSHIP**

**HON. JAMES M. JEFFORDS**

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 2, 1985*

● Mr. JEFFORDS. Mr. Speaker, as we continue to struggle with unmanageable deficits in Washington, I'd like to pay tribute to a man who deserves much of the credit for keeping my home State of Vermont on sound financial footing for two decades.

Peter Giuliani, long known as the powerful chairman of the Ways and Means Committee of the Vermont House, remains one of the most respected leaders in our State. A long succession of Governors and legislative leaders have found him to be either a needed ally or a formidable opponent. There is not a high State official who has not had occasional strong differences of opinion with Peter Giuliani. But the wisdom of the positions he has taken has repeatedly been validated by the test of time. He speaks with authority, and today's policymakers listen to his insights and advice.

Peter was my representative in the Vermont House in the years when I served as Vermont's attorney general. I watched him in action rather closely in those years, and still consider him to be a nearly perfect model of the best kind of legislative leadership.

He's a man who always listened to constituents, but never hesitated to say or do what he believed to be right, regardless of political popularity.

He's a man who knows how to use influence, without letting it get to his head. He is gracious in both victory and defeat, and maintains a sense of humor in the most stressful of times.

He has a unique ability to understand the impact of legislative action on the future of the State and the lives of people. Peter has often been at odds with other experts in predicting the State's revenue needs, and he has almost always been proven correct. He has fought to raise taxes when necessary, and fought to bring taxes back down when possible. And, knowing that local taxation is as burdensome as the State's, he crusaded for years for a more equitable method of distributing State aid to education.

Importantly, he has the perspective of a man who knows that life does not begin and end with legislation and politics. His beautiful gardens and his famous 1949 Buick, maintained in mint condition, are outward symbols of his diverse interests and quality lifestyle.

Tragedy fell upon the Giuliani household during last year's election campaign when Peter's wife, Pauline, became terminally ill. To his enduring credit, the needs of his family took priority over campaigning for reelection.

But all Vermonters can be deeply grateful for the profound impact he has had on the quality of life in our State in a lifetime of public service.

He has earned the respect of political leaders of both parties and all viewpoints, and his insights will continue to influence public policy, in a positive way, for many years to come. ●

**CONSIDER THE CASE OF ISAAK  
SHKOLNICK**

**HON. SHERWOOD L. BOEHLERT**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 2, 1985*

● Mr. BOEHLERT. Mr. Speaker, despite the recent thaw in Soviet-American relations and the rise of a new leader, we must not forget the horrible conditions of cultural repression, and physical and psychological torture that continue for those Soviet citizens of the Jewish faith. Arbitrary arrests and imprisonment, brutal intimidation and physical abuse, and the inhumane, pointless breakup of families—these are standard operating procedures in the nation which claims to be the beacon of hope for oppressed people around the world.

Consider the case of Isaak Shkolnick, a semiskilled mechanic from Vinitsa, in the Ukraine. Isaak applied in

July 1972 for a visa to emigrate to Israel, and was immediately arrested on fabricated charges of being an industrial spy first for Great Britain, and then for Israel. His trial began 12 years ago this week behind closed doors at a local factory. Not a single family member was allowed to attend. Isaak maintained his innocence until November, when his state-appointed lawyer informed him that if he did not change his plea to guilty, he would be sentenced to death. Isaak changed his plea, and was sentenced to 7 years of hard labor.

At this point, the Soviets threw in another vicious twist: They allowed Isaak's wife and daughter to emigrate to Israel. The family has not been united since 1973.

Isaak has applied again and again for permission to leave, most recently this past December. He has been denied that permission, and now lives alone as an Orwellian nonperson, ignored by friends and neighbors, separated from his small family. Isaak has only one reason to continue to live—the tortured hope that someday still he will be able to escape this totalitarian hell and rejoin his family in Israel.

Mr. Speaker, try for a moment to imagine yourself in Isaak's shoes, persecuted cruelly by your own government for nothing more criminal than an expressed desire to live and worship freely. Try to see the faces of 400,000 other Soviet Jews who have been denied exit visas, and who have faced hardships similar to Isaak's. Even as we reach for improved relations with the Soviets, we must not let the world overlook such gross violations of internationally recognized supposedly recognized even by the Soviets I might add, human rights.

On Isaak's behalf, I will continue to write to Soviet and American officials urging that he be allowed to go free. I would also encourage my colleagues to join the Congressional Call to Conscience Vigil for Soviet Jews. I encourage the President to include this issue high on the agenda of any meeting between representatives of our nations, or indeed, between himself and Mr. Gorbachev.

The human spirit has proven itself throughout the centuries stronger than any government. Isaak Shkolnick and his fellow refuseniks are inspiring examples of that fact. Let us work and pray for justice to be done.●

#### SOCIAL SECURITY NOTCH PROBLEM

HON. JIM ROSS LIGHTFOOT

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. LIGHTFOOT. Mr. Speaker, today I am joining several of my col-

leagues in cosponsoring legislation to eliminate the Social Security notch problem. The bill, H.R. 1917, sponsored by the chairman of the Select Committee on Aging, Mr. ROYBAL, enjoys bipartisan congressional support. As you may recall, this is the bill that Congressman ROYBAL sponsored in the 98th Congress. That bill, H.R. 4093, died last year in the Ways and Means Committee with 62 cosponsors.

Since taking office earlier this year, I have heard from countless numbers of constituents who have asked me to support legislation to correct this serious inequity in the Social Security system. In addition, I have met with an ad hoc notch group, based out of Council Bluffs, to discuss the unfairness of the Social Security notch.

After meeting with this group, I came to the conclusion that they would not give up on this issue until it had been corrected. I also noted that they were not fighting for themselves, all of whom are affected by the notch, but were fighting for thousands of senior citizens who desperately need the extra Social Security benefits that have been unfairly denied to them.

This dedicated group of individuals, headed by Daryl Cooper, Arlene Sheeley, and Vera Daniels, has organized one of the most active grassroots organizations in the country devoted to eliminating the notch. This group of individuals has devoted countless numbers of hours, time, and effort to make Members of Congress, the media, and millions of Americans aware of the notch issue.

They have held hearings all across Iowa, Nebraska, and now into Illinois to educate people about the notch. These meetings have been well attended. In fact, attendance usually ranges anywhere from 50 to over 300 people. As you can see, these are not small numbers. It is amazing what this group has accomplished, and what they plan to accomplish in the future, which is to eliminate the notch.

For this reason, I urge my colleagues to address this issue. I believe that Congressman ROYBAL's bill would provide Congress with a forum to examine the notch and to eliminate it. At this time, I think it is important to discuss how the notch was created, how it affects senior citizens, and how Congressman ROYBAL's bill provides them with a fairer level of benefits.

First, of all, how was the notch created. It started in 1972 when Congress amended the Social Security Act to provide for annual cost-of-living adjustments. Unfortunately, Congress made a mistake which resulted in increasing the future benefits of current workers twice: once through cost-of-living adjustments [COLA's] in the Social Security benefit table and once again due to inflation-based growth in the wages upon which benefits are calculated. As a result of that mistake,

some individuals retiring by the year 2000 would have received monthly Social Security benefits greater than their working salaries. If left unchecked, this error would have bankrupted the Social Security system.

Therefore, in 1977, Congress approved a plan which eliminated the overadjustment for inflation by providing for a new benefit formula for workers born after 1916. To protect people from an abrupt change in benefits, a transition formula was included in the new plan. This transition formula was to provide for a smooth change over by dividing Social Security beneficiaries into three categories: those born before 1917, those born between 1917 and 1921—the notch years—and those born after 1921.

Under the transition formula, which was to last for 5 years, benefits were expected to be 5 to 7 percent less than those projected to be paid under the 1972 law. However, as we all know, this transition formula failed. Instead, workers with the same earnings record, retiring at the age of 65, and born only a few days apart, one in 1916 and one in 1917, experienced up to \$1,300 a year difference in benefits.

While one of the main reasons for the transition formula's failure was unexpectedly high inflation in the late 1970's, which in essence, created a 2-year phase-in period rather than the 5-year period, this is not the only reason. The primary reason, and one that is often ignored, is that the post-age-82 earnings of people born after 1916 are excluded when calculating the benefits for workers born in the notch years.

As Congress worked on this new plan, many fears were expressed about the possibility of creating a notch situation. However, those fears went unheeded and people were told that there only would be small differences in the benefits received by persons born after 1916 who retired at age 62. What was not divulged or properly discussed, however, was the full effect of this change on people who worked until age 65; that is, those people whose earnings after the age of 62 were ignored.

Now, many may ask, what has been the effect of the notch on those people born between 1917 and 1921. Well, thanks to Congressman ROYBAL, I can give you specific examples of how the notch affects constituents in my district. Last year, in an Aging Committee hearing that Congressman ROYBAL held in Council Bluffs, he heard from many notch year babies.

Let me just list a few of those for you. Mr. "C" of Blockton receives benefits of \$210 a month less than those paid to someone of equivalent earnings who was born 3 years earlier. Elizabeth Redman of Van Wert, born in 1918, currently receives \$484 a month.

She would have gotten \$637 a month if she had been born in 1916. Jerald Walter of Mt. Ayr was born in 1919 and receives benefits which are 19-percent less than if he had been born in 1916.

Donavan Nelson of Atlantic, born in 1918, would receive \$106 a month increase under the Roybal bill. Vera Carson of Redding was born in 1918 and would get an 11-percent increase under this bill. And finally, Mrs. "A" of Leon paid Social Security taxes on earnings of almost a quarter of a million dollars. She receives \$154 a month less than someone of equivalent earnings who was born in 1916.

As anyone can see, these are concrete examples of the notch effect on senior citizens. It is unfortunate that Congress did not follow the advice of many people in 1977 by adopting a longer phase-in period. It is unfortunate that this group of senior citizens has had to bear the entire burden of correcting Congress' mistake. And, furthermore, it is unfortunate that a vast majority of these senior citizens have already sacrificed for our country by serving in World War II.

These notch year babies are not asking for a handout or an unjustified increase in their benefits. They are only asking to be treated fairly. A slight difference in benefits might have been acceptable to them, but not a \$1,300 a year difference.

Let there be no mistake that I think Congress should have changed the 1972 law in order to preserve the future solvency of the Social Security system. However, I believe that a wiser, more thought-out plan should have been adopted by Congress. Nonetheless, the mistake has been made, and it is now time for Congress to act to correct this serious injustice.

Congressman ROYBAL's bill does this. It is the best plan put forward so far which would reduce the large differences in Social Security benefits while also maintaining the intent of the 1977 law. This bill does this by providing for a smoother, yet fairer transition from the 1972 law to current law by phasing in the Social Security benefit formula over a 20- to 30-year period rather than the 2- or 3-year period that has occurred. This bill essentially holds harmless those persons who, through no fault of their own, have been adversely affected by the notch.

In conclusion, Mr. Speaker, I encourage my colleagues to reexamine the notch issue and to support the Roybal bill. Senior citizens deserve to have the notch problem corrected, and if the notch group in my district is like any of the other concerned citizens across the country, they will not relent on this issue until justice is done. ●

### TRIBUTE TO JUDGE ERNEST ROSASCO

#### HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. CONTE. Mr. Speaker, I ask my colleagues to indulge me today as I pay tribute to one of my Italian-American comrades, Judge Ernest H. Rosasco, in recognition of his numerous contributions over the years to the community of North Adams, MA.

Ernie and I have been close friends all of our lives, and in fact, he has served as counsel to two generations of Contes in North Adams. I bring my remarks to the floor of the House today as Ernie is soon to be recognized for his works and contributions to the city of North Adams as part of "Italian American Culture Week." You should know, too, that North Adams is the gateway from the north to the First Congressional District of Massachusetts.

In my opinion, no better selection could have been made. Ernie has been singled out because he has given so freely of his time and talents and has dedicated himself to fairness and compassion in his work on the bench and in his dealings with friends and neighbors of North Adams. His Italian heritage is rich as is his Italian lineage. History recounts the contribution Ernie's father made on behalf of the advancement and acceptance of the newly arrived Italian-American emigres when he received his unprecedented appointment in 1922 as chief of police in North Adams by Mayor Houghton.

Ernie has continued in the proud tradition of his parents and grandparents. A 1929 graduate of Williams College, and a 1937 graduate of the Harvard School of Law, he went on to make a name for himself in the legal profession. A distinguished veteran and city councilor, Ernie returned from World War II to be elected mayor of North Adams where he served with the utmost competence and professionalism. In 1962, I was proud to recommend Ernie for a judgeship. Since then he has provided unbounded energy and a strong commitment to the administration of justice.

Men of this caliber are indeed rare and I take this time today on the floor of Congress to relay to you his many accomplishments and achievements, and may we all aspire to such greatness during our lifetime. Please join me in congratulating Judge Ernest H. Rosasco on a job well done and in extending to him our best wishes for continued success in the future. ●

### FLEXTIME WORK SCHEDULES

#### HON. THOMAS N. KINDNESS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. KINDNESS. Mr. Speaker, today I introduce legislation which changes two outdated Federal laws dealing with employee flextime work schedules. I am speaking of the Walsh-Healey Public Contracts Act and the Contract Work Hours and Safety Standards Act which, among other things, regulate the overtime pay schedules for the employees of Federal contractors.

To recall for our colleagues, Mr. Speaker, the Walsh-Healey Act applies to Federal contractors supplying goods to the Government in excess of \$10,000. This includes manufacturers supplying army blankets, repair shops servicing Government vehicles, or industrial companies supplying equipment to the armed services.

The Contract Work Hours Act applies to federally financed construction contracts over \$2,000 and Federal service contracts between \$2,500 and \$10,000. Service contracts include computer repairs, security guards, janitorial services, and other service-type contracts.

Both laws have overtime provisions mandating pay at time and one-half for work in excess of 8 hours a day or 40 hours a week and have denied Federal contractors the ability to meet the changing needs of their employees through the use of flexible and compressed work schedules.

Passed in the 1930's, Mr. Speaker, these laws served for years to protect employees from abusive overtime practices and paved the way for the 8-hour day to become the workplace standard.

Similarly, the Fair Labor Standards Act, which governs non-Federal employees in the private sector, requires employers to pay overtime only after an employee works more than 40 hours per week, with no daily limit. Thus the Walsh-Healey and Contract Work Hours Acts have held Federal contractors to a higher standard than private-sector employers generally and have strengthened the Government's role as our Nation's model employer.

In recent years, however, the Federal Government has experimented with flextime work schedules and we have made provision for them in law affecting civil service workers. But we have yet to extend that same freedom to Government contractors to utilize the innovative management techniques which have allowed employees greater worktime flexibility. The present law unduly restricts thousands of private-sector contractors who provide goods and services to the Government and clearly should be changed.

As our colleagues know, Mr. Speaker, the idea of flextime first became popular in the late 1960's, when employers started to utilize the idea of completing the standard 40-hour workweek in less than 5, 8-hour days; 4-day, 10-hour schedules, 3-day, 12-hour schedules, and a variety of other flexible schedules which take into account the special demands of certain employees such as working mothers and permanent part-time employees, have been used with increasing frequency.

Managers have found that alternative work schedules can increase productivity and reduce absenteeism while employees enjoy more leisure time and reduced commuting time and expense. Furthermore, the Congressional Budget Office concluded that over \$500 million in cost savings would accrue to the Government if Federal contractors were able to use these schedules effectively.

To date, the only segment of the American economy that has been left out of the flexible workweek schedules are private contractors who do work for the Federal Government. The outdated impact of the Walsh-Healey Act and the Contract Work Hours Act has served to discourage these contractors from utilizing alternative work schedules and has penalized those employers who seek progressive ways to meet the changing needs of their work force.

With millions more Americans predicted to be utilizing some form of alternative work schedule by the end of the decade, the need to conform the present law to the workplace realities of the 1980's will grow stronger every day. I trust my colleagues will join with me in passing this much needed legislation.●

JONELLE MATTHEWS

HON. DAN SCHAEFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. SCHAEFER. Mr. Speaker, on December 20, 1984, 12-year-old Jonelle Matthews disappeared from her home in Greeley, CO. It is feared that she was kidnaped. I want to call attention to Jonelle's case in the hope that she will soon be found.

Jonelle is 5 feet, 3 inches tall and weighs 115 pounds. She has brown hair and brown eyes, a full set of braces on her teeth, and a scar under her chin. Jonelle would have celebrated her 13th birthday last month. Information about Jonelle, or any other missing child, should be reported to a local law enforcement agency or to the National Center for Missing and Exploited Children's hotline at 1-800-843-5678.

In Colorado, over 11,000 children are listed as having been abducted. Just as

I did in the Colorado State Legislature, I will support measures to help curb this epidemic of abuse against our most valuable resource—our children.●

DISMANTLING OF THE SMALL BUSINESS ADMINISTRATION

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. DREIER of California. Mr. Speaker, if there ever was a Federal program that lacks unified support among the constituency it is designed to serve, it is the Small Business Administration. Of course, there are many people here in Washington who continue to believe that maintaining the SBA, along with its superfluous lending programs, is essential to the small business economy. But the small business person back home is not so easily fooled. They see the Federal deficit as a major obstacle to economic growth. And we know that as the economy goes, so do the fortunes of small business.

The recent economic recession should have been enough of a lesson for the Congress to realize that small business is always the first to feel the pinch. Inversely, the current economic expansion has been instrumental in fostering small business growth.

Small business will continue to thrive without the SBA, but they will not continue to thrive with massive Federal deficits. The economic benefits that will be realized by including the SBA in any deficit cutting package will far outweigh any advantages that may exist by perpetuating the agency. This is something the small business person recognizes, and is willing to accept.

Since introducing H.R. 1461, the Small Business Advancement Act of 1985, support for the measure has far exceeded my expectations. This measure incorporates the administration's proposal to dismantle the SBA, liquidate its credit programs, and transfer its noncredit programs over to the Department of Commerce. The response to this proposal from small business in my home State has been overwhelmingly positive. This includes active support from several chambers of commerce in my district. The following letter from one local chamber of commerce is just one example of the community support I have received for discontinuing the SBA and its inefficient loan programs:

MARCH 15, 1985.

Congressman DAVID DREIER,  
Covina, CA.

DEAR CONGRESSMAN DREIER: On behalf of the membership of the Glendora Chamber of Commerce, I would like to express our support for your bill H.R. 1461, the Small Business Advancement Act of 1985.

Our Chamber is primarily made up of small business owners, and we know first hand how important a strong small business sector is to the continuing strength of the American economy. We believe that the Small Business Administration loan programs do not significantly contribute to a strong small business sector, and applaud your effort to eliminate spending on these loan programs. To us, a much more important priority is the reduction of federal expenditures to cut the federal deficit and reduce interest rates. Cutting back on the S.B.A. is an important first step toward this important goal, and we support your effort to eliminate this wasteful spending.

We will also contact other Chambers of Commerce to share our views on this issue, and encourage them to join us in supporting your stand.

Please keep us informed on the progress of your legislation.

Sincerely,

BILL GERSON,  
President.

Mr. Speaker, It is clear that maintaining anything more than small business noncredit programs in the Department of Commerce lacks any broad-based support in the small business community, making it one of the less difficult cuts this Congress can make. Rather than any unified protest, I anticipate praise that Congress is taking such a positive step to reducing the Federal deficit.

Dismantling the Small Business Administration as part of an overall Federal spending reduction will send only one signal to small business—that we are committed to reducing the deficit so that the small business economy can continue to expand and flourish.●

THE TIME FOR CHANGING OUR TRADING POLICY IS NOW

HON. DOUGLAS APPLIGATE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. APPLIGATE. Mr. Speaker, it appears as though the United States has finally relegated itself to the status of a pawn in the international chess game of free trade. We now find ourselves either so unwilling or so powerless to correct our current trade problems that we readily accept the edicts that come from Tokyo and other foreign capitals as to what the future rules of international trade will be.

The epitome of this inaction on our part is to be found in our inability to react with force to the pronouncement last week from Japan that an additional 500,000 automobiles will be imported into the United States in the coming year. The Japanese say that this figure represents a real concession on their part—that they could easily send over to American shores nearly twice that number. Of course they

could easily do that—because no one has told them they can't.

Yes; they'll start sending over to the United States an additional one-half million automobiles—because we'll let them!

Has anyone in this Chamber heard anything about a reciprocal trade-off to benefit the United States? Has anyone heard anything about the Japanese agreeing to an increase of 25 percent of any American products to enter their country?

Finally, have we in the Congress forgotten the American auto workers who continue to face long-term unemployment? Have we forgotten about the American factories that are shut down and rusting away? And have we forgotten about American businesses that can't compete overseas because we continue to believe that international trade should be free while we as an economic force in this world are losing our freedom?

No Member of this House should ever suggest that the freedoms we so strongly believe in as Americans should ever be held captive to ideals of free trade that were created generations ago. The freedom that we so willingly accept will not be ours for long—and the facts and figures of our trade imbalance point this out every day.

Besides the additional 500,000 cars coming from Japan, there is also the ever-increasing share of foreign steel products that continue to make inroads into the American steel producing industry—although the Reagan administration says that it is trying to reduce the foreign share of steel. Let me point out, though, that ever since the voluntary restraint agreement negotiations were started by the administration last year, the percentage of foreign steel coming into the United States has actually increased—not decreased.

What kind of progress is this?

Are we as a nation really serious about the consequences that we face if we continue to stick to an outdated trade policy? And is this administration ready and willing to stand up to the challenges that face not the White House but, instead, the millions of American workers and thousands of American businesses that continue to suffer from foreign actions that undermine our freedom and our economy?

I would like to believe that the President seeks a just and fair resolution to this situation that impacts on all Americans, but I have my doubts. Mr. Reagan stated over a week ago—supposedly off the record—that we should keep our grain at home and export the farmers instead.

Well, in view of the trade constraints that the United States faces in dealing with Japan, I would like to challenge the President to even attempt to export to the Japanese the pitchforks

and milking stools of American farmers—let alone the grain that we produce.

The time for change in our trading policy is now. ●

**DENISE K. SIMONEAUX WINS  
VFW AWARD**

**HON. BOB LIVINGSTON**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. LIVINGSTON. Mr. Speaker, I am very proud that the Louisiana winner of the VFW Voice of Democracy scriptwriting contest is Denise K. Simoneaux of New Orleans, a student at the Academy of the Holy Angels High School. This is an outstanding activity, and both Denise and the VFW are to be commended.

The program was started 37 years ago with the endorsement of the U.S. Office of Education and the National Association of Secondary School Principals. Sponsorship was provided by the National Association of Broadcasters, Electronic Industries Association and State Associations of Broadcasters.

Starting in 1958-59, the program was conducted in cooperation with the Veterans of Foreign Wars with the broadcasters still serving as sponsors.

In 1961-62, the Veterans of Foreign Wars assumed sole sponsorship responsibility. At that time, the national scholarship award consisted of a single \$1,500 scholarship for the first place national winner.

During the past 23 years under VFW sponsorship, the annual national scholarships have been increased to six, totaling \$32,500 with the first place winners currently receiving a \$14,000 scholarship to the school of his/her choice. Student participation has tripled and school participation has doubled.

This past year more than one-quarter of a million participated. Over 8,000 schools participated, over 4,000 VFW posts and 3,500 auxiliaries sponsored the program and over 2,300 radio and TV stations cooperated.

The total monetary value of scholarships and awards provided by VFW posts, auxiliaries, county councils, districts and departments amounted to over \$675,000 last year. This is in addition to the \$32,500 in national scholarships and an annual budget at the national level in excess of \$150,000 to conduct the Voice of Democracy Program.

During the 23 years of sponsorship by the VFW, over 5 million students have participated and awards totaling more than \$3 million have been given to winners at all levels in scholarships, savings bonds, and so forth.

Mr. Speaker, I urge my colleagues to read Denise's winning script, "My

Pledge to America," and to join me in congratulating all of the students throughout Louisiana and across the Nation who participated in this fine program. The text of her script follows.

**MY PLEDGE TO AMERICA**

Remembering the many history lessons I have been taught over the years, I recall the names of men and women who have contributed great things to this country. I think of those men who wrote our Constitution and established our government under the ridicule of some of their fellow Americans. I think of Abraham Lincoln and John F. Kennedy and other presidents who changed the direction of American government. I think of the anonymous soldiers, both young and old, who gave their lives because they believed in a better world. I recall the names of Susan B. Anthony and Martin Luther King who fought for the equality of all Americans. Today, the commitments of these people seem so clear and defined. They lived their lives in service to their country and in doing so shaped America into what it is today.

Reflecting on the strong commitments of these people, I am called to question my own pledge to America. To me, America is more than a piece of land stretching from the Atlantic to the Pacific. It is more than a set of laws and a network of states. America is a body of people working together and individually, supporting each other on a foundation of freedom and democracy. America is the person sitting beside me and in front of me. America is the people who live around me and the people who live thousands of miles away from me. America is its people. Therefore, when I say that I pledge to America, I mean that I pledge to the people. I commit myself to the person right next to me and the person a thousand miles away.

I am not a freedom fighter, or a human rights activist, or a feminist, and my bravery does not extend to the battlefield or the podium. My ammunition is my vote. My battlefield is the voting booth. I believe that the best way I can commit myself to my fellow Americans is through the wise use of my voting rights. I consider voting to be a responsibility as well as a privilege.

When I vote for the person I believe is the best candidate, I am voting for the American people or against them. We voters take an active role in our government by choosing who will make our laws and who will represent us to foreign nations and who will make the crucial decisions when it comes to war. In short, through the voting booth, we decide the future of our country.

In this election year, as in previous ones, millions of Americans will stay home on election day. In doing so, these people choose to waive their rights as American citizens and leave the important decisions in the hands of a few.

Speaking to a group of young Americans, Eleanor Roosevelt once said: "It is not enough to want freedom, one must believe in it. It is not enough to believe in freedom, one must work for it."

The work of us as Americans citizens is in the voting booth. I may never be a Susan B. Anthony or a John F. Kennedy, but I do have a clear and defined commitment to America as they did. My commitment is to the person sitting next to me and the person a thousand miles away from me. Most importantly, my commitment is to

myself as an informed, responsible, active citizen of this country. ●

#### AMERICAN PEOPLE LOSING PATIENCE WITH THE JAPANESE GOVERNMENT

**HON. WM. S. BROOMFIELD**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. BROOMFIELD. Mr. Speaker, Congressman JOHN DINGELL and I are introducing a resolution urging the President to take retaliatory action against Japanese imports unless the Japanese significantly open up their own markets.

This resolution is similar to one passed by the Senate last week by a vote of 92 to 0. Its passage in the House will clearly indicate just how thin our patience has worn over our trade problems with Japan.

The Japanese must understand that we are long past the period when we will be mollified by smiles and promises. Now is the time for action—and if the Japanese will not act in opening up their markets, then we will act to close our markets to them.

We have a degree of protectionism in our country, but we are only beginners compared to the Japanese. They have had a policy of protecting their infant and declining industries for decades. It is a policy of targeting which protects their industries during a growth stage and supports them in competition for foreign markets. It is a policy where the members of the Diet, the powerful bureaucracy, and the captains of Japanese industry put their combined strength into economic growth.

As a result, we have seen our trade deficit with Japan go from \$10 billion in 1980 to over \$37 billion in 1984.

Japan's announcement that auto shipments to the United States will be raised by 25 percent could mean an increase in sales from \$4 billion to \$10 billion, further magnifying our trade problems. This could translate into the loss of new job opportunities for 90,000 Americans which is intolerable.

Mr. Speaker, I have always been a firm believer in the advantages of competition in the marketplace. However, that competition must be fair.

For far too long, we have been willing to accept a degree of unfairness to set an example for free trade to the world. However, the result of this attitude has been the weakening of our domestic industries. Certainly we have seen no expansion in the number of open markets in other countries. We have learned it takes two trading partners committed to open markets to make this system work. Japan and others must realize that the free ride is over. We will not let our domestic

#### EXTENSIONS OF REMARKS

industries fall because of unfair trade practices and closed overseas markets.

We are engaged in important trade negotiations with the Japanese seeking markets for many of our products from telecommunications equipment and technology to wood products.

I had hoped that with Prime Minister Nakasone's last visit with President Reagan, our trade relations would take a different direction. However, it seems that politically, leaders in Japan have as much trouble with their bureaucracies as we do here. The announcement of increased Japanese auto imports and the lack of progress in our ongoing trade talks leads me to believe that things have not changed all that much.

Business as usual is no business at all as far as I'm concerned. Things will change either through mutual agreement or unilateral action on our part.

Mr. Speaker, it is significant that JOHN DINGELL, as a Democrat and chairman of the House Committee on Energy and Commerce, and I, as the ranking Republican on the House Committee on Foreign Affairs, have joined in sponsoring this resolution. We have come to address this trade problem from a bipartisan perspective, and we believe our trade problems with Japan seriously affect our domestic economy and our foreign relations with that country.

I hope the Japanese do not misread our action in Congress. This is not a charade. We have come to the end of our patience, and we will not play any further games. We want our trade with Japan to be open, considerate, and above all fair.

Mr. Speaker, I urge my colleagues in the House to join Mr. DINGELL and myself in sponsoring this resolution and later in voting for its passage. ●

#### REINTRODUCTION OF THE MEDICARE AND MEDICAID PATIENT AND PROGRAM PROTECTION ACT OF 1985

**HON. W. HENSON MOORE**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. MOORE. Mr. Speaker, I am pleased to be joined by my House colleagues in reintroducing today a clean version of the Medicare and Medicaid Patient and Program Protection Act of 1985 which was introduced as H.R. 1370 on February 28, 1985.

This reintroduced version takes into account various suggestions for improvement gleaned from our recent joint hearings in the Subcommittee on Health of the Committee on Ways and Means and the Subcommittee on Health and Environment of the Committee on Energy and Commerce, and will allow for more expeditious consid-

eration of the measure in our respective committees.

As many of my colleagues already know, Mr. Speaker, the bill is designed to protect Social Security Act beneficiaries from incompetent or unscrupulous practitioners and improve our protection against fraud and abuse.

We need to act swiftly on this legislation in order to help assure quality services to our Nation's elderly, disabled and poor and I commend the interest and support of the distinguished chairman of the Subcommittee on Health and Environment for scheduling a markup on the measure on April 4. I am hopeful that the Subcommittee on Health of the Committee on Ways and Means will be able to follow suit shortly after the Easter recess. ●

#### THE ENVIRONMENTAL AND ENERGY STUDY INSTITUTE'S GROUND WATER SYMPOSIUM

**HON. HOWARD WOLPE**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. WOLPE. Mr. Speaker, I had the opportunity March 11 and 12 to observe and participate in a symposium on one of the most vexing environmental issues facing the Nation: The protection of our ground water, on which half the Nation depends for its drinking water.

The symposium was sponsored by the Environmental and Energy Study Institute and hosted by the Environmental and Energy Study Conference, of which I am cochairman. It was the first step by the institute in its ambitious effort to explore and define the options facing us if we are to protect this most vital natural resource.

The institute's ground water protection project could not be more timely. We are just beginning to recognize ground water contamination as a national problem. Federal protection efforts—and most State efforts—are scattered throughout programs designed primarily to protect other resources or to regulate only some sources of contamination.

For example, the institute's initial ground water report, released at the symposium, and the Office of Technology Assessment both note that at least 15 Federal agencies and 16 Federal statutes offer some ground water protection, and each of the 50 States has some protection program in place. Yet ground water is still being polluted. And our experience through the Superfund Program has taught us that once ground water is contaminated it is extremely costly and difficult to clean.

The symposium was a remarkable success. Hundreds attended the various sessions to hear and question an

array of experts on the many facets of ground water contamination and protection policies. This information exchange among specialists and policy-makers will prove invaluable to Congress when we are forced to grapple with ground water questions in the coming months.

At the heart of the ground water symposium was the institute's ground water report itself, written by Judy Campbell Bird of the institute staff. The paper is a superb outline of the nature of the problem confronting us and the policy options available to us. I am arranging to make the report available to the office of every Member and every Senator so that it receives the widest possible consideration.

From here the institute will organize a series of regional hearings across the country to examine in detail the nature and scope of the threat facing the Nation's ground water. Other members of the Environmental and Energy Study Conference and I will take part in those hearings.

In the fall, the institute's ground water task force will organize policy development workshops to evaluate the most promising ideas garnered in those hearings.

By early next year, the institute will develop its proposals for congressional action on ground water protection. That proposed agenda will be presented to Congress at a major conference.

I wish to congratulate and thank the Environmental and Energy Study Institute for its ground water protection project and last week's promising beginning. In particular I want to thank Judy Campbell Bird, Ken Murphy, executive director of the institute, and Dr. Ruth Patrick, the distinguished head of the ground water task force.

We are a long way from a comprehensive answer to the ground water problems facing us. This recent symposium and the institute's report are important first steps. ●

#### EGYPTIAN-ISRAELI RELATIONS: A SPOTTY RECORD

**HON. RON WYDEN**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. WYDEN. Mr. Speaker, with each passing day and with each disturbing newspaper headline, the need for peace in the Middle East becomes more evident. That's why when Egyptian President Hosni Mubarak visited the United States last month, Congressman JOHN MCCAIN and I joined 115 of our colleagues in introducing a resolution calling on Egypt to renew its commitment to the Camp David accords.

The need for this renewed commitment is made clear by a recent analy-

sis by Phil Baum and Raphael Danziger of the American Jewish Congress, entitled "Egypt Update: A Periodic Survey of Egyptian-Israeli Relations," March 1985. This analysis shows that progress toward peace, although somewhat improved in recent months, is still spotty.

Because I know many of my colleagues share my concern about this matter, I would like to ask that the analysis be printed in the RECORD. The full American Jewish Congress report also contains a documented chronology of specific acts and statements between November 1, 1984, and February 28, 1985, which bear upon Egyptian-Israeli relations. Members interested in reading through that chronology can obtain a copy of the full report by calling the American Jewish Congress.

Following is the analysis of that report:

#### ANALYSIS

In our two previous reports (May and November, 1984) we presented a rather gloomy picture of virtually frozen bilateral Egyptian-Israeli ties and persistent Egyptian erosion of the Camp David stipulations for the peace process. We are pleased to report that during the last few weeks, Cairo has moved forward on both issues: It has partially thawed bilateral relations and it has adopted a public position on procedural (although not the substantive) aspects of the peace process that seems entirely consistent with Camp David accords. At this stage it is unclear, however, whether Cairo's recent moves merely amount to empty rhetoric designed to secure further U.S. aid during President Mubarak's upcoming trip to Washington as well as American recognition of the PLO as asserted by Israel's Likud Party, or whether the Labor Party is right in crediting the Egyptians with a genuine decision to promote peace following the emergence in Israel of what they perceive as a more moderate government, the beginning of complete Israeli withdrawal from Lebanon, and the Jordanian-PLO agreement to form a joint delegation.

On the bilateral level, it must be emphasized that the Egyptians have thus far failed to address some of Israel's main grievances. Despite frequent explicit promises, President Mubarak has refused to return the Egyptian Ambassador to Israel. Equally unambiguous high-level promises to end the publication of anti-Semitic articles and cartoons in the Egyptian press have been ignored as well (see Dec. 18, Jan. 3, and Jan. 6). Cultural ties between the two nations remain frozen, and Egyptian tourists are still virtually barred from visiting Israel.

At the same time, Egypt has undertaken a significant number of substantive steps to improve its bilateral relations with Israel. Politically, for the first time in three years high-level meetings and intensive negotiations were held—both on Taba and on the peace process. There were no hostile Egyptian acts comparable to the severing last year of diplomatic relations with Costa Rica and El Salvador because they returned their ambassadors from Tel Aviv to Jerusalem. And on several occasions, President Mubarak publicly praised Israeli statesmen and actions. Economically, Israel was invited to participate in the Cairo book fair (Jan. 22); Egypt responded positively to Israeli requests for compensation for water pipes in-

stalled in Sinai during its occupation and for greater help for transferring Palestinian refugees from Rafa to the Gaza Strip (Feb. 5); President Mubarak promised to approve import licenses for several Egyptian businessmen seeking to purchase goods in Israel and to facilitate the border crossings of Israeli tourists en route to Sinai (Feb. 17); Mr. Mubarak approved the sailings of Israeli yachts to Egypt's Coral Island south of Eilat (Feb. 21); and Egypt and Israel decided to expand trade in the energy sector (Feb. 28). And in the humanitarian field, Egypt agreed to consider a plan by Israel to conduct a fourth search for an Israeli submarine that sank with its entire crew in the 1960's off Egypt (Feb. 5).

Egypt has made equally significant progress in its position toward the Middle East peace process. Whereas just three months ago it signed a joint communique with Jordan agreeing on the importance of convening an international peace conference under UN supervision attended by "all parties concerned, including the PLO" (Dec. 3), by late February President Mubarak had forthrightly called for direct negotiations between Israel and a joint Jordanian-Palestinian delegation that would not have to include known PLO members, while an international conference "could be the last stage as a blessing of the solution" (Feb. 24). If genuine and firm, this position represents a substantial Egyptian return to the Camp David procedural stipulations after many months of advocating procedures that clearly contravened the Egyptian obligations at Camp David. Arguably, President Mubarak's assertion that the first step should be an American dialogue with the Jordanian-Palestinian delegation (Feb. 27) and Mr. Osama el-Baz' statement that the Israeli-Arab talks should be conducted indirectly with the United States serving as an "honest broker" between the two sides (ABC-News "This Week with David Brinkley," March 3), are no more than an initial bargaining position to be traded away for direct Arab-Israeli negotiations. This, however, remains to be seen.

Unfortunately, no parallel progress was recorded with regard to Egypt's position on the substance of the peace process. In total contradiction to the Camp David formula requiring the establishment of a five-year Palestinian autonomy in the territories prior to the implementation of a negotiated final settlement, last December Egypt's Foreign Minister demanded Israel's "unconditional and immediate withdrawal from Arab territories occupied after (sic) 1967, including the West Bank, the Gaza Strip, and the Syrian Golan Heights" (Dec. 19). Nor was Egypt's support for the Palestinians' "inalienable right to self-determination in the form they see fit" (Dec. 3)—a thin disguise for an independent Palestinian state—any more constructive. These positions, which have not been repudiated or amended since, might have just as well be stated by Syria, the PLO, or other Arab radicals.

The stark contrast between the apparent improvement in Egypt's bilateral relations with Israel and its position on the peace procedure on the one hand and its totally negative positions on the substance of peace on the other raises troubling questions about Egypt's intentions. While not presuming to resolve the internal debate in Israel between the Likud and the Labor parties on this issue, we believe that the following observations are warranted:

1. Egypt is determined to restore its former legitimacy and leadership position in

the Arab world. This explains not only its hard line on the substance of peace and its refusal to return the Ambassador to Israel, but also its prodigious efforts to "sell" the Hussein-Arafat "agreement" to Washington and to involve Jordan and the PLO (at least indirectly) in the peace process under Egyptian auspices. Furthermore, inter-Arab politics underlie Egypt's refusal to grant bases to the United States (Jan. 15) as well.

2. Egypt is equally determined to preserve the essence (if not necessarily the spirit) of its 1979 peace treaty with Israel which has benefited it in many ways (see out two previous reports for details). Because of the danger of erosion of support in Israel for the peace treaty due to Egypt's obstructionism (Feb. 4), Cairo may have concluded that an improvement in relations is necessary for the survival of the peace.

3. The acceleration of Egypt's positive steps on the eve of President Mubarak's visit to Washington hardly seems coincidental. No doubt the Egyptians were well aware of the reluctance on the part of many Congressmen to support increased aid to Egypt as long as it continued its impediments. And Cairo made it perfectly clear that it regarded the requested aid increases a vitally important.

As far as they go, all of these Egyptian objectives (although not all of the steps taken to advance them) merit full sympathy in Washington and Jerusalem alike. An Arab world under the leadership of an Egypt that lives in peace with Israel is obviously preferable to one led by a Syria or even a Saudi Arabia. Certainly, Egypt's interest in maintaining peace with Israel is highly desirable. And the growing dependence on U.S. aid has provided Egypt with added incentive to adhere to its peace treaty with Israel. If Egypt had acted to advance all three objectives simultaneously, its policies would have deserved nothing but praise. But as we have seen, the Egyptians have frequently sought to promote their inter-Arab position at the expense of their peace treaty with Israel and even their strategic cooperation with the United States. President Mubarak's forthcoming visit to Washington provides an excellent opportunity to attempt to rectify this deplorable Egyptian propensity and to persuade Mr. Mubarak that his country's interests would best be served by strengthening the Egyptian-Israeli peace and the strategic relationship with Washington even as Egypt continues to improve its position in the Arab World.

Considering Israel's complete adherence to the peace treaty with Egypt and Mr. Peres's favorable response to President Mubarak's call for direct Israeli negotiations with a Jordanian-Palestinian delegation as well as Egyptian and American participation (Feb. 27), it behooves the Administration to urge the Egyptian President to respond in kind. Mr. Mubarak should be apprised that the United States expects him to continue improving Egypt's relations with Israel—specifically to return its ambassador to Tel Aviv, to end anti-Semitic expressions in the government-controlled press, to remove the restrictions on the free movement of people and goods across the borders, and to implement the agreements on cultural exchange. Furthermore, the Administration should stand firm in its insistence on direct Arab-Israeli negotiations as opposed to indirect, U.S.-brokered talks, let alone a UN-supervised international conference. To quote ABC-News correspondent C. Robert Zelnick (Christian Science Monitor, 2/14/85), "The U.S. message to Mubarak should be clearly

articulated. Assistance to Egypt cannot be divorced from movement in the regional peace process. Even in a difficult market, wise investors require a return." ●

#### INTRODUCTION OF NEW INDUSTRIAL DESIGN PROTECTION LEGISLATION

**HON. CARLOS J. MOORHEAD**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. MOORHEAD. Mr. Speaker, today I am introducing legislation very similar to that which I introduced last Congress, H.R. 2985. I hope that industrial design protection legislation will become a top national priority and a goal of the 99th Congress. While proposed legislation has been before Congress for a number of years, its importance has not been recognized for several reasons. One is the perception that the design patent system in this country provides adequate protection and additional protection is unnecessary. Another is the impression that designs of articles are somehow not as basic to our country as other more fundamental things such as patentable innovations, protection of new and emerging technologies. In point of fact, current existing design patent protection is unreliable.

Decade after decade the litigation track record has been abysmal with three out of every four design patents struck down as invalid. This chills those who contemplate enforcing their rights and dissuades potential applicants from seeking protection. In 1983, only 3,279 design patents were granted in the United States to U.S. residents and reported by the World Intellectual Property Organization. By way of comparison, in Japan, which has a viable form of industrial design protection, the comparable number is 31,508 registrations or nearly 10 times ours. We cannot dismiss this disparity with the thought that it is unique to Japan. The comparable statistic for West Germany is 61,032 and for France 11,843. Nor do we find the answer to these differences by assuming U.S. designers are intellectually bankrupt.

The answer is that the United States is the only country in the world to provide a patent-type protection for industrial designs which is a particularly unsuitable form of protection for the shape of most articles as distinguished from its workings or function. It is noteworthy that while other countries have borrowed heavily from the United States in adopting features of our patent laws, none have even considered applying patent laws to the field of industrial design protection and we have stood alone with this ill-conceived system for nearly a century and a half.

We have been very aggressive in enacting laws to protect our good names when applied to products, but we have been remiss in protecting the distinctive appearance of those same products. Appropriating the appearance of a product can lead to the same abuses as appropriating its name by those motivated to palm off inferior goods on the unsuspecting or intentionally misled. The competitive posture of this country no longer permits us to ignore the plight of our creative designers and perpetuate this inequity between the effectiveness of this country's design protection compared to that provided elsewhere.

This legislation proposes that a copyright type of protection be provided for industrial designs through a low cost, relatively simple registration process. Such protection would both be more reliable than patent protection by avoiding high standards of invention that are impossible to apply to most shapes, but also would be a sharply focused protection aimed at the parasitic copyist while leaving original designers free to pursue new designs without fear of inadvertent violations. Design protection should be for a reasonable term of, for example, 10 years as has been proposed in this legislation although 15 years is the internationally recommended standard for design protection.

I am urging the Judiciary Committee Subcommittee on Courts, Civil Liberties and the Administration of Justice to begin hearings on this legislation later this year. ●

#### INTRODUCTION OF HOUSE CONCURRENT RESOLUTION TO ESTABLISH THE CEREMONY ON MAY 1 TO INSTALL THE STATUE OF JEANNETTE RANKIN IN THE U.S. CAPITOL TO REPRESENT THE STATE OF MONTANA

**HON. PAT WILLIAMS**

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. WILLIAMS. Mr. Speaker, I am pleased today to join my colleagues from Montana in introducing a resolution to establish the ceremony on May 1 to install the statue of Jeannette Rankin here in the U.S. Capitol representing the State of Montana. Today, April 2, is a particularly appropriate day for this introduction because 68 years ago today, Jeannette Rankin first took her seat in Congress.

In 1916, before suffrage was granted to women nationally, Jeannette Rankin was elected as the first woman to Congress. She had been active in the suffrage movement in Montana which gained women the right to vote in 1914. Using the same skills and net-

work she had developed in that effort, she ran a successful grassroots and postcard campaign unheard of in her day. She stated in her campaign:

It is not for myself that I am making this appeal, but for the 6 million women who are suffering for better conditions, under better moral conditions, at equal wages with men for equal work performed. For those women and their children I ask for your support.

On her fourth day in the House of Representatives she voted against the U.S. entry into World War I. She answered the rollcall, saying "I want to stand by my country, but I cannot vote for war." She decided to run for a Senate seat in 1918, but lost in part because of the contentiousness surrounding her vote. Over the next 20 years she worked as a lobbyist and organizer for the National Consumers' League, the National Council for the Prevention of War, and other peace organizations.

In 1940, she again ran for Congress, this time as Representative of the western district of Montana. During her second term in Congress from 1941 to 1943 she also voted against the U.S. entry into World War II, expressing her belief that we must protect our shores, but fight as hard for peace as we do for war. She alone cast a no vote against entry into the war. She later said of her historic two votes, "No one said it would be easy, only that it was right." During the 1950's she opposed the cold war and the U.S. involvement in Korea. In 1968, at the age of 87, she led 5,000 women of the Jeannette Rankin Brigade against the war in Vietnam.

Between and after her terms in Congress she worked as a lobbyist, organizer, and speaker for peace, better working and health conditions for women, and equal rights for women and children. She worked in Congress and afterwards in State legislatures for women and children, particularly for 8-hour workday laws, minimum wage laws, and child labor legislation. She had always believed that women should play a prominent role in politics. She wrote:

It is altogether fitting and proper that a mother be at the bedside of her child, sick with typhoid fever; it is also altogether fitting and proper for the mother to go into the public forum to eradicate the causes of typhoid fever.

Montana is a State with a proud pioneer tradition of men and women who work side by side against adversity because they have a strong sense of a better future. It is most appropriate that Jeannette Rankin with her courage, commitment, and compassion should represent our State to the Nation.●

## A TRIBUTE TO LAWRENCE W. STRATTNER

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. CONTE. Mr. Speaker, I rise today before my colleagues to both recognize and honor a good friend, a dedicated volunteer, a great humanitarian and a truly remarkable man, Mr. Lawrence W. Strattnner from the very heart of my district, Pittsfield, MA.

I am very pleased to bring Larry Strattnner to the attention of my colleagues today since Mr. Strattnner will be honored on Friday, April 19, as the first recipient of the Distinguished Citizen Award which will be presented by the Great Trails Council of the Boy Scouts of America located in Dalton, MA.

The significance of this award cannot be overstated just as the contributions made by Larry Strattnner, both to scouting and to the quality of life, in the community of Pittsfield cannot be exaggerated. From his first affiliation with the Berkshire Medical Center, during the years of its genesis, through his three terms as president of the Great Trails Council, Larry Strattnner has exemplified the highest ideals of voluntarism, professionalism and giving for the good of others. As the recipient of numerous awards for his work with the United Way, the Rotary Club, the State University of New York at Albany, the Boy Scouts and many cultural organizations, one can only envy the good that this man has done and be awed by the amount of time that he has selflessly given to fundraising, to promoting, to developing, and to providing many services and activities for the residents of Berkshire County and beyond. His tireless work has touched many of my constituents.

As president and chief executive officer of the Berkshire Life Insurance Co. of Pittsfield, Larry's leadership fast-tracked his company to the top of the industry. Now as chairman of the board, his professionalism continues, yet he still finds the energy and enthusiasm for his community and its people.

The highest words of praise seem so inadequate in light of what Larry Strattnner has accomplished, and I feel that we, in the House of Representatives, could only benefit from learning about such fine men in our society. I hope you will all join me in extending a well-deserved and heart-felt congratulations to Larry Strattnner as the outstanding and distinguished citizen of Pittsfield, MA.●

## TRAVEL EXPENSE DEDUCTIONS

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. STARK. Mr. Speaker, today I am reintroducing legislation to amend the Internal Revenue Code of 1954 to clarify the rules for deducting travel expenses to and from temporary job sites. The purpose of this clarification is to insure that the travel expenses construction workers incur in order to practice their trades may be deducted in the same way that lawyers, accountants, and professionals are allowed to deduct their business travel expenses.

The background is as follows: Section 162 of the Internal Revenue Code authorizes taxpayers to deduct their ordinary and necessary business expenses including travel expenses incurred for business reasons. On the other hand, travel expenses incurred for personal reasons are not deductible. For example, a person with a regular job in a city who chooses for personal reasons to live in a distant suburb cannot deduct the costs of driving to and from the regular job each day.

The courts have attempted to distinguish business from personal travel expenses through the use of the so-called temporary job doctrine: If the job is temporary, then the travel costs are deductible. The Internal Revenue Service, however, has been applying this doctrine without regard to its purpose of distinguishing travel undertaken for business purposes from travel undertaken for personal purposes. As a result, thousands of construction workers around the country are being denied the ability to deduct expenses that, by any rational standard, constitute ordinary and necessary business expenses.

Here is a typical example. A construction worker has lived and worked in a particular community for many years. His primary business contacts are in that community. He has a home in that community; his children attend school there; he and his wife vote and pay taxes there. His wife may have a job there. If construction work becomes temporarily unavailable in the home community—and in the current economy this is happening more and more often—the worker has only two choices. He can look for work in more distant areas and work away from home until a job in his community becomes available, or he can remain unemployed. If he takes a distant job, he must either move his home and family to that job or incur substantial additional expense, either by traveling many miles each day or by renting temporary lodging near the job.

For most workers, moving home and family is either impossible or contrary to good business judgment. Housing near the job may be unavailable or prohibitively expensive. More importantly, however, construction work is inherently uncertain; workers are well aware that they are likely to be laid off without warning at any time. Furthermore, the worker in this situation fully intends to take work closer to his traditional work area as soon as a job opens up. The worker therefore has only two choices; remain unemployed or incur travel expenses in order to practice his trade.

The travel expenses are therefore clearly necessary to the worker's trade. Nevertheless, the IRS automatically disallows such expenses. In fact, the IRS has conducted mass audits at large construction projects for the purpose of disallowing travel expenses. On the other hand, the IRS allows professionals and businessmen to deduct, without question, the expenses they incur when they have to travel to practice their trade.

The IRS uses the so-called 1-year rule as the basis for its arbitrary action. Under this rule, a job that has lasted for more than 1 year is automatically regarded as not temporary, and travel expenses are disallowed. This hindsight test ignores the crucial fact that the worker could have been laid off at any time throughout the year. The 1-year rule has been expressly rejected by the U.S. Court of Appeals for the Eighth Circuit, but the IRS has announced that it will refuse to follow the eighth circuit's holding.

The IRS also uses as a ground for disallowance the fact that the worker's job is indefinite, but it is the very indefiniteness of the job that makes deductibility appropriate. A worker's decision to avoid travel expenses by moving his family makes economic sense only if he has some assurance the job will last for a substantial period of time; it makes no sense if he is uncertain whether the job will last much longer. And, if it is not reasonable for the worker to move closer to the job, then his travel expenses are the result of business necessity, not personal choice, and they should be deductible.

Mr. Speaker, equity and efficiency require that something be done. The current IRS interpretation unfairly penalizes the working men and women of this country, and has led to expensive and needless litigation. Construction workers deserve to have the special problems of their industry recognized. Their travel expenses to distant jobsites are certainly more necessary to their jobs than an executive's three-martini lunch is to his.

My proposed bill institutes an easily administered rule that will eliminate the need for litigation in the vast ma-

majority of cases. Construction workers will be recognized as being temporarily away from home for the first 2 years of employment at any jobsite more than 30 miles from their home. This will eliminate the disputes in the vast majority of cases. In those few cases that are not resolved by the 2-year rule, the deductibility of the travel expenses will be determined case by case. In making this determination, the IRS and the courts will be prohibited from using either the 1-year rule or the indefinite employment rationale, but will make their decision according to whether the expenses are incurred by because of business necessity rather than personal convenience. ●

#### EXPAND U.S. AGRICULTURAL EXPORTS

#### HON. TONY P. HALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. HALL of Ohio. Mr. Speaker, along with my colleagues from the Select Committee on Hunger, Foreign Affairs and Agriculture Committees, I am introducing legislation that will expand U.S. agricultural exports to developing countries to combat hunger and provide the mechanisms to increase the developmental impact of food assistance.

I urge Foreign Affairs Committee members to consider the provisions I am introducing today as amendments to this year's foreign aid bill. These amendments will: Strengthen food aid programs by providing multiyear programming agreements with private voluntary organizations; extend the food security wheat reserve to 1989; mandate the Commodity Credit Corporation [CCC] to pay for the processing and shipping of surplus agricultural commodities for overseas donation in kind; and, set a target of immunizing approximately 3 million children of the 25 million children participating in overseas food aid programs by 1987.

These four components of the Food, Trade and Development Act, which will be introduced in the coming weeks, are essential to the effectiveness of overseas food assistance programs. For example, if the target of immunizing 3 million children is achieved, approximately 150,000 lives will be saved according to UNICEF estimates. In addition, the multiyear provision of this bill will encourage the Commodity Credit Corporation [CCC] to use surplus commodities for humanitarian assistance at a cost savings to the CCC.

These are four components of a larger bill the Food, Trade and Development Act. This larger bill which is currently supported by Representa-

tives LELAND, FOLEY, PANETTA, EVANS, MORRISON, FAZIO, DORGAN, and KOSTMAYER will be introduced in the coming weeks. ●

#### NUCLEAR WINTER—A JOINT UNITED STATES-SOVIET STUDY IS NEEDED

#### HON. JERRY HUCKABY

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. HUCKABY. Mr. Speaker, today my distinguished colleague from Arizona, the Honorable Mo UDALL, and I are introducing a resolution expressing the sense of the Congress that the United States should enter into a joint high-level scientific study with the Soviet Union to determine the long-term climatic and environmental effects of a nuclear exchange. Everyone is familiar with the immediate consequences of nuclear war, including radiation, blast, and thermal effects, short-term radioactive fallout, inadequate medical attention for surviving casualties, and long-term biological effects of global fallout. During the past year, however, the public's interest has been aroused by the scientific debate on the controversial theory that there would be a significant contamination of a large portion of the Earth's atmosphere. Preliminary calculations have suggested that this contamination could lead to cooling of many parts of the Earth's surface—the so-called nuclear winter. This occurs when massive fires generate large quantities of smoke and fine dust which are carried into the atmosphere and result in the attenuation of sunlight in areas far removed from nuclear target zones.

The most detailed studies recently released here in Washington at a nuclear winter symposium confirm that these significantly lower temperatures would occur. But their extent and duration—and hence their potential impact on people and on the biosphere that supports the surviving population—have yet to be determined.

We believe that more in-depth scientific evaluation is needed to determine the long-term climatic and environmental effects of a nuclear war. The impact of these severe surface air temperature reductions and the resulting effects on our fish and wildlife, water quality and resources, food supply, and forests must be thoroughly assessed.

It is appropriate that the United States and the Soviet Union, as the two nations with the most highly developed nuclear weapons arsenals and strategies, should jointly undertake the high-level scientific study that will be necessary to gain the requisite understanding of the problem. We rec-

commend that the conclusions reached in this study would be included in any analysis of the consequences of nuclear war, and that they should also be considered in the nuclear weapons, arms control, and civil defense policies of the United States and the Soviet Union.

Mr. Speaker, we think this would be a worthwhile matter to pursue and we urge timely consideration and support for the passage of this measure. ●

#### PEACE AND ECONOMIC DEVELOPMENT IN THE SOUTHWEST PACIFIC

##### HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. DYMALLY. Mr. Speaker, I would like to familiarize my colleagues in the House of Representatives with an area that has been too long ignored by American foreign policymakers. Given my longtime interest in peace and economic cooperation in the Caribbean, I am amazed that America's political leadership has not taken a similar interest over similar problems in the Pacific. My recent initiatives—H.R. 1462 and House Resolution 99—have placed overdue focus on the poor health care situation in the Micronesian islands and on the civil rights/civil liberties concerns of their residents. In both cases, the dramatic issues associated with health and civil rights/civil liberties are ones that were virtually resolved many years ago in the Caribbean. The problems in the Pacific islands further to the south and west of American-administered Micronesia are even more glaring.

A growing political/economic conflict between the eastern section of New Guinea, the independent nation of Papua New Guinea, and the western section of New Guinea, Irian Jaya, a province of Indonesia, has recently threatened to result in a military confrontation. Indonesian jet fighters have flown over Papua New Guinea territory. A refugee problem, stimulated by the tense situation, has complicated border relations between Papua New Guinea and Indonesia. These difficulties have especially harmed the peaceful economic development of Papua New Guinea, one of the Pacific's most impressive developing nations.

Considering the need to promote peace and economic development in the Pacific, as we have done in the Caribbean, it is imperative that the President encourage Papua New Guinea and Indonesia to resolve all their differences and to request the Association of South East Asian Nations [ASEAN] to make similar encouragements. Once this is accom-

plished, we can credit ourselves, as a Pacific nation, for promoting the peaceful economic development of a significant area of the Pacific Third World and the Southwest Pacific. It is, indeed, an overdue task. ●

#### INTRODUCTION OF THE INDIAN GAMING CONTROL ACT

##### HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. UDALL. Mr. Speaker, today I am introducing on behalf of myself, Mr. McCain, Mr. Richardson, and Mr. Bates a bill to establish Federal standards and regulations for the conduct of gaming activities on Indian reservations and lands subject to the jurisdiction of Indian tribes.

Although I sponsored a similar bill in the 98th Congress, there were at that time a number of unresolved issues which came to light during the hearings on the bill. I felt these issues deserved more study before such legislation could be enacted into law. Since then, the committee has had more time to study these issues and reintroduction of the legislation is now timely.

This bill has some technical and other differences from last year's version but, in essence, it has the same purpose and intent and is substantially the same as last year's bill. The purpose of the bill is to impose Federal standards on gaming within Indian reservations and Indian lands so that the tribes will continue to be able to conduct, operate and generate needed revenues from these gaming operations free of the harmful influence of criminal or other undesirable elements.

I want to emphasize that this bill does not grant the tribes rights that they do not already have. Neither is it a bill to get the Federal Government in the business of running gaming operations on Indian reservations. Rather, it is a bill which recognizes that, in these budget-cutting years, Indian tribal governments have a right, if not a duty, to generate revenues on their reservations and that raising such revenues from gaming operations is legitimate when such activities are not illegal under Federal law or prohibited by a State as a matter of criminal law.

On the other hand, there have been reports and allegations of potential involvements of criminal or undesirable elements in connection with some of the gaming operations. It is in order to protect the tribes from such harmful influence that the bill imposes some Federal standards and regulations on these gaming operations.

I am aware that some of my colleagues are contemplating introducing

legislation similar to the bill I am introducing today. Because I believe that other legislative proposals would contribute to a better debate of the issues relating to gaming on Indian lands, I would welcome and encourage others to introduce their proposed solutions. ●

#### MARJORIE P. HART SERVES 40 YEARS ON DISTRICT 64 SCHOOL BOARD

##### HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. PORTER. Mr. Speaker, I would like to draw my colleagues attention to a very special and talented person and long-time educator, Marjorie P. Hart of North Chicago, IL. Marjorie P. Hart was first elected to the North Chicago Elementary School District 64 Board of Education on April 24, 1945. She has served 40 continuous years on the board. Her current term expires in November 1985.

She has won reelection to the board every 3 years since then, giving her the distinction of having the longest continuous service on the same board of education in the State of Illinois.

She was elected secretary of the district 64 board of education on two occasions, serving from April 16, 1949 to April 19, 1968 and from April 14, 1980 to November 4, 1981. She was elected president of the board from April 19, 1971 to April 14, 1980.

During her 40 years on the board she has served the students and citizens of the school district with distinction and dedication. She has been active in local, State and national school board associations. In recognition of her service, Marjorie P. Hart received a "Special Appreciation Award" in 1982 from the Illinois Association of School Boards for her many years of outstanding service as a school board member. In addition, in 1982, she received special recognition from the Illinois General Assembly for meritorious service on the District 64 Board of Education.

On the 17th day of October, 1983, the district 64 board of education, in grateful appreciation and with a deep sense of pride, changed the name of Central School to the Marjorie P. Hart School.

On April 25, 1985, she will be honored at a reception at the school named in her honor. Mr. Speaker, I am extremely proud to represent Marjorie P. Hart in the Congress. She is an inspiration and example to us all. ●

ENDING THE UNFAIRNESS OF  
THE SOCIAL SECURITY NOTCH

HON. EDWARD F. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. FEIGHAN. Mr. Speaker, today the new bill to end the unfairness of the Social Security notch, H.R. 1917, was introduced. I am proud to be 1 of the 56 original cosponsors of this important measure.

Over the last several years, a number of different bills designed to remedy the problem of the notch have been introduced in Congress. Unfortunately, the sheer fact that so many bills aimed at solving the same problem existed hindered the chance that any one of them would be passed. Now, virtually all the supporters of past notch bills have joined forces behind H.R. 1917. The breadth and unity of the support for H.R. 1917 among my colleagues makes me more hopeful than ever that Congress will finally take action to alleviate the injustice of the Social Security notch.

Like its predecessors, H.R. 1917 would take care of the notch by extending the transition period and making benefit calculations more generous for citizens born after 1916. The bill should return a sense of fairness to the Social Security system by providing an equitable solution to the overindexing problem that marred the 1972 benefit formula.

I urge the members of the Social Security Subcommittee to act speedily to bring this bill before the full House for consideration and a vote. We owe it to all the notch year seniors—and to our own sense of fairness—to pass this legislation which will assure that all Social Security beneficiaries receive the benefits they have earned and deserve.●

RECOGNITION OF JAMES DON  
KEPHART

HON. JOE KOLTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. KOLTER. Mr. Speaker, I rise today in recognition of James Don Kephart. On August 16, 1984, Mr. Kephart made the ultimate sacrifice when he saved his little niece, Tina, from drowning. Eight-year-old Tina was wading in French Creek in Meadville, PA, when she lost her footing and drifted into deep water. Thinking only of Tina, Mr. Kephart jumped into the water and pushed her toward the bank of the creek.

Unfortunately, this episode did not have a totally happy ending. Mr. Kephart, just 22 years old, submerged and

drowned after pushing Tina toward safety.

Mr. Kephart's heroism was recognized on December 6, 1984, when he was posthumously awarded a medal by the Carnegie Hero Fund Commission. In 1904, Andrew Carnegie established the fund with \$5 million "to recognize outstanding acts of selfless heroism performed in the United States and Canada."

Mr. Kephart fully deserved the honor bestowed upon him. His selflessly courageous act, performed at such a tragically young age, should inspire us all to realize that concern for the well-being of others is the most valuable thing that any of us can give.

Mr. Speaker, I am offering the condolences of this body to James Don Kephart's wife, Jo Ann Kephart. May she find comfort in the knowledge that her husband's act of heroism was an act of love, and because of his selflessness, Tina is with us today.●

TRIBUTE TO GARY  
STYMILOSKI—POLICE HERO

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. BIAGGI. Mr. Speaker, as a 23-year police veteran, I feel a very deep and personal sense of loss each and every time a brave police officer is forced to make the supreme sacrifice while protecting his fellow man. That feeling of loss is with me today, and it was with me on February 28 when I joined more than 5,000 others in attending the funeral of Westchester County (NY) Police Officer Gary Stymiloski, a Yonkers (NY) resident and my constituent, who was shot and killed in cold blooded fashion during a routine traffic stop.

Like so many who have worn the uniform before him, Officer Stymiloski's death cannot be explained. There was no provocation. In fact, it now appears that his accused murderer, Alex J. Mengel, would have been given nothing more than a summons for his traffic violation and had his car impounded—since he did not own the car and he had no license. Yet, instead of accepting this fate, Mengel allegedly pumped a bullet into Officer Stymiloski's head and then tried to escape justice.

As usually happens in police slayings, Mengel was captured within a week of his crime. The evidence against Mengel appears overwhelming. Consider, for example, that he was arrested in the possession of Officer Stymiloski's service revolver. In all likelihood, he will serve time in prison for this terrible crime he has committed. But, it is also likely that someday he will be back out on the street again—a

free man. You see, Mr. Speaker, New York has no death penalty, not even for the coldblooded murder of a police officer.

But what about Officer Stymiloski. He will get no second chance. His life is over, and for what? For some two-bit thug, who thought nothing of firing a bullet into a police officer's head.

So many people will be unaffected by Officer Stymiloski's death, viewing it as simply another senseless tragedy. His death should, but probably will not, be enough to revive the death penalty in New York. In fact, there are some who might even support parole at some later date for Officer Stymiloski's killer, provided, of course, he is a good prisoner. But, is that fair? Is that really justice?

I, like so many others, have long contended that murderers of police officers deserve the death penalty and I have introduced legislation to that effect. It is just punishment and it would also serve as a deterrent to others. The State of New York has stalled long enough in reimposing the death penalty. We must not allow coldblooded killers like Alex Mengel to act with impunity. It is a travesty of the highest order when a police killer can someday walk the streets again, a free man.

What about those who are affected by Officer Stymiloski's death—his fiancee who was planning a November wedding; his parents and sister with whom he lived; or what about his two brothers, who are also police officers and are expected to continue enforcing the same laws that may someday allow their brother's killer to go free? These are the people, along with many other friends, relatives, and comrades who will remember that Gary Stymiloski was a good cop and a good man. These are the people who will be haunted by his death for the rest of their lives.

We are a society that has come to expect police deaths, and all too often, expectance breeds acceptance. But, what we must remember is that police deaths are more than mere numbers. Certainly, the numbers should not be overlooked. Consider, for instance, that some 1,600 law enforcement officers were killed in the line of duty during the last 10 years, with 142 of those deaths occurring in 1984. Yet, these numbers, while significant, also tend to depersonalize a police officer's death and that must not be allowed to happen. In fact, due to the tragic consequences that almost always surround a police officer's death, the personal impact of those deaths is devastating.

The death of 27-year-old Gary Stymiloski, a 1984 "Police Officer of the Year" in Westchester County, proves that no matter the level of courage or ability of the law enforcement officer,

his or her life is on the line every time they put on their uniform. It is also a grim and jolting reminder—a reminder that we ask so much of our Nation's law enforcement officers, while giving them so little in return.

Mr. Speaker, we must give more to our law enforcement officers. We can begin by slamming shut our Nation's revolving door criminal justice system; by supplying our police officers with the best weaponry and protective equipment possible; and by keeping that same equipment away from the criminals.

At this time, Mr. Speaker, I wish to insert a copy of the very moving sermon preached at Officer Stymiloski's funeral by the Reverend L. Lester McGonagle, pastor of the North Yonkers Community Church:

SERMON PREACHED BY PASTOR L. LESTER MCGONAGLE OF NORTH YONKERS COMMUNITY CHURCH, HASTINGS-ON-HUDSON, NY, AT THE FUNERAL FOR OFFICER GARY STYMILOSKI ON FEBRUARY 28, 1985

We are here today to affirm our faith in a God who cares and connects with us in this time of sorrow and hurt in the tragic death of Officer Gary Stymiloski. We affirm our faith in life, in death, in life beyond death. God is with us. It is sometimes difficult and demanding to affirm this faith—especially when a young police officer is killed in the line of duty. Dag Hammarsjold once noted: "To be free, to be able to stand up and leave everything behind—without looking back, to say 'yes'."

But we do look back, especially at a time like this. There are so many memories and shared experiences that linked Gary Stymiloski on his journey; his life has been shortened by a violent act committed by some one who, in one moment, changed a destiny. His family—his mother and father, his two brothers, a sister and fiancée look back with memories—a mixture of shock, sorrow and hurt. We are here to celebrate Gary's shortened journey in this life—a life that touched so many, his family, his friends and his colleagues in the Westchester County Police. We begin by remembering the words from Psalm 90:

"I lift up my eyes to the hills from whence does my help come. My help comes from the Lord who made heavens and earth."

We are strengthened to by the words of St. Paul in the letter to Romans 8:

"If God is for us, who is against us. Who shall separate us from the love of Christ?"

"For I am sure that neither death nor life . . . nor things present, nor things to come, nor height, nor depth nor anything in all creation will be able to separate us from the love of God in Christ Jesus our Lord."

We come here first to affirm that in tragedy, suffering and even death we find comfort in a God who is with us—a God who cares. We know too well the reality of violent death in our contemporary world yet we forget so quickly that God is with us in all events. When human words fail, we find comfort in knowing God's presence that brings peace and power in times of a tragic loss such as Gary's death. In our grief, we confess our loss of Gary; in our bitterness and anger, we anguish over the never ending violence in our society. We are moved by the presence of so many police officers. Any one of the police officers in and outside this church could have been Gary

Stymiloski. That's why they're here, to show their oneness at the precariousness of their vocation. We come with tears and a sense of loss; we come here to give our support as men and women to a family and friends who have lost some one dear to them. We come knowing that our presence and comfort express our love and God's love that we are not alone in death.

We come to remember the life of Gary Stymiloski. He was born in Yonkers on May 22, 1957 and grew up in this city—graduating from Gorton High School. He studied at Dale Carnegie Institute and attended Westchester Community College. He joined his brothers, Edward and Paul as police officers beginning at Sloatsburg and then the Westchester Department of Public Safety—the Parkway Police. He was ambitious and was a serious police officer—studying for the sergeant's examination. Working as a narcotics undercover agent and then as a parkway police officer, Gary received the Cop of the Year Award from the Westchester Pulaski Association. What we learn from looking at his life is that Gary was an able and good police officer. He had goals and planned to be married in November to Karen Parks. He was part of a loving, supporting family, parents who loved him, brothers and a sister who grew up and supported one another in times of joy, pain and in times of celebration and struggle and now in death. We pray that the killer is found and that justice is done. For the tragic death of Gary Stymiloski reminds us all of the reality of our fragile life. For even as we mourn Gary in his tragic death, we affirm God's presence more than ever.

For in our sorrow, we are met by a God who has promised us new life. We believe that our God is for us. And we affirm the presence of one named Jesus who has gone before us and now meets us in this time of testing, sorrow and loss. We can become bitter and angry—hitting our fists against a wall. But we know that our fists will become injured and bloody—a sign of our frustration and bitterness. We must move on. As Christians we are placed in the hands of one whose love and power enable us to move on; we believe that death has been conquered by the death and resurrection of our Lord, Jesus Christ. I know the feeling of emptiness and loss at the time of death; my wife and I lost our only son—several years ago in a motorcycle accident. What do you say to a family and friends who have lost some one so senselessly and tragically? Very little. You simply embrace them as God in Christ embraces us with the hope that we know that in life, in death and in life beyond death, God is with us. "God will bring them with Him." Can we affirm here in our abyss, our loss and sorrow that God will bring Gary with Him?

To believe this is to have hope when all else fails . . . when human systems fall down and the realities of pain, violence, sudden death dominate. Life is fragile. In St. Paul's letter to the Corinthians, we read the words: "Let us be on the edge of expectancy, working, serving, loving, keeping the faith, and demonstrating that faith to the world of men women about us."

As for now to the Stymiloski family and to the close friends of Gary: We need to hold on to one another in our love and dedicate ourselves in loving service to God and humanity.

May God search our hearts and give us not only comfort and strength but also this new life—that in pain, we may find comfort; that in sorrow, we experience hope; that in death, resurrection.

God speak to the family and friends of Gary Stymiloski—to his fellow police officers and give them strength and courage to move on; hope that reminds them that they are not alone but in your hands and love; faith that reminds that nothing even death can shake them from life that is rooted in our Jesus's resurrection and power. For as we sing Gary's favorite hymn "Amazing Grace" we know anew this power:

Through many dangers, toils and snares  
I have already come  
'Tis grace hath brought me safe thus far  
And grace will lead me home.

May this grace lead us as it has led Gary to a new hope and power. May we find this peace as we commit the spirit of this young brave man—Officer Gary Stymiloski to the Lord of life and death.●

#### TRIBUTE TO ANDREW BEAVERS

#### HON. TOMMY ROBINSON

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. ROBINSON. Mr. Speaker, in June of this year, my constituent Mr. Andrew Beavers will retire after a lifetime of service to his community. Mr. Beavers has been involved in the education of Pulaski County students for 34 years, and during that time has touched literally thousands of children's lives.

He began his career as a teacher in Arkadelphia, AR, in 1949 and came to Pulaski County in 1951 when he accepted a position at Jones High School. Mr. Beavers was the athletic coach and athletic director at Jones High School and later became assistant principal there. In 1970, Mr. Beavers moved to Rose City Junior High School, my alma mater. From 1971 to 1985, Mr. Beavers served as assistant principal at Northeast High School.

Gov. Bill Clinton has named April 20, 1985, "Andrew Beavers Day." Never was a man more worthy to have bestowed upon him this honor. I can only wonder if all the honors in the world will ever repay Andrew Beavers for what he has done for our children. Andrew Beavers is a man who has had a tremendous influence on the young people of my district. He has helped make them better students, and better citizens, and better people. His students know that they were lucky to have had such a fine person as their coach and principal.

I am recognizing his efforts today because he is retiring soon, and his friends in Pulaski County will honor him for his many years of service to their community. A scholarship fund is being set up in his name. It is an appropriate gesture due to his never-ending commitment to excellence in education. It is our hope that this scholarship fund will perpetuate Andrew Beavers' good name, his integrity, and his thirst for knowledge.●

LEGISLATION INTRODUCED TO  
AID RURAL LETTER CARRIERS**HON. RONNIE G. FLIPPO**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. FLIPPO. Mr. Speaker, I am pleased to introduce today on behalf of myself, Mr. JENKINS of Georgia, and several other members of the Ways and Means Committee, a bill to provide the rural letter carriers relief from the unfair application of the Federal tax law by the Internal Revenue Service.

There are 38,925 U.S. Postal Service rural mail routes. Rural letter carriers serve these routes as employees of the U.S. Postal Service. These rural carriers differ from their urban counterparts in that they use their own vehicles to deliver the U.S. mail daily to 15 million rural American families. The average rural route is 62 miles in length and has 440 mailbox stops. The routes range in length from the 2.25-mile route in Wapplingers Falls, NY, to the longest route of 167.15 miles in Georgewest, TX.

The frequency of stops and rural road conditions greatly affects the high cost of operating and maintaining a rural mail vehicle, which is the sole responsibility of the rural letter carrier.

No two rural mail routes are identical, however salaries range from \$5,000 to \$30,000. The beginning salary for a 40-hour-week is \$16,710. The average rural carrier after 12 years service reaches the top of the grade, and the national average route evaluates at a 40-hour-week for which he receives \$24,889.

The U.S.P.S. reimburses rural letter carriers for using and maintaining their own vehicles 31.5 cents per mile. Last year, U.S.P.S. paid \$247 million equipment maintenance reimbursement on 38,925 rural mail routes. This averages \$6,356 per route. Note this is not per carrier, since all carriers have a relief or substitute, who work the sixth day and/or vacation/sick days.

From 1956 until 1984, the IRS allowed rural letter carriers to use a weighted factor when computing business vehicle usage on their tax return. The factor was an allowance for rural mail delivery. It was 1.2 to 2.0 depending upon roads and conditions. In 1984, IRS informed the National Rural Letter Carriers' Association their previous understanding with the Service was inoperative and revoked. Nevertheless, the Service is auditing every rural letter carrier in the United States for years 1983 and before and assessing them for back taxes with interest. They now maintain the 1956 agreement was not applicable between 1962 and 1983.

The bill we are introducing here today would alleviate the problems the rural carriers are experiencing with the unfair audits now being imposed by the IRS. This bill would allow the carriers to use the 1956 formula in calculating depreciation and actual expenses for the 1982, 1983, and 1984 tax years.

The remaining carriers would be provided deductions for expenses equivalent to the equipment maintenance allowance. This provision would resolve the problem the carriers are experiencing in the audits now being conducted by the IRS.

The bill would also settle the differences between the IRS and the rural letter carriers over tax treatment of the equipment and maintenance allowance. Under this bill the carriers who elect to deduct depreciation and actual expenses would be allowed to do so without reference to section 280F(b) of the Internal Revenue Code. The remaining carriers would be provided an allowable mileage allowance calculated by the IRS for all business miles traveled.●

HYGIENISTS DESERVE  
RECOGNITION**HON. JOHN EDWARD PORTER**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. PORTER. Mr. Speaker, on March 28 I introduced legislation which would establish September 15-21, 1985, as "National Dental Hygiene Week." I was joined in this by Congresswoman BARBARA MIKULSKI of Maryland.

This would be the first occasion for national recognition for a profession that was founded some 70 years ago. Dental hygienists, who now number 44,000 in the United States, are dedicated to the prevention of dental disease and have had a tremendous impact on the improvement of the public's dental health. They are professionals in every sense of the word—by education and board certification and by their total dedication to the betterment of dental care. In the last decade and a half, the dental community has witnessed a decline in the number of children who have had caries in their permanent teeth from 71 percent in 1971-73 to 49 percent in 1979-80. By 1990, this statistic is projected to drop to 40 percent.

There is much credit to pass around and this resolution recognizes one segment of the dental community that has played an outstanding role in that success. Dental hygienists share great pride in this accomplishment, yet are looking ahead to other targets that require our attention. Recently, for example, through their national organi-

zation—the American Dental Hygienists' Association—hygienists have initiated an outreach program on geriatric dental care in conjunction with the National Council on Aging. And, this week will be more than just recognition for a profession. It will help focus national attention on the importance of dental disease prevention and the role that individual personal care can play in its elimination.

I am pleased to have this opportunity to support dental hygiene professionals throughout our country and encourage my colleague's attention to this legislative symbol of our admiration and gratitude.●

A TRIBUTE TO COACH JOE B.  
HALL**HON. ROMANO L. MAZZOLI**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. MAZZOLI. Mr. Speaker, I take this opportunity today to honor Coach Joe B. Hall of the University of Kentucky, who has retired as coach of the Wildcat basketball team following a long and highly successful career.

His contributions to the youth of Kentucky and of America make him—as it made his predecessor at University of Kentucky, Adolph Rupp—a legend in his own time.

Coach Hall served as coach at University of Kentucky for 13 years. Joe B. leaves behind him a remarkable legacy of victory with a record of 297 wins and only 100 losses. The Wildcats were NCAA Champs in 1978, made two other appearances in the final four, and also won a National Invitational Tournament title in 1976.

But even though willing to work and sacrifice for success on the court, Coach Hall never forgot the importance of developing the individual along with the player. To Coach Hall basketball was a means for a young man to gain personal as well as emotional maturity, through sportsmanship, team play, and discipline. And, always basketball was a complement to academic achievement in the classroom.

I extend thanks to Coach Hall for giving us such great basketball over the years, and I wish him the best of health and good fortune in the future.●

TRIBUTE TO HANS "PETE"  
HANSEN

HON. SOLOMON P. ORTIZ

OF TEXAS  
IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. ORTIZ. Mr. Speaker, on Friday evening, April 26, a very dedicated and respected constituent of mine will be honored at a social, hosted by the regional director for Naval Investigative Service, Special Agent Usrey, to be held at the Naval Amphibious Base, Little Creek, VA.

Mr. Speaker, Special Agent Hans "Pete" Hansen, Naval Investigative Service, is retiring from nearly 29 years of consecutive Federal service on April 30, 1985.

Born in Manly, IA, on July 30, 1934, Pete matriculated at Notre Dame University and after graduation, served honorably as a U.S. naval officer until 1958. He then joined the Office of Naval Intelligence as a contract agent in Chicago. Pete's later assignments included tours in St. Louis, MO, and as special agent-in-charge at San Diego, CA, Kanehoe Bay, Hawaii, and Corpus Christi, TX.

His final assignment, as Assistant Regional Director for Operations, Naval Investigative Service Regional Office, Norfolk, VA, rounded out a most distinguished career.

Pete Hansen has established a norm of excellence and perfection that is beyond comprehension. Professional, demanding, deeply loyal, and meticulous in every task, Special Agent Hansen is simply a tower of strength and the epitome of a Naval Investigative Service special agent.

Mr. Speaker, Pete and his wife, Janice, will be returning to their home at 6409 Suwanee Circle, Corpus Christi, TX. On behalf of my colleagues in the House, I say, "Bon voyage Pete, welcome home to Corpus Christi, and may you have fair winds and following seas."●

SENIOR CITIZENS UNDER SEIGE  
DUE TO CUTS IN SOCIAL SERVICES

HON. THOMAS A. DASCHLE

OF SOUTH DAKOTA  
IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. DASCHLE. Mr. Speaker, I rise today to call to the attention of my colleagues the distressing impact that the administration's budget will have upon yet another segment of our rural society, senior citizens and the handicapped.

In an area of my home State, the Beadle County Transportation System has been providing a wide range of services which are essential to the

EXTENSIONS OF REMARKS

health and survival of many elderly and disabled county residents. These services include grocery shopping assistance, daily home check-ins, nutritional programs, and a bus service to provide transportation and access to vital medical checkups and health care appointments. In 1984 nearly 60,000 rides were provided to over 1,200 residents.

Without Federal dollars through section 18 under UMTA and title III funding from the Older Americans Act, these much-needed services will no longer be available. Elderly and disabled citizens will be forced to search for other means to carry on, which will be more costly and less accessible; or, as in most cases, they will simply have to do without the assistance they require.

The senior citizens of Beadle County realize the difficult financial situation our Nation is in today. They remember, they lived through the difficult financial situation of days past, the days of the Depression. They understand, and like their fellow Americans, they are willing to make some adjustments, to do their part to get America back on a strong economic track. They want to do their part. What they don't want is to be offered as the sacrificial lamb at the budgetary altar.

Why, after all, should one group of truly needy Americans be forced to suffer the burden of our outrageous budget deficit in order to support major corporations who don't pay adequate taxes or to fund the Pentagon, which fritters away millions each year in \$700 wrenches and \$600 toilet seats?

I am here today to implore my fellow Members of the House to consider long and hard the devastating effect that the administration's budget proposal would have on communities in their own districts, to consider the hundreds of thousands of senior citizens and handicapped people across this country who would be forced into an unacceptable existence, and to act positively to rectify this avoidable and undesirable situation.●

WASTE AND ABUSE IN DEFENSE

HON. BARBARA BOXER

OF CALIFORNIA  
IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mrs. BOXER. Mr. Speaker, in February of last year, the International Association of Machinists and Aerospace Workers published a story in their trade magazine, the Machinist (p. 2, vol. XXXIX), about the billions of dollars of taxpayer's money wasted each year in defense procurement. They raised a number of excellent examples of how this ripoff occurs. I would like to share these examples with my distinguished colleagues in

order to emphasize the need to monitor defense waste continually.

If critics of procurement abuse are reluctant to single out one single cause of the abuses, most agree that the revolving door concept of doing Pentagon business is high on the list of those causes.

Revolving door is the Government practice whereby federal officials, both civilian and military—particularly those in charge of procurement decisions—leave their government jobs and rush through the revolving door into high paid jobs with the very companies whose contracts they awarded, inspected or monitored.

Dr. Thomas Amlie, a retired Navy engineer who helped develop the Sidewinder missile says, "military officers in charge of procurement are vulnerable when a nice man from a defense contractor comes around and offers him a good job at \$50,000-75,000 per year. If he stands up and makes a fuss about high cost and poor quality, no nice "man" will come to see him when he retires.

Recently, Ford Aerospace had funding for the Division Air Defense Gun (Sgt. York) after already having received over \$4 billion, because of their performance deficiencies. It was revealed that Ford had hired 8 former Army officers some of whom had direct connections to the development and testing of DIVAD and the choice of contractor.

General Electric last fall hired James Nelson to become manager of quality control at his Evansdale, Ohio plant. Nelson had retired in June, 1984 as systems program officer at Wright-Patterson AFB in Dayton, Ohio. Nelson is credited with playing a key role in getting a large share for G.E. when G.E. was battling Pratt and Whitney for over who would produce engines for the Air Force.●

TRIBUTE TO GIL HODGES

HON. CHARLES E. SCHUMER

OF NEW YORK  
IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. SCHUMER. Mr. Speaker, I would like to take this opportunity to recognize the historic tribute planned by the Parents Association of Public School 193 to Gil Hodges, an outstanding baseball player for both the Brooklyn Dodgers and the New York Mets, and a great humanitarian. To honor Hodges, a long-time resident of district 22, the Parents Association will rename Public School 193 the "Gil Hodges School" on April 3, 1985.

I believe that those who attend Public School 193 will be proud to have their school named after such a distinguished individual. Gil Hodges accomplished much in his lifetime, despite the fact that part of it was spent battling heart disease. In this fight, he was an inspiration to others faced with the same disease. He also contributed much time and effort to promoting wholesome recreation and social opportunities for the youth of the city of New York. Gil Hodges had a long baseball career, but his really outstanding accomplishment was the leadership he

provided and the unselfish examples he set. Gil Hodges was a hero not only for our children but for the entire Brooklyn community. He was, in the words of the famed sportswriter, Dick Young, "Somebody our kids can look up to."

I am proud that the Parents Association of Public School 193 has chosen to honor Gil Hodges in such a distinctive fashion. Gil Hodges was indeed the modern-day hero—an outstanding athlete with a concern for good sportsmanship—who exemplified community spirit. Gil Hodges loved his community, and district 22 takes great pride in paying such a lasting honor to a fine individual. ●

**PRIME MINISTER TURGUT OZAL**

**HON. MARJORIE S. HOLT**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mrs. HOLT. Mr. Speaker, I hope the House will join me in welcoming Prime Minister Turgut Ozal, of the Republic of Turkey, to our country.

The Prime Minister leads a government which has made great strides in revitalizing the economy of Turkey, and it is fitting that we congratulate him and encourage his efforts to improve the quality of life for his people.

I should also say that Turkey is a vital NATO ally on the southern flank of Europe. Having a long border with the Soviet Union and Bulgaria, she has been a steadfast and courageous ally of the Free World.

Turkey has been successful in cracking down on internal terrorism, but 42 Turkish diplomats in various parts of the world have been assassinated since 1973.

In a recent interview in U.S. News & World Report, Prime Minister Ozal said that—

"Sooner or later the terrorist snake will bite every country if we do not work together to stop it.

Mr. Speaker, I hope the House will join me in greeting our brave and loyal ally with respect. ●

**INTRODUCTION OF LEGISLATION TO ESTABLISH A NATIONAL LOTTERY**

**HON. SILVIO O. CONTE**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1985

● Mr. CONTE. Mr. Speaker, I am introducing legislation today to establish a national lottery. The lottery will have two principal purposes: to assist in the financing of the Medicare Program, and to assist in reducing the deficit.

Mr. Speaker, the Washington Post reported last Thursday—and yesterday's Social Security trustees' report confirmed the Post article—that Medicare was not in as precarious financial position as originally projected. Just last year, the Ways and Means Committee's Medicare Conference projected that Medicare would have a \$93.4 billion deficit by 1992. Now we hear that Medicare will have a surplus in that year. It is difficult to know which is correct.

The trustees' report indicated that the primary reason for the Medicare surplus into the next century was primarily due to lower health care costs, shorter hospital stays, the freeze on physician reimbursement under part B, and the prospective payment system enacted by Congress in 1983. It is quite probable, however, that Congress will consider some Medicare changes this year as part of the deficit reduction effort and to assist in additional Medicare financing.

With respect to the budget deficit, Mr. Speaker, we all know the problem we face. The budget deficit for fiscal year 1986 is expected to exceed \$200 billion. Just the interest on the national debt is greater than the entire budget of most nations on Earth. Clearly, Congress must develop a method to reduce that deficit.

It is a time for hard choices. With respect to Medicare, we have three options: We can further reform the administration of the system, which we did in 1983 for hospitals and 1984 for physicians. The other two options are to increase taxes on currently working Americans or to reduce benefits—and increase costs—for our senior citizens. With respect to reducing the deficit, our choices are again clear: Enact difficult spending cuts, or increase taxes. None of these proposals, for obvious reasons, appeal to many Members of Congress.

Today, I am proposing an innovative new solution to these immediate problems, one which will insure that Medicare will remain available to face increasing costs in the coming years as well as directly aid in the reduction of the deficit. Although this proposal will not eliminate the need for difficult choices, it will make our job somewhat easier.

My bill establishes a national lottery, with 50 percent of the revenues generated going to assist in financing the Medicare Program. The remaining 50 percent will go to reducing the deficit. Estimates I have seen indicate that a national lottery could raise at least \$25 billion per year, with a possibility of raising as much as \$50 billion. Under my bill, one-half—after prizes and administration—of any revenues generated would go directly to the Medicare fund. The other half would go to reduce the deficit and could be used for other purposes.

Although there have been many arguments against a lottery, many of these arguments are not backed up by facts. First, many argue that the poor play lottery games disproportionately to their representation in the population. This simply is not true. Studies have shown that the average lottery player is in the middle class, and earns an average of \$25,000 per year.

Second, many argue that a lottery will use money as time goes by, once the initial novelty wears off. However, with respect to State lotteries, revenues were up 77 percent last year. In fact, in my own State of Massachusetts, revenues nearly doubled to over \$800 million in 1984.

Third, many States believe that their State lottery revenues would decline if a national lottery were enacted. It is possible, however, that a national lottery would tap a new market due to the vast resources and potential big money a Federal lottery would generate. Along these lines, the Federal Government will, under my bill, consider all possible efforts to work closely with States that already have lotteries in order to facilitate the operation of a national lottery. In addition, possibilities will be explored to give States incentives in assisting with the implementation of this lottery.

Specifically, my bill calls for the creation of a commission to establish, operate, and administer a national lottery. The Commission will be composed of five members: The Secretary of the Treasury, the Secretary of Health and Human Services, and three private individuals appointed by the President after consultation with the Speaker of the House and the President pro tempore of the Senate.

No more than three members of the Commission may be members of the same political party. The presidentially appointed members must not be elected or appointed officers or employees of the Federal Government. Along with the characteristics of integrity, impartiality, and good judgment, they must be, or have been, directors of a State lottery, or have expertise in the operation of a lottery. The Commission will elect a chairman at their first meeting, and all decisions of the Commission will be made by a majority vote.

The Commission will report to the President, and the Congress not later than June 30 of each year, beginning in 1986. Each report will have to contain a detailed statement about revenues generated, costs of administering the lottery, amounts transferred under the statute to the Medicare fund and the funds to be used to reduce the deficit, together with recommendations for any legislation or other action which the Commission may consider appropriate.

Lottery tickets will be sold by post offices and by other places which apply and are accepted by the Commission. In addition, prizes and administrative costs cannot exceed 45 percent of the revenues received from the lottery in that fiscal year. All prizes paid under the program are taxable income, and the revenues from the tax will be directly transferred to the Medicare fund and directly toward the reduction of the deficit. Finally, there are provisions in the bill providing criminal penalties for such acts as forging or stealing tickets.

Mr. Speaker, there is nothing new about lotteries. The first American colonies ran them, and Thomas Jefferson noted that the main benefit of a lottery is "that it is a tax laid only on the willing." A lottery will help the people who deserve it the most. Mr. Speaker, we need megabucks, not megadebts.●

#### ASSESSMENT OF THE DESIGNER DRUG PROBLEM

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1985

● Mr. RANGEL. Mr. Speaker, today I am introducing legislation which would require the National Drug Enforcement Policy Board to provide a comprehensive assessment of the designer drug problem and make recommendations to Congress for necessary legislation. This bill is identical to S. 746 introduced on March 26, 1985, by Senator LAWTON CHILES, Democrat from Florida. The National Narcotics Act of 1984, was part of the Comprehensive Crime Control Act of 1984, chapter XIII, title II, Public Law 98-473, enacted last year. The National Narcotics Act of 1984 established the National Drug Enforcement Policy Board, chaired by the Attorney General, to coordinate and develop U.S. Government policy with respect to illegal drug law enforcement.

A designer drug refers to the phenomenon of chemists modifying controlled substances to produce analogs, or chemical cousins of controlled substances, which are not covered by the Controlled Substances Act. By adding a fluoride or an extra carbon molecule, a new drug is created which will produce the high or euphoria, the user seeks, but is not illegal. The primary concern regarding designer drugs is that they can be developed and produced faster than they can be identified and controlled. Even with the emergency scheduling provisions of the Controlled Substances Act, clandestine labs can always stay beyond the reach of the law with a slightly different compound that is not yet on the schedule of controlled substances.

Thus, the Drug Enforcement Administration could end up adding thousands of new entries to the list of controlled substances with little impact on the availability of designer drugs. Of course, I am also concerned with the possibility of a user suffering an overdose when he uses a designer drug. Designer drugs can also cause severe neurological impairment.

Mr. Speaker, I ask that the more detailed statement of Senator CHILES when he introduced S. 746 be included in the RECORD at this point for the benefit of my colleagues and the public.

Senator CHILES statement on S. 746 follows:

#### ASSESSMENT OF THE DESIGNER DRUG PROBLEM

Mr. CHILES. Mr. President, as one surveys the reality of drug abuse in this country and the constant flood of illegal narcotics that threatens the very fabric of our society, there doesn't seem to be room for any more bad news. Unfortunately, there is some new bad news; a developing problem that is left unaddressed and unresolved poses immense public health and law enforcement difficulties for the future. In the parlance of California, where this problem is emerging, they are called "designer drugs." One observer warns if they move to the rest of the country, designer drugs, "may well topple America's 70-year policy of drug control and spark a public health disaster of overdose deaths, poisonings, and addiction." And in all likelihood they will spread to the rest of the country.

What is a designer drug? Originally it was a drug synthetically created by chemists and designed to fit the tastes of individual clients. Now it refers to a broader phenomenon of chemists modifying controlled substances to produce analogs or chemical cousins of these substances which are not covered by the Controlled Substances Act. By adding a fluoride or an extra carbon molecule, a new drug is created which will produce the high or euphoria the user seeks but is not illegal. Eventually DEA may move to control this new substance but the enterprising chemist will probably already be marketing some new variations. The surveyor of designer drugs can stay ahead of the law indefinitely.

The United States is devoting considerable resources and manpower to the effort to contain the flow of heroin, cocaine and marijuana. In light of the damage these narcotics inflict on our society and the crime they spawn, I think we should be doing more. However, whatever success we achieve in destroying drug crops and interdicting drug shipments will be of little consequence if the opium fields of Asia and the coca fields of Colombia are replaced by clandestine laboratories in the United States.

At this point, designer drugs represent a small but growing factor in overall drug use. The chief of the California Division of Drug Programs projects that up to 20 percent of the State's heroin users are now taking some fentanyl analog to feed their habit. The more alarming facts are not the present statistics but the dangerous potential of these substances. These drugs can be made in small labs, with minimal materials and with readily available chemical formulas. A \$500 investment in chemicals can produce a \$2 million batch of synthetic heroin. In tes-

timony before the President's Commission on Organized Crime it was estimated that a single chemist working an 8 hour day could, using the more potent fentanyl derivatives, supply the entire Nation's heroin demand on an on-going basis. Soon, if not already, organized crime will recognize that designer drugs represent an easy and immensely profitable means of supplying narcotics.

The disturbing nature of designer drugs is not simply that they are another source of illicit narcotics. Designer drugs pose additional and very troubling problems in terms of the public health consequences and our law enforcement response.

The more commonly used drugs—cocaine, marijuana and heroin—take a terrible toll on their users in health problems and even death. Designer drugs multiply these risks and open the door to long term neurodegenerative diseases, adding to an entirely new dimension to the drug abuse problems. At least with the more traditional drugs there is some understanding of what physically happens to the user. Each batch of synthetic heroin or some other analog represents a chemical game of Russian roulette for the user. The fentanyl analogs, sold as heroin, are hundreds and even thousands of times more potent than morphine. Infinitesimal amounts of the drug can cause profound reactions. Already they have resulted in the deaths of 90 persons.

Beyond the great risk of overdose is the risk of incurring severe neurological impairment. No one knows what is in each batch of designer drugs. They are not tested; there is no process to remove contaminants or unwanted compounds; and the potential is very real that a highly toxic compound will hit the streets. In California a substance known as MPTP was circulated as "new heroin." It has caused severe brain damage similar to end-stage Parkinson's disease. California health authorities estimate that as many as 500 users of this substance may develop the symptoms of Parkinson's disease. The human and medical economic costs of such an epidemic are almost incalculable. More recently, a designer drug user has been identified with the neurological symptoms of Huntington's chorea, a debilitating and eventually fatal disease.

All the signs indicate that designer drugs will be a major part of the drug abuse problem of the future. If that proves to be the case, the public health consequences of drug use may be entering an entirely new and frightening dimension.

Are we prepared to take action to stop this looming crisis? The answer is not encouraging. Synthetic narcotic analogs can be developed and produced faster than they can be identified and controlled. Even with the emergency scheduling provisions of the Controlled Substances Act, the clandestine labs can always stay beyond the reach of the law with a slightly different compound that is not yet on the schedule of controlled drugs. DEA could end up adding thousands and thousands of new entries to the list of illegal drugs with little impact on the availability of designer drugs.

DEA and other law enforcement agencies have experienced considerable problems in identifying synthetic narcotic analogs. They are very difficult to detect in drug samples or body fluids, as detection requires the most sensitive analytical techniques. Because of their extreme potency they are cut with large amounts of lactose or sucrose so the active drug present is very small, contributing nothing to the color, odor or taste of a sample. The fentanyl analogs are now

available throughout much of California and since they are potent, difficult to detect and often quite legal, they could well become the drug of choice for heroin addicts. An anonymous addict interviewed on NBC news maintained, "I think heroin will gradually phase out as more and more illegal labs start to make the designer narcotics. It's better. It's definitely better as far as the rush and the high is concerned."

The current procedure for controlling illicit drugs, even with the emergency scheduling provisions authorized by Congress in 1984, represents an essentially unworkable response in the face of any significant increase in the manufacture of designer drugs. The Federal Register will simply be required reading for the criminal chemists to keep up to date on what analog formulas are now illegal and need to be modified.

Mr. President, our experience with illegal drug law enforcement is usually a matter of too little, too late. The problem reaches new levels of crisis while we search for the resources and tools to combat it. The potential disaster posed by the designer drug phenomenon is too grave for us to delay in finding means to prevent the manufacture and distribution of these drugs. It is apparent that present statute and policy will not do the job.

The National Narcotics Act of 1984 established the National Drug Enforcement Policy Board, chaired by the Attorney General, to coordinate and develop U.S. Government policy with respect to illegal drug law enforcement. I believe the Board must give priority attention to determining an effective strategy to control the spread of designer drugs. The Chairman is required to report to Congress on policy and planning for U.S. drug law enforcement. The initial report is due nine months after enactment. I am today introducing legislation requiring the Board to provide in that report to the Congress:

A comprehensive assessment of the current and potential contribution of synthetic narcotic analogs to the illegal narcotic problem in the United States;

Identification of illegal drug law enforcement strategies to prevent the manufacture and distribution of synthetic narcotic analogs;

Recommendations for necessary legislation.

I am also requesting the Office of Technology Assessment to initiate a workshop to examine the chemical, pharmacological, and regulatory questions involved in addressing the control of designer drugs so as to provide guidance to the Congress in the formulation of future legislation.

Mr. President, I believe the Congress must move expeditiously to address this problem but we must move with deliberation and an understanding of the difficult technical and pharmacological questions that need to be resolved in order to achieve an effective law enforcement policy. By requiring the National Drug Enforcement Policy Board to promptly address this issue and report to the Congress and by initiating an examination by the Office of Technology Assessment we will be laying the foundation for development of a responsible and workable policy.

I ask unanimous consent that the text of the legislation I am introducing be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 746

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

(1) the use of illegal narcotics is a major health, law enforcement, and economic problem for the United States;

(2) the Congress has determined that the control of illegal narcotics and the prevention of drug abuse are national priorities;

(3) the Congress has identified "designer drugs" as new chemical analogs or variations of existing controlled substances, or other new substances, which have a psychedelic, stimulant, or depressant effect and have a high potential for abuse;

(4) these synthetic narcotic analogs are linked to numerous fatalities and incidence of severe neurodegenerative disease;

(5) significant increases in the consumption of synthetic narcotic analogs would pose an imminent hazard to the public safety;

(6) the virtually unlimited modification potential of synthetic narcotic analogs undermines effective implementation of the Controlled Substances Act;

(7) the National Narcotics Act of 1984 established the National Drug Enforcement Policy Board, designating the Attorney General as Chairman;

(8) the Board has among its responsibilities the development of United States policy with respect to illegal drug law enforcement; and

(9) the Chairman is required to report to the Congress on such policy by July of 1985.

(b) The purpose of this Act is to require the National Drug Enforcement Policy Board to provide a comprehensive assessment of the designer drug problem and make recommendations to Congress for necessary legislation.

Sec. 3. The initial report of the National Drug Enforcement Policy Board as required by section 1305 of the National Narcotics Act of 1984 (Chapter XIII, title II, Public Law 98-473) shall include—

(1) a comprehensive assessment of the current and potential contribution of synthetic narcotic analogs to the illegal narcotic problem in the United States;

(2) proposals for illegal drug law enforcement strategies to prevent the manufacture and distribution of synthetic narcotic analogs; and

(3) recommendations to the Congress for necessary legislation to eliminate the manufacture and distribution of illegal synthetic narcotic analogs.

H.R.—

A bill to require the National Drug Enforcement Policy Board to provide a comprehensive assessment of the designer drug problem and make recommendations to Congress for necessary legislation

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

(1) the use of illegal narcotics is a major health, law enforcement, and economic problem for the United States;

(2) the Congress has determined that the control of illegal narcotics and drug abuse are national priorities;

(3) the Congress has identified "designer drugs" as new chemical analogs or variations of existing controlled substances, or other new substances, which have a psychedelic, stimulant, or depressant effect and have a high potential for abuse;

(4) that synthetic narcotic analogs are linked to numerous fatalities and incidence of severe neurodegenerative disease;

(5) significant increases in the consumption of synthetic narcotic analogs would pose an imminent hazard to the public safety;

(6) the virtually unlimited modification potential of synthetic narcotic analogs undermines effective implementation of the Controlled Substances Act;

(7) the National Narcotics Act of 1984 established the National Drug Enforcement Policy Board, designating the Attorney General as Chairman;

(8) the Board has among its responsibilities the development of United States policy with respect to illegal drug law enforcement; and

(9) the Chairman is required to report to the Congress on such policy by July of 1985

(b) The purpose of this act is to require the National Drug Enforcement Policy Board to provide a comprehensive assessment of the designer drug problem and make recommendations to Congress for necessary legislation.

Sec. 2. The initial report of the National Drug Enforcement Policy Board as required by section 1305 of the National Narcotics Act of 1984 (Chapter XIII, title II, Public Law 98-473) shall include—

(1) a comprehensive assessment of the current and potential contribution of synthetic narcotic analogs to the illegal narcotic problem in the United States;

(2) proposals for illegal drug law enforcement strategies to prevent the manufacture and distribution of synthetic narcotic analogs; and

(3) recommendations to the Congress for necessary legislation to eliminate the manufacture and distribution of illegal synthetic narcotic analogs.●

DISABLED AMERICAN VETERANS' NATIONAL COMMANDER PRESENTS \$1 MILLION TOWARD STATUE OF LIBERTY—ELLIS ISLAND RENOVATIONS

HON. FRANK J. GUARINI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1985

● Mr. GUARINI. Mr. Speaker, I rise to inform you, my colleagues here in the Congress, and indeed all persons throughout our Nation, of a dramatic event which will be held next week.

On April 11, 1985, at 11:30 a.m., a most important ceremony will be held on the mall at the Statue of Liberty.

On this occasion the National Commander of the Disabled American Veterans, Mr. Chad Colley, will present a check for \$1 million toward the estimated \$2.7 million required for accessibility features at Liberty and Ellis Islands.

The DAV gift is to be used exclusively to provide full accessibility in both architectural construction and in program and service delivery for disabled persons, including the visual and hearing impaired, at the Statue of Liberty.

The Disabled American Veterans is an outstanding veterans' organization tending to the needs of those who have fought and bled and have become disabled during America's military and naval involvements.

Commander Colley is scheduled to make the presentation on April 11, and invited Lee A. Iacocca, chairman of the Statue of Liberty-Ellis Island Centennial Commission, to attend.

On March 25, 1985, Mr. Iacocca wrote me the following letter:

DEAR FRANK: I am delighted that the Disabled American Veterans will make a contribution of \$1,000,000 to the Statue of Liberty-Ellis Island Foundation on April 11th. I regret that I will be unable to attend, but William May, Foundation President, will accept in my behalf.

Please extend my sincere appreciation to Commander Colley and all the Disabled Veterans for this generous contribution to our national symbol. We are all very proud of them and honored that they've chosen to help our national symbol.

Sincerely,

LEE A. IACOCCA.

In addition to this magnanimous gift by the Disabled American Veterans, the facts surrounding this large donation should be made public.

The following is a report of Richard Bernard, who served as chairman of the State of New Jersey "International Year of Disabled Persons" committee:

In 1981 while serving as the executive director of the Governor's Committee to employ the handicapped and coordinator of the International Year of Disabled Persons in New Jersey, we had the privilege of working on the Continental Quest.

The Continental Quest was a project of the national council of the International Year of Disabled Persons. Two disabled athletes, paraplegics, set out to cross the country in wheel chairs from Los Angeles to New York. When they reached New York City we spent five days with them crossing the State. They were Philip Carpenter and George Murray, of Florida.

This was done at night with a State Police escort because of the heavy traffic, especially in Northern New Jersey. Many of the mayors opened their town halls at 2:00 a.m. or 3:00 a.m. to greet them as they passed through the towns.

On August 24, 1981 as they were approaching the Lincoln Tunnel at 4:00 a.m. in Jersey City, Congressman Frank J. Guarini (D 14th New Jersey) greeted them in a parking lot at a hamburger stand. As we were sitting on a curb discussing their trip, the congressman asked them what they would like to do while they were in the New Jersey-New York area.

They replied that they would like to visit the Statue of Liberty. We told them it was not accessible. It seemed odd that two young men in wheel chairs, in 105 days, came across the continental United States over many obstacles but could not visit the Statue of Liberty or Ellis Island because of barriers.

Phil and George went on to complete their journey the next day through the Lincoln Tunnel, across 42nd Street to the United Nations, where they were received as ambassadors of the International Year of Disabled Persons.

About a month later we brought the subject up at IYD of New Jersey committee meeting.

They unanimously agreed that a committee should be formed to work toward eliminating the barriers pertaining to the disabled at the Statue of Liberty and Ellis Island.

In 1982 at a Region 1 meeting held in New Brunswick, N.J. of the President's Committee to Employ the Handicapped, along with Harold Russell, chairman, a commitment was made to do everything possible to assist in making the Statue of Liberty and Ellis Island accessible to all persons.

After discussion with officials of the United States Department of the Interior, National Park Service, of the Statue of Liberty Monument, and those involved with disabled persons in New York, New Jersey, and Connecticut, a committee was formed to work on the problems.

Members of the committee are:

Richard J. Bernard, chairman, life member of the DAV, State of New Jersey;

Joseph E. Kane, Assistant County Counsel, Atlantic County Law Department, representing the N.J. Advisory Board to the Commission for the blind and Visually Impaired;

William Scott, former executive director of the Essex County Office of the Disabled;

Thelma Schomes, special assistant for constituent relations, U.S. Department of Education, Region 2, representing Lorraine Coville, Secretary, regional representative, U.S. Dept. of Education, Region 2;

William Bernstein, currently of Laguna Beach, California;

Paul V. Smith, deputy advocate from the Advocacy for the Disabled Office in New York, representing G. Berko, advocate for the disabled in New York; Francis

Joseph W. Llewellyn, National Service Office, DAV, New Jersey, representing N.J. Department Commander John Chaplick;

Terrence Moakley, barrier free design director, Eastern Paralyzed Veterans, New York;

Conrad J. Vuocolo, special assistant to Congressman Frank J. Guarini (D-14th N.J.)

Beverly Warmbrand, who was the interpreter for the deaf at all meetings.

The following individuals from the National Park Service spent many hours assisting the committee:

David Moffit, superintendent of the Statue of Liberty Monument, who attended many of the meetings which were held at facilities provided by the Port Authority of New York and New Jersey;

Debra Burge, special population coordinator, Statue of Liberty;

Ray Bloomer, disability specialist, North Atlantic Region Office, National Park Service;

Herbert Cables, regional director, National Park Service, North Atlantic Region;

David C. Park, chief, special programs in population branch, National Park Service, Washington, D.C.

Russell E. Dickinson, former director, National Park Service.

Recommendations made will provide accessibility for the millions of disabled people in the United States.

The Disabled American Veterans, who have given so generously toward the renovation of our two most-cherished national shrines, indeed prove F. Scott Fitzgerald's quotation that "America is a willingness of the heart" despite the personal hardships and tribulations suffered by its members.

They always have taken the challenge of the famous words of John F. Kennedy, who said:

"Ask not what your country can do for you, but what you can do for your country."

The Statue of Liberty has stood for 100 years as a beacon in the quest for political, educational, economic and intellectual freedom. Indeed this contribution by the DAV will help aid those who also seek freedom—this time from restrictive barriers which have prevented the disabled and/or handicapped from visiting Liberty Island and feeling the protective warmth of the Statue of Liberty—305 feet high.

Indeed, after the ceremony on April 11th, Emma Lazarus's famous sonnet "New Colossus" has added dimensions:

#### THE NEW COLOSSUS

Not like the brazen giant of Greek fame,  
With conquering limbs astride from land to land;

Here at our sea-washed, sunset gates shall stand

A mighty woman with a torch, whose flame  
Is the imprisoned lightning, and her name  
Mother of Exiles. From her beacon hand  
Glows world-wide welcome; her mild eyes  
command

The air-bridged harbor that twin cities  
frame.

"Keep, ancient lands, your storied pomp!"  
cries she

With silent lips, "Give me your tired, your  
poor,

Your huddled masses yearning to breathe  
free,

The wretched refuse of your teeming shore,  
Send these, the homeless, tempest-tossed; to  
me:

I lift my lamp beside the golden door!"

History tells us that Ms. Lazarus was asked by friends to write a poem to assist the struggling campaign to raise funds to build the statue. The DAV has shown the way, proving that "America is a tune—it must be sung together."

I feel certain that all my colleagues in the Congress of the United States wish to join me in a salute to Comdr. Chad Colley and all members of the Disabled American Veterans for this everlasting gift.●

#### H.R. 1082 IMPROVES FBI COUNTERINTELLIGENCE CAPABILITIES BY IMPROVING ACCESS TO CERTAIN BANK AND TAX RECORDS

#### HON. BOB STUMP

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1985

● Mr. STUMP. Mr. Speaker, the Federal Bureau of Investigation bears responsibility within the United States for protecting the country from espionage and international terrorism. The FBI devotes a substantial amount of its time and resources to detecting and countering espionage or terrorist activities of hostile foreign powers in the United States. These FBI counterintelligence activities are critical to the Nation's security.

For hostile foreign powers to create, support, and operate an espionage network or terrorist network takes money. Financial records relating to espionage or terrorist operations can often provide the FBI with the information it needs to prevent such operations or render them ineffective. The inability of the FBI to gain the access it needs to financial information contained in bank and tax records has hampered its ability to meet its counterintelligence responsibilities. Accordingly, the Congress should amend the Right to Financial Privacy Act and the Internal Revenue Code to allow the FBI access to bank and tax records it needs for its counterintelligence investigations.

On February 7, 1985, I introduced H.R. 1082, the Omnibus Intelligence and Security Improvements Act, which would remove certain obstacles hampering the FBI and its counterintelligence efforts. Sections 302 and 303 of H.R. 1082 would amend the Right to Financial Privacy Act and the Internal Revenue Code to improve FBI access to bank and tax records for foreign counterintelligence investigations.

ACCESS TO BANK RECORDS: RIGHT TO FINANCIAL PRIVACY ACT

The Supreme Court held in 1976 that the fourth amendment does not confer upon a bank's customers a constitutional right to the privacy of their financial records possessed by banks. (*U.S. v. Miller*, 425 U.S. 435 (1976)). In response to the Miller case, the Congress enacted the Right to Financial Privacy Act [RFPA] of 1978 (12 U.S.C. 3401 et seq.). That act generally provides that, when the Government seeks the records of a customer of a financial institution which are relevant to a legitimate law enforcement inquiry, the customer must receive notice of the Government's request for the records and an opportunity to contest the Government's request in court.

Federal agencies responsible for intelligence and counterintelligence activities could not have effectively discharged their responsibilities if Congress made applicable to their activities the generally applicable RFPA requirements for notice to the customer and an opportunity to litigate. The FBI could not effectively monitor and counter the clandestine activities of hostile foreign agents and terrorists if it had to notify them that the FBI sought their financial records for a counterintelligence investigation. Accordingly, Congress enacted section 1114 of the RFPA with special provisions for intelligence and counterintelligence access to bank records (12 U.S.C. 3414).

Under section 1114 of the RFPA, to gain access to bank records for counterintelligence investigations, the FBI issues a letter, signed by an appropri-

ate supervisory official and certifying compliance with the applicable provisions of the RFPA, seeking bank records needed for the FBI's counterintelligence activities. The RFPA requires the bank to keep secret that the FBI sought or obtained access to the records. Section 1114 of the RFPA does not, however, mandate that banks comply with the FBI letter requesting access to the bank records; it merely permits the banks to do so without regard to the other provisions of the RFPA.

The FBI has encountered resistance from financial institutions in obtaining access to financial records for foreign counterintelligence investigations. Banks which refuse to comply with FBI requests for access to bank records under section 1114 of the RFPA generally cite either or both of two reasons. First, in States which have State banking privacy laws, the banks say that the State laws prevent them from complying with FBI requests for counterintelligence access to records. Second, the banks express concern that, by complying with FBI requests when they are not specifically required to do so by Federal statute, they may subject themselves to lawsuits by their customers. To remove these obstacles to FBI counterintelligence access to bank records, the RFPA must be amended to make mandatory the FBI counterintelligence requests for access, thus clearly preempting State banking privacy laws, and to make clear that banks complying with FBI counterintelligence requests for access are fully protected from adverse legal action for complying with the FBI requests.

Section 302 of H.R. 1082 ensures effective FBI access to bank records for counterintelligence investigations by requiring banks to comply with such requests and by providing banks with legal immunity for their compliance with such requests. Section 302 provides:

Sec. 302. Section 1114(a) of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414) is amended by adding at the end thereof the following new paragraph:

(5)(A) Financial institutions, and officers, employees, and agents thereof, shall comply with a request pursuant to this subsection by the Federal Bureau of Investigation for financial records when such requests have been approved by the Attorney General or his designee for foreign counterintelligence purposes.

(B) Financial institutions, and officers, employees, and agents thereof, shall be immune from any civil or criminal liability for efforts to comply with a request described in subparagraph (A) of this paragraph.

Section 302 ensures that the FBI will have the access it needs to bank records in protecting the Nation from espionage and international terrorism. Section 302 also ensures that financial institutions which assist the FBI in carrying out its counterintelligence re-

sponsibilities have full legal protection.

ACCESS TO TAX RECORDS: INTERNAL REVENUE CODE

Tax returns filed with the Internal Revenue Service contain substantial information about taxpayers and their financial activities. In recognition of the privacy interests of taxpayers, of the potential for misuse of information about taxpayers, and of the importance of ensuring taxpayer candor in filing tax returns, the Congress historically has maintained a statutory policy of confidentiality of tax returns. Thus, tax returns are generally available only to Government personnel for enforcement of Federal revenue laws, and are generally not available for other purposes.

Section 6103 of the Internal Revenue Code (26 U.S.C. 6103), which provides for the confidentiality of tax returns and return information, recognizes a number of special situations in which the governmental need for access to tax returns outweighs the taxpayer's interest in confidentiality. The currently enumerated special situations do not include FBI counterintelligence investigations of spies or terrorists. Section 6103 should be amended to give the FBI access in counterintelligence investigations to the tax returns and return information of agents of foreign powers, who engage in espionage or terrorism in the United States. Access to such information for counterintelligence investigations would improve the FBI's ability to prevent or counter espionage or terrorism activities threatening the Nation's security.

Section 303 of H.R. 1082 would amend the Internal Revenue Code to provide the needed FBI counterintelligence access to tax records. Section 303 provides:

Sec. 303. Section 6103(i) of title 26, United States Code is amended by adding at the end thereof the following new paragraph:

(8) FEDERAL BUREAU OF INVESTIGATION COUNTERINTELLIGENCE ACTIVITIES.—Upon a determination by the Attorney General that there is probable cause to believe that a taxpayer is a foreign power or an agent of a foreign power (as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801)), the return of the taxpayer and return information which relates to such taxpayer shall, upon request for foreign counterintelligence purposes by the Federal Bureau of Investigation approved by the Attorney General, be open (to the extent of the approved request) to inspection by, or disclosure to, the Federal Bureau of Investigation.

Section 303 of H.R. 1082 provides a rapid and secure procedure by which the FBI can obtain the access it needs to tax returns and return information of foreign powers and agents of foreign powers for counterintelligence purposes. Because of the strong, historical congressional policy of general confidentiality of tax return informa-

tion, section 303 appropriately imposes the relatively high standard of probable cause to believe that the taxpayer about whom information is sought is a foreign power or an agent of a foreign power as the prerequisite to FBI counterintelligence access to tax returns and return information.

#### CONCLUSION

The FBI's inability to obtain needed access to bank and tax records has impeded its ability to counter the activities of hostile foreign powers in the United States. Section 302 and 303 of H.R. 1082 will improve the ability of the FBI to detect and counter espionage and international terrorism in the United States by granting the FBI access to bank and tax records for counterintelligence investigations. The United States would no longer handicap itself by giving foreign agents engaged in espionage or terrorism the benefit of privacy protections in U.S. laws for the financing of their nefarious activities. ●

### UNREGULATED HIGH-STAKES GAMBLING GROWS ON AMERICAN INDIAN RESERVATIONS

HON. NORMAN D. SHUMWAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1985

● Mr. SHUMWAY. Mr. Speaker, as Representative of several Indian reservations and rancherias in northern California, the issue of gambling on Indian lands has become a matter of great concern to me and many of my constituents. Specifically, as I have seen the problem associated with establishment of gaming halls in Indian country, I have grown increasingly concerned over the absence of Federal regulation over such activity due to the Indians' unique trust relationship with the Federal Government. It is this fiduciary relationship which precludes State and local jurisdiction over Indian tribes, and serious problems, such as the possible influence of organized crime, unfair competition with charity groups, and domination by dishonest non-Indian investors, are left unresolved.

I recently read with interest the following article from the March 25, 1985, *Christian Science Monitor* in which these very concerns are discussed. I commend it to my colleagues' attention.

The article follows:

#### UNREGULATED HIGH-STAKES GAMBLING GROWS ON AMERICAN INDIAN RESERVATIONS (By Warren Richey)

New forms of unregulated gambling are proliferating on Indian reservations across the United States, according to a California state prosecutor involved in a three-year battle to restrict the growth of professional high-stakes bingo games run by Indian tribes.

He warns that unless states are given authority to police and in some cases shut down the operations, the US may soon be faced with the development of dozens of miniature gambling towns on Indian reservations in as many as 20 states.

"They are trying to create little Las Vegas on reservations across the nation," says Rudolf Corona, a deputy attorney general in San Diego.

"These kinds of endeavors that are unregulated and shielded from view are highly attractive to organized crime," he adds.

Mr. Corona is one of a handful of state law-enforcement officials, largely in the West, who are concerned about the proliferation of large-scale bingo operations on federal Indian reservations.

According to the Bureau of Indian Affairs, 75 to 80 of the country's 300 Indian tribes have established high-stakes bingo halls in the past four years.

Federal courts have consistently ruled that state governments do not have the authority to restrict or even monitor the Indian bingo parlors, provided that they do not violate criminal laws. Bingo is regulated by states under civil statutes.

In some cases the Indian bingo games offer in excess of \$100,000 in prizes, while some states restrict bingo prizes to as little as \$250. Church and charity bingo groups, which are state-regulated, are worried they may lose their clientele to the higher stakes games on the reservations. But the Indians reply that ultimately their games will lure more novice players into the bingo halls and thus create a larger pool of bingo players for all to share.

On May 4, tribes in Florida, California, and Washington State are planning to conduct a \$1 million bingo game—the largest ever—by using satellite transmission to broadcast the action live to three of the tribes' bingo parlors. Some 4,300 bingo enthusiasts are expected to pay from \$250 to \$300 to participate in the six-hour session.

"We view it as a severe threat to the state," Corona says. The \$1 million bingo game is "a dramatic escalation in the gambling that is taking place on these reservations," he says.

"If these kinds of activities are allowed to go unchecked, then we may face some day nationally broadcast games that involve each and every state."

He adds that the Indians often sign lucrative contracts with management and investment firms specializing in opening and running big-money bingo halls. Last year the Sycuan Indians with the help of a Florida management firm expanded their bingo operation near San Diego to include Black Jack, Keano, and an illegal lottery. They attempted to circumvent state authorities by simply renaming the games "Bingo Jack," "Do-it-yourself Bingo," and "Horseshoe Bingo."

The operation was busted up in an August raid. In addition to \$300,000 in illicit gaming equipment, police confiscated information announcing the expected arrival soon of "Bingo roulette," and "Bingo slot machines."

The raid was a minor setback for the Sycuan, who are still going strong in the bingo business. The tribe—along with the Muckleshoot tribe of Washington State and the Seminoles of Florida—is participating in the May 4 million-dollar satellite bingo session.

High-stakes professional Indian bingo got its first major boost in 1981, when a federal judge in Florida ruled that the Seminole

tribe was entitled to run its big-money bingo game in Hollywood, Fla., without interference from the state.

The ruling said in effect that because the game is conducted by the Indians on their reservation, it is up to the Indians themselves to regulate and monitor the conduct of the gambling operation. Indian tribal reservation land is recognized by the U.S. government as being a sovereign nation within a nation.

Tribes across the country have viewed the Seminole experience as a model. The 725-member Muckleshoot tribe went so far as to sign a contract with the Seminoles to have them build and manage the 1,450-seat Muckleshoot Bingo Palace near Auburn, Wash.

The contract terms are lucrative for the Seminoles. In addition to paying back a \$2.3 million construction loan—including interest at the prime interest rate—the management contract requires the Muckleshoots to pay the Seminoles 44 percent of their profits until 1995.

Tony Herrera, business manager for the Muckleshoots, is quick to point out that he didn't do the negotiating for the tribe. But he adds: "Sure we'd like [the Seminoles] to get less of a percentage, but they are providing a lot, too. We didn't have the expertise or money to build the bingo hall."

He adds that before the arrival of bingo the unemployment rate on the reservation was 65 percent, and that today 160 Indians have jobs in the Bingo Palace.

Bingo has been seen by Indians nationwide as a means to raise much-needed revenue and create jobs on some Indian reservations that have been notable in the past only for their poverty and high unemployment. In most cases tribes are looking to bingo to provide seed money to fund social programs, pave roads, and create a viable Indian economy on reservations where none existed before.

There have been several significant successes, according to some observers.

"Bingo is the growth industry of the Indian country," says a spokesman at the Bureau of Indian Affairs in Washington. "The federal government is cutting back on its domestic programs, and the tribes out there have been feeling the pinch in federal dollars. For some, the bingo has made the pinch less pinchy."

Because of the apparent benefits of bingo revenues, some officials have been reluctant to impose any restrictions on the bingo operations. Others, concerned that the tribes might become victims of unscrupulous bingo management firms and organized crime, have pushed to set up federal safeguards, such as requirement that background criminal checks be conducted by the Federal Bureau of Investigation into people running or financing the bingo parlors.

Still others, such as Corona in California, have felt that the best response would be to require the reservations to comply with state bingo regulations. This last response would cut deeply into Indian bingo profits and probably drive many of the operations out of business.

In the meantime, preparations are under way at the Muckleshoot Bingo Palace, Seminole Bingo in Tampa, Fla., and the Sycuan Reservation near San Diego for the May 4 million-dollar bingo session.

California and Washington law-enforcement officials say they will not try to stop the event, even though officials in both states consider the Indian bingo operations to be in violation of the law.

Asked about the \$1 million satellite bingo session, Corona responded: "Is it legal? No, it is not."

He added, "The question is whether the federal government wants to do anything about it."

Federal regulations outlaw interstate transmission of lottery or gambling information, Corona says. He adds that the Organized Crime Control Act of 1970 forbids gambling on federal lands. Indian reservations, he says, are federal lands. ●

**SENATOR RUDY BOSCHWITZ—  
CERTIFIABLE WORKAHOLIC**

**HON. BILL FRENZEL**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1985

● Mr. FRENZEL. Mr. Speaker, on April 1, the Journal of Commerce noted the tireless work of Minnesota's Senator RUDY BOSCHWITZ for his State's agricultural interests against trade-restricting cargo preference laws.

The Journal's article, over the byline of Robert F. Morrison, identified RUDY BOSCHWITZ as a "certifiable workaholic." That's no surprise to Minnesotans. They know Rudy came to Washington to work.

I'm proud that I am represented by a Senator who has achieved this national recognition, and am pleased he is still working to provide more opportunity for our State's farmers.

The article follows:

[From the Journal of Commerce, Apr. 1, 1985]

**SENATOR FROM MINNESOTA A CERTIFIABLE  
WORKAHOLIC**

(By Robert F. Morrison)

WASHINGTON.—Senator Rudy Boschwitz, R-Minn., isn't an obvious adversary for the shipping industry.

His chief interest is to further the agricultural pursuits of his state. He chairs a subcommittee of the Senate Agriculture Committee, and serves on the Budget, Foreign Relations, Veterans, and Small Business committees as well.

He just doesn't seem to have time for much else.

He took on ocean shipping on cargo preference back in 1981 and was beaten in efforts to roll back the extent of the required use of U.S. flags.

Now, with farmers in more difficulty than ever, he's ready to do battle again.

He was a highly successful businessman in the Twin Cities before his election to the Senate in 1978.

That was his first try at an elective office and may prove a corollary to the old saw about it "pays to advertise."

Indeed, what Frank Perdue is to chickens, Rudy Boschwitz may be to plywood.

Much credit is given for his statewide "name recognition" in 1978 to the fact that he did his own television commercials, complete with plaid shirt, for his plywood do-it-yourself business which by then had blossomed to 68 outlets in eight states.

Not something of a workaholic, Senator Boschwitz is a certifiable workaholic. He says he has little time to enjoy jogging and

music—his chief diversions—as well as his family—his wife, Ellen, and two of four sons still at home here, Dan and Tom.

His two older sons, Gerry and Ken, are back running the business and, with fatherly pride, he reports they are doing well.

His reading runs to political history and as much in the way of newspapers, newsletters, and the like as he can squeeze in.

Senator Boschwitz—and his name is Rudolph E. but no one ever seems to refer to him as anything but Rudy—is probably the only congressman or senator who was a refugee from Nazi Germany, having been brought here by his parents at the age of 5 in 1935.

That unique experience is in large part responsible for his deep feelings regarding the United States and the opportunities it presents.

Senator Boschwitz, 55, has a law degree, but, after serving in the Army Signal Corps, practiced only a short while before joining a brother in what became Plywood Minnesota. He was re-elected to a second term last fall. ●

**FEDERAL DRUG LAW ENFORCEMENT  
AGENT PROTECTION  
ACT OF 1985**

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1985

● Mr. RANGEL. Mr. Speaker, one of the most dedicated and knowledgeable individuals in the Congress on the issue of narcotics is the junior Senator from Florida, Senator PAULA HAWKINS, the chairman of the Senate drug enforcement caucus.

On March 7, 1985, Senator HAWKINS introduced S. 630, the "Federal Drug Law Enforcement Agent Protection Act of 1985." This bill, which passed the U.S. Senate on March 20, 1985, would provide a reward of \$100,000 in seized drug assets for information leading to the arrest and conviction of anyone who kills or kidnaps a Federal drug enforcement agent.

Senator HAWKINS named the award the Camarena Reward in honor of Enrique Camarena, the drug enforcement agent who lost his life in the war against illegal narcotics in Mexico.

This legislation is fiscally responsible, because the money to pay the reward comes from seized drug profits contained in the assets forfeiture fund, established last year under the Comprehensive Crime Control Act—title II of Public Law 98-473.

Today, I am introducing this legislation in the House of Representatives. Passing this bill is the least we can do to show agents of the Drug Enforcement Administration, especially those stationed overseas, that we care about their safety.

I insert the Senate floor debate on S. 630 in the CONGRESSIONAL RECORD at this point:

**FEDERAL DRUG LAW ENFORCEMENT AGENT  
PROTECTION ACT OF 1985**

Mrs. HAWKINS. Mr. President, I ask unanimous consent the Judiciary Committee be discharged from further consideration of S. 630, a Federal Drug Law Enforcement Agent Protection Act of 1985, and I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 630) to provide for the payment of rewards to individuals providing information leading to the arrest and conviction of persons guilty of killing or kidnaping a Federal drug law enforcement agent.

The Senate proceeded to consider the bill. The PRESIDING OFFICER. The Senator from Florida is recognized.

Mrs. HAWKINS. Mr. President, this bill provides a reward of \$100,000 in seized drug assets for information leading to the conviction of anyone who kills or kidnaps a Federal drug enforcement agent.

I am calling this the Camarena Reward. It is named in honor of Enrique Camarena, the brave drug enforcement agent who gave his life in the war against illegal narcotics in Mexico last month.

It is too late for Enrique Camarena. But that does not mean we should not protect our men in the field.

Very often, those involved in these heinous crimes are merely acting on orders from the drug kingpins. Those who may be in on the arrangements are often poor and, frankly, not necessarily loyal. We should let the word go out around the world to those who have designs on the lives of U.S. drug enforcement agents:

"If you touch one of our people, your underlings will be given 100,000 United States dollars to lead the authorities to you."

The money for the Camarena Reward will come from the assets forfeiture fund, set up last year under the Comprehensive Crime Control Act.

Jack Lawn, the incoming director of the Drug Enforcement Administration, told me last week that this legislation "would certainly verbalize the message that drug enforcement personnel are important, and that people of the United States will not tolerate attacks against our people."

This legislation provides poetic justice—as the drug traffickers' money is plowed back into law enforcement. It is also common sense. It will not cost the taxpayers one cent.

This is a good idea and an incentive all around. It is also a fitting tribute to the memory of the courageous Enrique Camarena.

Mr. President, I thank the majority leader and the minority leader for working out consideration of this bill at this late hour of the day.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 630

*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 "Federal Drug Law Enforcement Agent Protection Act of 1985."*

SEC. 2. Section (e) of section 511 of the Controlled Substances Act (21 U.S.C. 881(e)) is amended by—

(1) inserting after "(e)" the following: "(1)";

(2) redesignating paragraphs (1), (2), (3), and (4) as subparagraphs (A), (B), (C), and (D), respectively; and

(3) striking out the matter following subparagraph (D), as redesignated, and inserting in lieu thereof the following:

"(2)(A) The proceeds from any sale under subparagraph (B) of paragraph (1) and any moneys forfeited under this title shall be used to pay—

"(i) all property expenses of the proceedings for forfeiture and sale including expenses of seizure, maintenance of custody, advertising, and court costs; and

"(ii) awards of up to \$100,000 to any individual who provides original information which leads to the arrest and conviction of a person who kills or kidnaps a Federal drug law enforcement agent.

Any award paid for information concerning the killing or kidnaping of a Federal drug law enforcement agent, as provided in clause (ii), shall be paid at the discretion of the Attorney General.

"(B) The Attorney General shall forward to the Treasurer of the United States for deposit in accordance with section 524(c) of title 28, United States Code, any amounts of such moneys and proceeds remaining after payment of the expenses provided in subparagraph (A)."

Mr. DOLE. Mr. President, I move to reconsider the vote by which the bill was passed.

Mrs. HAWKINS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOLE. Mr. President, I thank my distinguished colleague from Florida for calling this matter to our attention. I thank the distinguished minority leader for clearing it for immediate action. It is important. I am pleased that we have been able to accommodate the Senator from Florida.

H.R. —

A bill to provide for the payment of rewards to individuals providing information leading to the arrest and conviction of persons guilty of killing or kidnaping a Federal drug law enforcement agent

*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 "Federal Drug Law Enforcement Agent Protection Act of 1985."

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"(ii) awards of up to \$100,000 to any individual who provides original information which leads to the arrest and conviction of a person who kills or kidnaps a Federal drug law enforcement agent.

Any award paid for information concerning the killing or kidnaping of a Federal drug law enforcement agent, as provided in clause (ii), shall be paid at the discretion of the Attorney General.

"(B) The Attorney General shall forward to the Treasurer of the United States for deposit in accordance with section 524(c) of title 28, United States Code, any amounts of such moneys and proceeds remaining after payment of the expenses provided in subparagraph (A)."

### CRISIS IN THE COPPER INDUSTRY

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1985

● Mr. UDALL. Mr. Speaker, a staff writer for the Washington Post recently spent a week in my State of Arizona to review the condition of the domestic copper industry. Mr. Paul Taylor, in his article of March 30, describes the severe crisis which now exists. As he points out, the 3-year depression of the industry has "halved mining employment, idled 16 of the Nation's 28 largest mines," and "generated net industry operating losses of nearly \$3 billion since 1981." Those mines which have closed are not likely to reopen. Entire communities have been destroyed by these layoffs and shutdowns.

Excess production by foreign producers has been a major factor in the demise of the U.S. copper industry. While 5 years ago the United States produced nearly one-fourth of the world's copper, we now produce less than one-sixth.

In an attempt to save this vital industry, Senator DOMENICI and I have introduced the National Copper Policy Act of 1985. We feel this bill would give U.S. copper a fair chance to compete with the best industries worldwide. We also feel that without such legislation, domestic copper will gradually fade away and die in the face of unfair competition. As Mr. Taylor's article makes clear, something must be done soon.

Mr. Speaker, at this point, I would like to insert Mr. Taylor's article into the RECORD.

[From the Washington Post, Mar. 30, 1985]

#### COPPER INDUSTRY LANGUISHES IN THE ECONOMIC PITS

(By Paul Taylor)

MORENCI, ARIZ.—This is where copper is coming a cropper.

The great open pit copper mines of Arizona, New Mexico and Utah, world-dominant for most of this century, are mired in a three-year depression.

It has halved mining employment, idled 16 of the nation's 28 largest mines, triggered the longest strike in industry history (21 months and counting here at Phelps Dodge's mile-wide Morenci mine), generated net industry operating losses of nearly \$3 billion since 1981 despite a 29 percent reduc-

tion in per-ton production costs and set off a round of almost panic-stricken divestitures by the same oil companies that went on a cash-happy shopping spree for copper mines in the 1970s.

This week, Phelps Dodge announced that its smelter in Ajo will close April 4, laying off 200 workers. Prognoses for the survival of the industry as a whole—from whose vivid, sometimes violent, history could be chronicled the taming of the American Southwest—range from dire to dour.

Copper is not the only afflicted metal in this country.

Lead producers have been stung by the unleading of gasoline; the great iron ore mines of Minnesota's Mesabi Range have been losing a generation-long battle with low-cost imports; gold and silver prices have gone soft, and aluminum producers have been hurt by the high cost of power, which they use abundantly in smelting.

Nationwide, metals mining employment dropped from 109,000 in 1981 to 44,800 last year.

But the \$2.4 billion copper industry is the largest metal miner and, at the moment, the most crippled. And it is mined in a sparsely populated, politically vulnerable part of the country, reducing prospects for a congressional bailout.

Copper's humiliation has come at the hands of a rogue's gallery of economic and social forces that mugged a swath of Smokestack America throughout the 1980s.

This lineup includes: low-wage Third World competitors that have been overproducing (and driving the world copper price to Depression-era depths) to raise the money their countries need to pay off international loans financed, in part, by U.S. taxpayers; federal clean air standards that have forced the industry to spend—and often mispend—hundreds of millions of dollars on antipollution processes that have added to cost but not productivity, and a strong dollar that has devoured export markets as voraciously as it has sucked in copper imports.

Besides these generic causes of U.S. deindustrialization, there is another problem specific to copper.

Most of the known high-grade copper ore in this country has been mined. The grade or copper content of the ore in the gargantuan Chuquibambilla mine in Chile, which has become the Saudi Arabia of copper, is twice that of a typical U.S. mine, and the ore grades in Zaire's nationalized mines are more than five times the U.S. average.

Given these multiple ills, the copper debate will bump into some hard questions. Are old-line "dirty" industries like copper worth saving? If so, are they capable of salvation? Or, sooner or later are they bound to be done in by broad forces of economic change?

In the darkest hours of auto and steel, such questions were not entertained seriously. At stake were too many jobs, too much national security, too expensive an economic ripple.

"The next 12 to 18 months will decide whether there's going to be a domestic copper industry," said Bruce Wright, administrative aide to Rep. Morris K. Udall (D-Ariz.), who earlier this month introduced a rescue bill in Congress.

"The only difference between us and the industries that get bailed out," said Carl J. Forstram, plant manager of the Phelps Dodge mine here, "is that we don't have the votes in Congress."

Udall's bill, introduced on behalf of the new congressional Copper Caucus, would provide a five-year "recovery window" by negotiating production limits for foreign competitors. (Under the legislation, competitors that refused to live within the limits would have tariffs slapped on their exports to the United States).

#### IMPORT QUOTAS URGED

Prospects for passage are not good. There are 23,000 jobs left in copper mining and smelting, a fraction of the auto and steel payroll. Moreover, the copper fabricating industry—which buys refined copper from U.S. and overseas producers—employs five times as many workers as the mines.

Last year, after the International Trade Commission found that unfair foreign competition had hurt the American copper producers, the fabricators opposed ITC recommendations for tariffs or quotas, fearing that either approach would create a two-tier pricing structure—one U.S. price and a lower world price—that would place them at a competitive disadvantage.

The Reagan administration sided with the fabricators. "It was a political year, and in a political year, you count heads," said Robert Wardell, president of the Copper and Brass Fabricators Council. "We had 125,000 jobs, the producers 25,000."

"It's not just the politics of it," said Don Phillips of the Office of the U.S. Trade Representative, which turned down the ITC request. "If, by imposing tariffs, you are going to lose more jobs in fabrication than you save in mining, that's a legitimate economic consideration."

If the jobs argument alone cannot carry the day for the mines, Udall and others say defense considerations should.

Copper is used in everything from ammunition casing to battlefield communications lines to engine parts. The nation experienced copper shortages during each of its last three wars; the shortages were deemed so serious that in the late 1960s the federal government, through the Defense Production Act, helped finance the development of several large private mines.

Copper is one of 61 commodities designated by Congress as part of the National Defense Stockpile, but as of 1984, the government had filled only 3 percent of its target stockpile of 1 million short tons of copper. The industry has been clamoring for additional reserve purchases in this, its hour of need, but government experts say that, given the current world oversupply of copper, there are more pressing purchasing priorities.

"The national security danger is that this is an industry that can't be turned on and off like a faucet," said C.J. Hansen, president of the Arizona mining Association. "Once you close mines, you tend to lose them."

Industry leader believe that is what Chile is banking on. They say that Chilean overproduction—which they describe as a deliberate strategy of selling two pounds of copper at 50 cent a pound rather than one pound at \$1—amounts to a predatory "squeeze play" designed to drive high-cost U.S. producers under.

Chile can make a profit on low-price copper; the U.S. producers, whose costs are 50 percent higher, cannot. Already the U.S. share of the world market has dropped from 50 to 13 percent over the past two generations.

Domestic copper producers are enraged that the Chilean copper industry has been aided by loans from the International Mon-

etary Fund and World Bank granted in what J. Hugh Leidke, chairman of the Pennzoil Co. (which recently put its copper subsidiary, Duval Corp., up for sale), calls a "global Ponzi game" to ensure that developing countries will have the revenue to pay off earlier loans.

Most parties to the copper debate agree that the domestic industry has legitimate gripes. But one school holds that, even so, any rescue effort would only postpone the inevitable.

"Let's face it, what's happening with copper is what we are supposed to want to happen," said Robert Horton, director of the Interior Department's Bureau of Mines. "The developing countries are in fact developing. No government can stand in the way of long-term trends for very long."

Even Arizona Gov. Bruce E. Babbitt has been muted in his calls for federal help. "The governor realizes that copper's heyday has come and gone," said Jim West, Babbitt's press secretary. "... He doesn't want to raise hopes that will only be dashed later. He's more interested in economic diversification."

#### UNION MOVE BLUNTED

Behind the cold-eyed assessment of economic history, there is a human and intensely poignant side to the decline of a "company-town" industry.

Copper is the source of the genteel wealth of the Hearsts and the Guggenheims, but its history is that of a rugged, Wild West industry, pioneered by prospectors who spilled as much blood fending off each other as they did fighting the Apache.

Because copper deposits were so remote, mining companies built company towns to attract and hold a stable work force. Labor relations in such towns have ranged from violent to imperial to benign; one historian has likened them to imperial Britain's mercantilist outposts, with their rigid social and economic strata.

Seventy years ago, the Industrial Workers of the World ("wobblies") tried to establish a foothold in the copper towns. But in 1917, in one of the infamous episodes of U.S. labor history, 1,250 workers and IWW sympathizers at Phelps Dodge's Bisbee, Ariz., mine were rounded up by a sheriff's posse on orders from Phelps Dodge officials and sent by train to a town in New Mexico with a warning never to return.

The labor movement in the copper mines never has been the same, nor has management ever been quite so heavy-handed. Company towns like the one here grew into little mountaintop oases of the good life: palm trees, manicured lawns, good schools, plenty of hunting and fishing, all set in the stark beauty of the southern Rockies.

By 1983, when the current Phelps Dodge strike began, workers here were getting wage and benefit package worth an average of \$36,000 a year. "As an industry, we had gotten fat, dumb and happy," Hansen said.

Most of the Phelps Dodge workers grew up as second- or third-generation miners; the whole town had the quality of an extended—and fairly happy—family. Race relations among Hispanics, Anglos and Indians were good, on the whole.

"It was a pretty good life, no question," said Angel Rodriguez, head of United Steel Workers Local 616, the largest of 13 unions that used to represent 2,000 workers here.

#### A BRUTAL, BITTER STRIKE

It came unglued July 1, 1983. Other copper companies had agreed that spring to a pattern contract that involved a wage

freeze; Phelps Dodge also wanted to eliminate cost-of-living adjustments and extract some other concessions. When the unions went on strike, the company decided to keep the mine open, which it was able to in the critical first days only with the help of National Guard units mobilized by Babbitt.

It has been a brutal, bitter strike. There have been no deaths, but vandalism in Morenci is in the \$250,000 range, company officials say; comparable damage has been done in Ajo, Douglas and other Phelps Dodge towns.

Brother has been set against brother, friend against friend, father against son as miners have made the agonizing choice between working and striking. About half the jobs at the mine are filled by ex-union members who crossed their own picket lines.

The strike has been a disaster for the unions. Phelps Dodge has been able to operate; it says that it even set production records last fall. New workers' wage scales have been cut by one-third, and all 13 unions were kicked out last fall in a decertification vote that is still being appealed. Workers at other mines in Arizona, fearful for their jobs, are decertifying their unions as well.

Nearly 21 months after the strike began, strikers and "scabs" still wave ritual obscene gestures at one another each afternoon at the shift change, but the strike long since has been lost.

"I'm just sort of hanging around to see how the [appeal of the] decertification vote comes out," said Janner Nessler, a striking filter helper. Most of his fellow strikers long ago drifted away to Tucson or Phoenix or Stafford, leaving behind not just their jobs, but also their roots, their homes, their relations.

Even with the cost-cutting and union-busting, the Phelps Dodge mine here may not be able to make it. In January the company had to close its Morenci smelter into which it had poured \$90 million in an effort, ultimately futile, to comply with an Environmental Protection Agency consent decree.

"In hindsight, they would have been better tearing the smelter down and starting from scratch," Hansen said. "They tried for an innovative approach to pollution control, and they could never get it to work."

Phelps Dodge is not the only company to miscalculate antipollution strategy. The Duval Corp. spent millions developing a state-of-the-art hydrometallurgical smelting system that does not foul the air but has proven too costly to operate.

When the Phelps Dodge smelter here closed, it meant laying off permanently 600 workers, some of whom were the very ex-union members who had estranged themselves from their families by choosing to work. Officials said the Ajo smelter, the town's only industry, could reopen if copper prices rise.

#### JAPANESE FIRMS BUY IN

Phelps Dodge, Arizona's largest copper producer and the nation's second largest (behind Kennecott), lost \$267.8 million in 1984. The most optimistic reading of its future is uncertain. And if a miracle rescue comes, it may come from a strange corner of the globe.

Earlier this year the Sunitomo Corp., a Japanese trading company, signed a letter of intent to purchase 25 to 40 percent of the Morenci mine. Sunitomo is following the footsteps of the Mitsubishi Corp., which in

1980 became a one-third owner of Kennecott's Chino Mines in New Mexico.

Japan is a copper importer, and its modern, post-World War II smelters, which are low in pollution, are always hungry for more ore concentrate. The company apparently plans to ship the concentrate—which is 25 percent copper—across the ocean from Morenci and smelt it in Japan.

If that happens, the mine here would serve a function commonly associated with those in the Third World as a supplier of a raw metal to an industrial power that would smelt it, fabricate it and sell it on the world market.

A circle, of sorts, would be closed in Morenci. The world's first and foremost industrial giant, unable to compete with the developing nations, would become one.

"The Japanese are our best hope," said J.D. Ferrin, an instrument repairer who moved here with his wife and three children a few months after the strike began because the pay was 50 percent better than he could make anywhere else.

"I can't imagine them sinking a lot of money in here and not giving it a good try," he said.

#### MAJOR COPPER-PRODUCING COUNTRIES IN 1983

Country	Metric tons	Percent of free world total	Percent of domestic production capacity
Chile	1,245,000	20.4	100
United States	1,046,000	17.1	59
Canada	625,000	10.2	73
Zambia	514,000	8.4	100
Zaire	503,000	8.2	100
Peru	315,000	5.2	100
Philippines	271,000	4.4	92
Australia	265,000	4.3	100
South Africa	205,000	3.4	100
Mexico	191,000	3.1	100
Papua New Guinea	183,000	3.0	100

Source—American Bureau of Metal Statistics.

Compiled by James Schwartz—the Washington Post.

#### BOSTON BAR ASSOCIATION ADOPTS RESOLUTION ON NICARAGUA

#### HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1985

● Mr. FRANK. Mr. Speaker, the Boston Bar Association, through its council, has adopted a resolution regarding the decision of the United States not to accept the jurisdiction of the World Court in the case brought by Nicaragua against the United States. I want to take a moment to express my high regard for the bar association. At both the local level and the national level, bar associations have done excellent work, not only in offering constructive criticism of our own judicial system, but also monitoring judicial abuses abroad. In the last Congress—April 5, 1985—I brought to the attention of this body the plight of Baha'i lawyers in Iran, and commended the American Bar Association for bringing this violation of human rights to our attention. Likewise, I am grateful to the Boston Bar Association

for its thoughtful criticism of the American position regarding the jurisdiction of the World Court. It is a call for the United States to renew its support for the concept and institutions of international law. I hope the administration will take this admonition to heart.

Mr. Speaker, I include the resolution in the RECORD.

#### RESOLUTION OF THE BOSTON BAR ASSOCIATION

*Resolved:* The Boston Bar Association regrets the decision of President Reagan that the United States will not participate in the further proceedings before the International Court of Justice in Nicaragua's case against the United States.

The Court in November rejected arguments by the United States and held by a vote of 15 to 1 that the Court has jurisdiction in the case. By a vote of 16 to 0, in a decision in which the United States member of the Court joined, the Court also rejected argument by the United States that the Court is precluded from hearing the case as one involving armed conflict, for which the proper forum is the United Nations Security Council.

The actions taken by the United States against Nicaragua have been claimed by the United States and by El Salvador to be legally justified as measures taken in the exercise of the right of collective self-defense in a case of armed attack by Nicaragua against El Salvador. The inherent right of individual and collective self-defense if an "armed attack" occurs is affirmed by Article 51 of the United Nations Charter. However, in boycotting further proceedings in the case in the International Court, the United States declines to make its case in or out of court as to the facts claimed to constitute an "armed attack" by Nicaragua against El Salvador. Presumably the State Department in saying only that "much of the evidence that would establish Nicaragua's aggression against its neighbors is of a highly sensitive intelligence character" does not mean to contend that it is a case of "armed attack" so invisible that it can be proved only by evidence too sensitive to reveal.

The fundamental law of the United Nations Charter is that "All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations." We reject the notion that the Charter prescribed limitations on the use of force should be the exclusive preserve of the veto-hobbled Security Council. We reject also the notion that legitimate political or diplomatic objectives or approaches require a suspension of Charter limitations or of the exercise of Court jurisdiction. We affirm the right of the United States and of other nations to take legitimate and effective countermeasures to oppose violations by others—countermeasures in accordance with law and in support of law.

A great nation does not need to hide from law. When it does so it weakens law and diminishes itself. The United States by action of the President and the Senate accepted the compulsory jurisdiction of the International Court of Justice under Article 36 of the Statute of the Court, which provides that "In the event of a dispute as to whether the Court has jurisdiction, the matter shall be settled by the decision of the Court." The Court has decided. The protes-

tations of our government that we boycott the Court out of concern for the "enormous harm to it as an institution and to the cause of international law" which would follow from the Court's decisions will not avoid the damage done—not in a case where the United States boycotts the Court in repudiation of decisions by the Court in which distinguished judges from all segments of the international community, including our closest allies, have joined. We call upon the President to honor in deed as well as in word this nation's historic commitment to the rule of law among nations. ●

#### CALLING A SPADE A SPADE: BOB MICHEL TELLS THE TRUTH ABOUT THE SANDINISTAS

#### HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1985

● Mr. BROOMFIELD. Mr. Speaker, hats off to Representative BOB MICHEL. He has cut through to the heart of the matter and tells it like it is about the Sandinistas. His letter to the Washington Post captures the essence of what the Sandinistas are all about.

It is interesting to note how our own open and democratic system is being manipulated by the Sandinistas. I am intrigued by the recent Sandinista publicity campaign focused on this country. Lobbyists for that failed revolution are conducting a full-court press here in the Congress. Commandante Ortega has appeared on television in a suit, and even trimmed his droopy mustache.

The Sandinistas are now offering seductive concessions to the administration. They are trying to put on the cloak of reasonableness, and civility. For a short period of time, they like chameleons, will change their colors. They are masters in the business of imagemaking and sensing the timing of any important political undertaking.

I hope that my colleagues see through the well-crafted Sandinista smokescreen. In their hearts, Ortega and company are clearly ideologues committed to either selling or forcing their system on the countries in this hemisphere.

With these concerns in mind, I strongly recommend Representative BOB MICHEL's excellent letter to all of my colleagues in the Congress who are interested in preserving democracy in this hemisphere.

#### PIERCING THE SANDINISTA SMOKESCREEN

In "Nicaragua: We Can't Remake It in Our Own Image" [Topic A, March 24] my colleague Lee Hamilton made an informed, if not persuasive, case for cessation of aid to the contras. He touched all the usual bases: the need for negotiations with the Sandinistas, the desirability of a "strong regional policy" and the urgency of addressing economic problems of the region.

But it isn't what Lee Hamilton said that captured my attention. It was what he did not say. Nowhere is there even a hint that the Sandinista leaders are and always have been dedicated Marxist-Leninists. Not mentioning the most important fact about the Sandinistas—their ideology—makes every other argument meaningless.

From the very beginning, ideology has been the Sandinistas' guiding force. From 1961 to 1978, the avowedly Marxist-Leninist movement never attracted more than a relative handful. One Sandinista faction tried to enlist the "proletariat." That failed. The Sandinistas tried a policy of "prolonged popular war" in the countryside. That failed, miserably.

According to David Nolan's "The Ideology of the Sandinistas and the Nicaraguan Revolution," in 1969 they published a 15-point declaration of their goals and principles.

These included, "replacement of the constitutional theory of elected representation," "an end to cruel Yankee exploitation," "nationalization of property" and "struggle for a true union of the Central American peoples within one country beginning with support for national liberation movements" in neighboring states.

That statement had at least the virtue of honesty. But in May 1978, the Sandinista "National Directorate" issued a 25-point program. Notably absent were any references to "Yankee imperialism" or plans to nationalize the economy. There were references, however, to freedom of speech, organization and religion, "without the veiled qualifiers used in 1969," according to Nolan. In short, the 1978 program was vintage Marxist-Leninist duplicity. Sandinista Nicaragua is being built on the 1969, not the 1978, program.

Mr. Hamilton says our decision in Nicaragua "... should be based not on ideology, but on a clearly defined assessment of how best to protect our national interest." I agree. But the first step in such an assessment is to remember we are confronting ideologues.

The Sandinistas believe they alone represent the "vanguard" of the revolutionary process and the driving force of Nicaraguan history. They are certain that, in leader Humberto Ortega's words, "without Sandinismo we cannot be Marxist-Leninist, and Sandinismo without Marxism-Leninism cannot be revolutionary."

They aren't simply "undemocratic"—to use Mr. Hamilton's word. They are ideologically driven to make a reality of their totalitarian vision.

The Sandinistas are convinced—as was the new Jewel Movement in Grenada—that their revolution is irreversible. It is in our own national interest and in the interest of freedom worldwide that we aid those in Nicaragua not convinced by this myth.●

#### SOUTH AFRICA'S OFFICIAL PARTY LINE

#### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1985

● Mr. RANGEL. Mr. Speaker, the Republic of South Africa has embarked upon a new campaign to repress any free expression of dissent by that country's black majority.

Protesters and participants in funeral processions have been gassed, beaten, and shot. The South African Government's excuse for its brutal actions is unacceptable in the eyes of most Americans. The only person who seems to have bought their story is our President, Ronald Reagan.

The facts speak for themselves; 19 people were murdered on the anniversary of the Sharpeville massacre; arrests and detentions are everyday occurrences; blacks inside South Africa are demanding concessions; and the international community has denounced the violence being perpetrated against unarmed civilians. Only Ronald Reagan seems to be oblivious to these facts. Only his administration accepts the official lies emanating from Pretoria.

Mr. Speaker, I would like to offer the following article for inclusion in the CONGRESSIONAL RECORD. It presents an excellent analysis of how the official line of Pretoria is no longer valid.

[From the New York Daily News, Mar. 25, 1985]

#### SOUTH AFRICA'S OFFICIAL STORY MAY HAVE DIED, TOO

The way officials of the South African government told the story, the police had no choice. The official story was that there was a huge mob of blacks armed with sticks, stones and gasoline bombs, marching on a white township, and the official story was that the police had no choice. That was the way the government of South Africa explained the shootings that left 19 dead and many injured and that was the story President Reagan carried to the American people in his news conference.

Until now, Reagan has been a lucky President and with his luck, he's always had a perfect sense of timing. Until now, it has always been that way for him but on Thursday night, at his news conference, he didn't have his luck or his sense of timing.

It is different with South Africa now. For the first time, the attention of the world is focused on the policies and the government in Pretoria. It is not just what the government in South Africa says. Not any more. The days of one-sided stories are over and the bad luck the President of the United States had was not realizing all this at his news conference on Thursday. But that wasn't all that went against Reagan. His timing, the incredible timing he's had all through his presidency, deserted him on Thursday. Never before in history has a major American television news program broadcast live from South Africa. But on the very week of these latest killings the ABC-TV program "Nightline" was in South Africa. "Nightline" had millions of Americans examining South African policies up close and once the killings in a town called Langa took place, ABC was there and correspondent Kenneth Walker, who was in Johannesburg for the broadcasts, rushed to the scene.

Being there when something really important happens is an obsession that reporters have. In the day-to-day reporting of news, reporters always get to the scene when whatever it is has already happened and they are told, "You should have been here an hour ago" or "You should have been

here last night." It seldom happens that a reporter is there when important news happens and can see and then say for sure what has taken place. But reporters, in a way, are like cops. They try and reconstruct events and to do that, they look for every bit of evidence that is left at the scene and they talk to everyone they can find and that way they are able to rebuild in their minds at least some of what happened. In the town of Langa, outside Port Elizabeth in South Africa, they was what Kenneth Walker did. He went looking for evidence of gasoline bombs but there was nothing. And that was just a start. He interviewed all the witnesses he could find and the story he came up with was very different from the story the South African government gave out.

In the middle of the afternoon yesterday, Kenneth Walker arrived back in the United States and he said the way the story was told to him, it was a massacre without provocation that took place on the black-top road in the town of Langa.

The irony was that it took place on the 25th anniversary of another horrible episode in South African history, the massacre of 69 blacks at the police headquarters in Sharpeville. It was protest against the government's passbook laws that started the shooting at Sharpeville. On Thursday, it was a funeral the government said blacks couldn't have that led to the killing. Funerals are big, emotional and political events in South Africa and that was the reason the government tried to stop one that had been set for Thursday. The funeral was originally set for last Sunday. The government said no, a general strike was going on and it was felt that the funeral might prompt trouble. The funeral was reset for Thursday. But again, the government said no, this time because it was the anniversary of the killings at Sharpeville and trouble was feared. But word that the funeral had been banned had gone out too late and on Thursday morning, thousands began to gather. They had buses to take them to Kwanobuhle, the site of the funeral. They had already begun to board the buses but the police ordered them out of the vehicles. The blacks decided then to walk to Kwanobuhle. They were on Maduna Road in the town of Langa when the police opened fire.

Yesterday, reporter Walker said that witnesses told him that there was one armored vehicle in front of the line of march and another at the rear and the blacks were caught in the crossfire. After the shooting was done, Walker said he was told, the government sent fire engines to wash the blood off the road, and witnesses reported that rocks and sticks were placed in the hands of dead people. "To make it look like they were throwing stones."

But it's different now. It is not just the story that comes from the government of South Africa and nothing more. Not any more, and it will be that way from now on.●

#### LEGISLATION ON INSPECTING AMUSEMENT RIDES

#### HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1985

● Mr. HYDE. Mr. Speaker, I am today introducing the Amusement Ride Safety Commission Joint Resolution.

Last year, in the wake of amusement ride accidents occurring in Illinois and elsewhere, I joined in cosponsoring H.R. 5790, a bill to extend the jurisdiction of the Consumer Product Safety Commission to fixed location amusement park rides. I did so because I felt that if the State governments could not, or rather would not, inspect parks to insure safety to our citizens, then it fell to the Federal Government to do so.

However, I was deeply concerned over the many legitimate arguments of those opposed to this legislation. For that reason, I now believe we need a slightly different approach which will still accomplish the same goal—safety for our citizens. In recognition of the arguments that the Consumer Product Safety Commission has neither the manpower, money, nor technical expertise to conduct Federal inspections, my bill will create a commission to investigate the scope and adequacy of public and private measures now employed to protect the public and report to Congress on the effectiveness and current enforcement of these laws. The commission will consist of five members: a Chairman from the Bureau of Standards, a Co-Chair from the CPSC, a representative from industry, a consumer spokesman, and a representative from a State agency with oversight on ride regulations.

Much good has already come from Federal interest in this matter. The industry is aware of the concern expressed by many legislators. They have endorsed a comprehensive set of ride safety standards produced by the American Society of Testing and Material, an independent standards-writing organization located in Philadelphia. These standards may provide the added measure of safety assurance that is needed, but the standards ought to be evaluated. I am particularly concerned to know how these standards, now voluntary in nature, can best be enforced against all operators.

I believe we, as legislators, have a responsibility to insure that the laws we enact will be effective. Opponents of the legislation which gives jurisdiction of this matter strictly to CPSC have argued that it may be counterproductive. H.R. 5790, which passed last year with my support, and which has been reintroduced in various bills this year, intends that if a State does not have a ride inspection law, then CPSC has the right, and indeed obligation, to go in and inspect for that State. Opponents of that approach have pointed out that a negative spinoff of this approach may be a "let the Feds spend the money attitude" by many States. My ultimate concern is protection of our citizens. I am no longer sure that sole CPSC jurisdiction will provide that protection.

The CPSC is not, nor for that matter is any agency of the Federal

Government, presently equipped to routinely inspect amusement rides. To do so on a regular basis would require an enormous infusion of personnel and money. To make that kind of commitment without attempting to determine whether it is necessary or whether it will be effective seems most unwise.

Current law is a case in point. CPSC currently does not routinely inspect the carnival rides over which it now has jurisdiction and has never asked for the personnel and money needed for such inspections. The bills currently pending which extend CPSC jurisdiction over fixed amusement park rides do not give them the resources to do so, either, I agree with former Commissioner Armstrong of the CPSC that to hold out the promise of such inspection when none will be forthcoming is dangerous for the false perceptions it may create in the public mind.

A congressional interest in ride safety is legitimate. Nearly 200 million people a year frequent our Nation's amusement parks. They should be assured that the highest standards of care and safety are adhered to by the entire industry.

The legislation I am introducing will create a temporary commission charged with assessing the present status of ride safety efforts, public and private. It is patterned after the 1967 legislation which created the Advisory Commission on Consumer Product Safety.

The commission will be empowered to accept or require testimony relating to ride safety, obtain records, and request the cooperation of all other agencies of the Federal Government. It will analyze the present state of industry safety programs, of State and local ride safety regulations, and will assess the need for and potential effectiveness of any Federal involvement in ride safety.

The commission may conclude that there is indeed a Federal role to be performed with respect to ride safety. It may conclude that such a role ought to be performed by CPSC or that it would be better performed by some other agency of Government. On the other hand, the commission may conclude that Federal participation will not significantly improve the safety picture.

No one, including the industry itself, is suggesting that the industry be allowed to police itself with no oversight or accountability to anyone. However, I believe it would be unwise from the standpoint of public policy to impose a costly and burdensome regulation or, worse, an illusory promise of remedy before determining that a Federal program is justified, that it will produce good results, and if so, what agency could do so most effectively.

Therefore, I urge my colleagues to consider this approach which is, in my

opinion, a rational approach which will ultimately provide more effective safety regulations for our amusement parks and our citizens.●

MADISON, WI, A CITY OF REFUGE

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1985

● Mr. KASTENMEIER. Mr. Speaker, I wish to call to the attention of my colleagues a resolution adopted by the Madison, WI, Common Council reaffirming support for efforts to provide sanctuary to political refugees fleeing El Salvador and Guatemala and declaring Madison to be a city of refuge.

Support for the sanctuary movement in the United States is increasing as more and more Americans become concerned about the fate of those political refugees from El Salvador and Guatemala who are denied asylum here and are deported back to their native lands to face an uncertain future.

Congress, of course, can act to relieve this concern by passing legislation which would provide extended voluntary departure status to Salvadoran and Guatemalan political refugees.

Mr. Speaker, the Madison Common Council resolution follows:

Whereas, the United Nations Convention relating to the Status of Refugees has defined the conditions of political refugee as "any person who owing to a well-grounded fear of being persecuted for reasons of race, religion, nationality, membership in a particular social group or of a political opinion, is outside the country of his(her) nationality and is unable, or, owing to such fear, is unwilling to avail himself of the protection of that country"; and

Whereas, the United States Congress has adopted this convention in the Refugee Act of 1980; and

Whereas, the United Nations High Commission on Refugees has recognized that persons fleeing El Salvador and Guatemala are bona fide political refugees, yet fewer than two percent are being granted that status by the U.S. Immigration Service; and

Whereas, deportation of those seeking asylum has often meant disappearance or death upon their return home; and

Whereas, members of those religious communities offering sanctuary to the refugees believe themselves to be acting not in civil disobedience but under the law of the land; and

Whereas, both refugees and sanctuary workers in Texas, Arizona, Washington, New York, California and Pennsylvania have been detained or indicted in recent days; and

Whereas, within the City of Madison, we have both refugees and sanctuary providers for whom the fear of deportation and the threat of arrest have an increasing immediacy; and

Whereas, the Common Council passed a resolution on June 3, 1983 in support of

those sanctuaries when first refugees came to our City;

*Now therefore, be it resolved,* That the Common Council of the City of Madison reaffirms that resolution, declares Madison a City of refuge and supports the religious communities of the City of Madison in their efforts to provide sanctuary; and

*Be it further resolved,* That the people of Madison will not condone for its own citizens who are providing sanctuary the harassment, indictments or arrests which have been experienced by sanctuary workers in other cities at the instigation of the U.S. Immigration Service; and

*Be it further resolved,* That no employee of the City of Madison will violate the established sanctuaries by assisting in investigations, public or clandestine, by engaging in or assisting with arrests for alleged violation of immigration laws by the refugees in the sanctuaries or by those offering sanctuary, or by refusing established public services to the established sanctuaries; and

*Be it further resolved,* That the Madison Common Council urges the Immigration Service to provide the refugees with the status of "extended voluntary departure", so that they may live among us free of the threat of deportation until conditions allow their return home.●

**OHIOAN IS CHAIRMAN OF AMERICAN TRUCKING ASSOCIATIONS**

**HON. BOB McEWEN**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1985

● Mr. McEWEN. Mr. Speaker, as a member of the Public Works and Transportation Committee, I would like to recognize a citizen of Ohio who has risen to the highest elective office in America's trucking industry. Dale K. Craig is the chairman of the Board of American Trucking Associations.

We are all aware of our complete dependence on an efficient, cost-effective transportation system. We all know the tremendous role the trucking industry has played in the progress of America over these past 50 years.

Dale Craig is typical of the hard-working trucking entrepreneur who has made our freight transportation system the envy of the world. Mr. Craig is the son of one of the early trucking pioneers and grew up on the industry, striking out on his own when he purchased a small trucking firm based in Toledo, OH, in 1962. He immediately relocated the business to a nearby suburb and over the years has built Craig Transportation Co. into a highly respected regional motor carrier of grocery products. Craig's tractor-trailers, with their distinctive red arrows, are a familiar sight on the highways of an area stretching from Pennsylvania to Iowa and from Minnesota to Georgia.

Mr. Craig also has found time to be active in civic affairs in the Toledo area and as a licensed pilot, has been

particularly prominent in the promotion of aviation there.

Mr. Craig is an outspoken proponent of highway safety. As the ATA chairman, and even prior to his election to that position, he has made numerous speeches throughout the country calling for the weeding out of the irresponsible truckdriver and more recognition for the safe, courteous, and responsible professional driver.

I am happy to have this opportunity to say a few words about a businessman from Ohio who has risen to the very top of one of the Nation's most vital industries.●

**VOICE OF DEMOCRACY WINNER**

**HON. LES AuCOIN**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1985

● Mr. AuCOIN. Mr. Speaker, I would like to bring my colleagues' attention to an essay written by a young woman in my district which imparts a valuable lesson to all Americans on the importance of casting an educated vote.

Lisa Gesik, a high school student in Newport, OR, submitted the essay for the annual Voice of Democracy scriptwriting contest sponsored by the Veterans of Foreign Wars of the United States and its ladies auxiliary. This year, more than 300,000 secondary school students entered scripts for the contest theme, "My Pledge To America."

I commend the Veterans of Foreign Wars for inspiring students to think about what America means to them and to put those thoughts in writing to be shared with others.

I hope that my colleagues will enjoy this essay. I think that they might share my feelings of pride and optimism that students today, even those who have not yet reached the legal voting age, realize that casting an informed vote is one of the most important responsibilities of citizenship.

**MY PLEDGE TO AMERICA**

(By Lisa D. Gesik, Oregon Winner, 1984/85 VFW Voice of Democracy Scholarship Program)

It is 5:30 p.m., November 6, 1984, Karen, age 35, is waiting in line to receive her ballot and enter into the voting booth. The line is long and Karen is tired. She now wishes she had come before work when it was less crowded. Thirty minutes later, it is finally Karen's turn. She accepts her ballot and inserts it into the voting machine. Her first vote was for the President of the United States. Because Karen had watched the Presidential Debates, she chose the candidate she was most impressed by. Karen then turned the page, and none of the candidates or measures were familiar. Feeling pressured because of the long line behind her, and thinking that she must answer all the questions for her ballot to be valid, she then voted on measures she knew nothing about.

Situations like Karen's happen quite often. Citizens need to take time to under-

stand their country and know the issues. Therefore, my first pledge to America is to exercise my right to vote. I feel that voting is just one small but important part I can contribute to my country. Every registered voter can vote, but unlike Karen you must have knowledge of whom and what you're voting for.

One of the measures Karen unwittingly helped to vote down was the local school tax base. Had Karen known about the measure she would have never voted as she did, for she herself had children approaching school age and was concerned about school closures and budget cutbacks. The local school tax base measure, incidentally, failed by only three votes.

Karen also voted "no" on other measures that she would have voted yes on had she only taken a few minutes to study her voters' pamphlet. But Karen, like so many other uninformed voters, believed in the old adage: when in doubt, vote it out. So, Karen voted no.

This is where my second pledge comes in. Education. I pledge to further my education so I will have the knowledge to make important decisions that can help my country. Education is the key to knowledge and without it our country wouldn't be what it is today. I pledge to try and understand our government the best I can while keeping up with issues in my community.

Right now, I am in the process of finishing up a major part of my education—a part that I will hopefully remember for the rest of my life. For as the saying goes, "Those who do not remember the past are condemned to repeat it". By taking my education seriously, perhaps I can be instrumental in keeping our country from repeating mistakes of the past.

Part of my responsibility also is to try and help other people, like Karen, to understand voting, the issues, and their consequences.

Therefore my pledge, while simple, has far reaching effects. I pledge to vote and to vote knowledgeably. I pledge to help others understand and to take their responsibilities as citizens seriously. I pledge to uphold this country and to support it, not blindly, not ignorantly, not fanatically, but intelligently, wisely, and proudly. This, America, is my pledge.●

**OUR KIDS AND COCAINE**

**HON. EDWARD F. FEIGHAN**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1985

● Mr. FEIGHAN. Mr. Speaker, in its most recent survey of high school seniors, the National Institute on Drug Abuse found every drug of abuse to be declining in popularity—except cocaine.

The percentage of seniors who reported having used cocaine during the 30 days prior to the survey rose from 4.9 to 5.8, the highest level of current use recorded by the survey so far. While we seem to be slowly winning the war against the abuse of other substances, we are also witnessing the emergence of a deadly new enemy.

Cocaine is not simply a drug of pleasure, a stimulant abused for the

high it produces. It has become a drug of status, a symbol of a glamorous lifestyle. A recent article by Sydney Schanberg of the New York Times eloquently describes the new role cocaine has begun to play in our society and the fascination it increasingly exercises over many of our young people. I commend it to the attention of my colleagues.

The article follows:

#### OUR KIDS AND COCAINE

(By Sydney H. Schanberg)

For those who think that serious drug problems only happen to other people's children, look around you again. Cocaine is in the schoolyards.

Cocaine, in fact, is all over the country. In both quantity and dollar amounts of sales, it long ago surpassed heroin, as the illegal hard drug of choice. Not only that, but because of the increased tonnage of the powder being smuggled into the country, the price has dropped from \$125 a gram in 1981 to as low as \$70 now. Which means, obviously, that young people can get their hands on it more easily.

There are probably very few high schools in the city—or, for that matter, in the country—where cocaine is not available in the vicinity and used by the students. That's a conservative estimate and you can include junior high schools in it, too.

In one recent survey, 15 percent of junior high and high school students in the city admitted trying cocaine. Since many users will not make such an admission, even anonymously, the real figure has to be much higher. Nationally, the figures are similar.

The newspaper at one private school in the city took a poll of the high school student body this semester on alcohol and drug abuse. It found that the number who admitted having tried marijuana had risen in two years (a similar poll was taken in November 1982) from 39 percent to 58 percent. The cocaine figure has gone from 11 percent to 20 percent. The highest figures, not surprisingly, came from the senior class, where 82 percent said they had tried marijuana and 43 percent tried cocaine.

However, for an affirmation of how wide is the parents' information gap, consider the Parent Teachers Association poll taken at the same private school in the same time period. Of the 243 parents who responded, only 8 thought their child used marijuana and no one said their child used cocaine. Drug use is scary—so parents would rather not know, or acknowledge, the truth.

In case any of you are taking comfort in the notion that this disease afflicts only affluent kids at private schools, you can forget it. Yes, it's easier for the offspring of the well-to-do to buy cocaine, but a lot of kids in public schools are buying it too, and some of the poorer kids are resorting to dealing in the drug in order to get the cash for their own usage.

For a long time, the "beautiful people" tried to sell an image of cocaine as a drug that could do you no harm while it made you feel happy, lucid, creative, powerful and optimistic.

Well, the down side of that high is severe depression, paranoia, irritability, achiness, weakness and a drainage of energy. And cocaine is addictive. Some medical researchers think it's physically addictive, but all of them say it's emotionally addictive. One million or more Americans are now dependent on the drug.

Beyond the psychic damage, there is physical damage as well—and not only to the blood vessels of the nose from sniffing the powder.

More and more evidence is showing up that links regular cocaine usage to heart disease. A recent report in *The American Journal of Cardiology* on three patients who had suffered heart attacks left little doubt about the causal connection.

The report—by Dr. Peter Pasternack and Dr. Stephen Colvin of the New York University Medical Center—said of cocaine: "Larger doses result in an increased heart rate from stimulation of the . . . nervous system. An extremely high dose can produce a direct toxic action on the heart muscle, resulting in cardiac failure and immediate death."

Not one of the patients described in that report—all men in their 30's—had any of the other risk factors for coronary artery disease, such as hypertension, diabetes mellitus, high cholesterol levels or a family history of heart disease. Their only risk factor was cocaine.

It's bad enough that cocaine can produce heart disease in men under 40, but the damage to the nervous system and other parts of the body begins long before that—with the first use of the drug. Some researchers believe, for example, that it has contributed to the epidemic of teen-age suicides.

There is no easy way to turn around the teen-age drug scene—not after we've spent the last couple of decades creating a culture where "consciousness-raising" has included the use of "social" drugs. We told our children that designer jeans were a sign of status; next came designer drugs.

If we want them to know how dangerous these drugs are, we'll first have to stop pretending that the problem doesn't exist—and then we'll have to set a better designer role model for them. ●

### CONTEMPORANEOUS RECORD-KEEPING REQUIREMENTS REPEALED

#### HON. NICK JOE RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1985

● Mr. RAHALL. Mr. Speaker, yesterday, April 2, 1985, the House of Representatives voted overwhelmingly to repeal 3-month-old Federal regulations which caused quite an uproar in the State of West Virginia and throughout the country.

The Deficit Reduction Act of 1984 modified the requirements for records needed to substantiate deductions for business use of certain types of property including automobiles, airplanes, yachts, computers, and property generally used for entertainment, recreation, and amusement purposes.

Prior law permitted taxpayers to substantiate these deductions through records reconstructed after the fact, however, the 1984 act specified that the records needed to substantiate such deductions must be contemporaneous—that is, made at the time of each business use.

In October 1984 the Internal Revenue Service [IRS] issued regulations implementing the provisions which required that detailed logs be kept of business use of these types of property. Due to widespread discontent, the IRS modified its regulations in February 1985 providing less stringent rules for some farmers, as well as sales and service personnel, for vehicles used only for business and kept on business premises, and for certain other cases.

Although a clear improvement in the recordkeeping requirements, the new regulations continued to present employers with a formidable administrative task. The paperwork which was necessary to comply with these regulations was an unreasonable burden which could have led to additional cases of tax fraud.

Because legislation in this area has such wide reach, I would like to enter here the information provided by the House Ways and Means Committee on the repeal of the contemporaneous recordkeeping requirements. I am sure that my colleagues and all interested parties will find this information of tremendous import.

#### H.R. 1869: REPEAL OF RECORDKEEPING REQUIREMENTS

The Committee on Ways and Means today adopted legislation, by voice vote, repealing the "contemporaneous" recordkeeping requirements of the Deficit Reduction Act of 1984. These provisions required individuals to keep contemporaneous records showing the date, mileage and purpose of each trip. The contemporaneous recordkeeping requirement is repealed for all listed property, such as automobiles, airplanes, yachts and computers. In addition, the regulations issued by the Department of the Treasury to carry out the contemporaneous recordkeeping requirements are legislatively repealed.

The legislation also repeals the special negligence penalty for failure to have contemporaneous records and the provision requiring accountants to obtain written confirmation from the taxpayer that records exist.

The substantiation of automobile business deductions requirement is generally returned to prior law, except for the addition of a requirement that there be some written evidence corroborating taxpayer's own statement and the modification of the types of items subject to those requirements.

Delivery trucks, buses, marked police and fire vehicles, ambulances, hearses, and any vehicle designed to carry cargo with a loaded gross vehicle weight of over 14,000 pounds are excluded from the recordkeeping requirements. In addition, the Secretary of the Treasury shall issue regulations to carry out the provisions of this Act no later than October 1, 1985.

Income tax withholding for vehicle fringe benefits would become optional, allowing the employer either to include the imputed income on an employee's W-2, or withhold on whatever basis the employer finds to be most convenient.

The legislation is made revenue neutral by reducing the amount of investment tax credit and depreciation for luxury automobiles. These reductions are generally effective

tive on April 2, 1985. In addition, the present law automobile inflation adjustment is deferred until January 1, 1986.

The repeal of the contemporaneous recordkeeping requirement, the no-fault negligence penalty and the preparer's penalty is effective as if those provisions had never been enacted. Thus, prior law recordkeeping requirements apply for 1985. The revised substantiation requirements apply to taxable years beginning after December 31, 1985. The withholding provision is effective January 1, 1985.●

PRESIDENT BELISARIO BETANCUR ADDRESSES COMMITTEE

HON. MICHAEL D. BARNES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1985

● Mr. BARNES. Mr. Speaker, this morning the Committee on Foreign Affairs, in behalf of the entire House, had the honor and privilege of meeting with one of Latin America's leading statesmen, His Excellency Belisario Betancur, President of Colombia.

President Betancur is a powerful voice for democracy and peace in the hemisphere. He is one of the leaders of the Contadora group of countries working for a peaceful solution to the problems of Central America. In his own country he has stretched out his hand to guerrilla groups in an effort to bring peace.

In another area of importance to the Congress and the American people, illicit drugs, President Betancur has moved swiftly and effectively to cooperate fully with the United States. As he told us this morning, "we are disposed to pay the price, even of our own lives, which would be a small sacrifice to free humanity from this scourge." Those are the words of a man of commitment and of considerable courage.

Mr. Speaker, President Betancur's remarks to us this morning were eloquent but more importantly they carry an important message to the Congress from a valued friend of the United States. I include his address to the committee in its entirety at this point in the RECORD.

ADDRESS BY BELISARIO BETANCUR, PRESIDENT OF COLOMBIA

THE SUBVERSION OF UNDERDEVELOPMENT IN LATIN AMERICA

I am Belisario Betancur, freely elected, on my fourth attempt, President of a South American country called Colombia, with a territory equal to that of France, the Federal Republic of Germany and Japan combined, and with a population of almost 30 million people, distributed on the Caribbean Coast, the Pacific Coast, the Andean region, and along the Orinoco and Amazon regions. Without exaggeration, I could be taken as an example of a typical Latin American, for I am the second child of a semi-illiterate campesino family of 22 children, born of the same father and mother, 17 of whom died of a grave illness: subdevelopment. Struggling

against such conditions, I was the only one in my hamlet who was able to study, sleeping in parks, and doing all kinds of work, from picking coffee beans as a child and working in bars, to writing for newspapers and being a university professor.

1. Our Mutual Sin

North Americans as well as Latin Americans have to confess and be ashamed of the ugly sin of mutual ignorance, which, most of the time, denotes a lack of interest. The guilt is not unilateral, since if you at times are mistaken in identifying us, I must confess that few people in my country would be able to name the fifty states of the Union or point to them on a map; correspondingly, not even our nearest neighbors know that an hour away from Miami, in our beautiful Caribbean archipelago of San Andres and Providencia, surrounded by Panama, Costa Rica, Nicaragua, Honduras, Jamaica and the Cayman Islands, English is spoken and the predominant religion is Protestant.

2. Returning to Forgotten Lessons

In Latin America the desire to satisfy our needs, has arrived tumultuously, upsetting the traditional structure, which gives this desire the inappropriate name of subversion: inappropriate because among ourselves very often the subversive agents are not the masses, nor the leaders, but the situations and needs.

As a result, we must repeat lessons that have been forgotten, or were never really learned, one way or another. It is our aspiration that we be given the benefit of a doubt, in regard to our desire for democracy. We prefer liberty; yes, we prefer democracy. We are not fighting with anyone in North America. It is just that people oppressed by misery, grasp at any straw, seek any port in a storm, above all when they cannot find development in liberty. But I have faith that in Latin America, Central America, and the Caribbean we prefer liberty. We prefer peace to war, because our only war is against underdevelopment. We are privileged survivors among the agony of people who, nevertheless, cherish the values of the American Constitution.

3. The Contadora Group

But, in spite of our problems, we like to look around and try to help, in a democratic and Christian way, neighbors who need us. Hence the philosophy and action of Contadora is founded in the need to give contemporary and worthy metaphysical answers to the subjective and objective agents that work in every subversive process. For this reason, the Act of Contadora has as its aims:

To ensure the defense and promotion of democracy in the Central American Isthmus through means of free and pluralistic elections of governments and representative institutions, eliminating all interferences in internal matters and all forces destabilizing the governments of the region;

To create opportunities for participation to those not in agreement, so that in a state of reconciliation they become part of the solution to their country's national and international problems;

To give dignified answers to subjective or personal subversive factors, so that there are only free people in our homelands making exile and clandestine operations unnecessary; for it is our conviction that in a democracy all ideologies may exist without fear;

To make subversion impossible because the objective factors that motivate it will be eliminated by creating financial support for a social infrastructure such as hospitals,

schools, water supplies, food production, sewerage systems, employment, cheap credit, and fair prices for products;

To seek peaceful solutions to conflicts, giving more importance to dialogue and the rejection of all military intervention, since we are convinced that such intervention would unchain a subversive wave throughout Latin America and the Caribbean;

To achieve, as its consequence, the demilitarization of Central America and the departure of foreign military experts.

In this we coincide with what Indiana Representative Lee H. Hamilton has said: "Military action alone will not resolve the underlying problems of the region and will not neutralize the advances of communism in the long run." And with the Congressman from Arkansas, William Alexander, who says that "What is important is not who has the most powerful weapons, but who has the most valid political ideals, and who has the politics that offer the best response to the elemental prayers of Central Americans, more often motivated by Christianity than by Communism."<sup>2</sup>

All of which has as its basis that we recognize realistically, that peace in Central America requires that the countries interested in the region adhere to these principles. Because true peace is one and indissoluble, and war in any region affects it in the whole world. For that reason, Colombia likewise seeks agreement with internal armed groups, and also has encouraged agreement among opposing factions in other countries: we are proud that we are seen as a moral force rather than a military power. Thus we better serve democracy and humanity. Because definitely, we are citizens of the world, citizens of the cosmos as Carl Sagan would say.

I must not ignore the Report of the Bipartite Commission on Central America: we are attentive to its recommendations, even though we are not in complete agreement with the Manichean philosophy of supporting only the social infrastructure of those who behave themselves. This treatment of the crisis reminds us of the obsolete Renaissance debate over which came first, the chicken or the egg. We hope that the recommendations of the Commission will lead to peace.

4. Drugs as a Destructive Force

Permit me to touch on a painful theme. Drugs are a two-way tragedy: they weaken our two countries and destroy values that are the foundation of our moral and physical patrimony.

We are all daily victims of this plague.

Our two governments give no quarter in the struggle against drugs. Colombia has done it, and will continue to do it relentlessly, even if with material and logistic limitations. We have reached a point of no return, because we wish to be on the side of human dignity. We wish to look more at history than at our human condition. And we are disposed to pay the price, even of our own lives, which would be a small sacrifice to free humanity from this scourge.

But we do not wish to feel alone in this struggle, in which you, too, take part: For here is the greatest center of drug consumption. The tremendous wealth proceeding from drugs, is deposited here. North American banks launder fantastic sums of money and are barely punished. Many of the great North American drug traffickers live here. According to the Washington Post, "The Colombians are making a mighty effort, one extending far beyond the American prece-

cupation with law-enforcement (necessary as that is) and one costing them far more in basic social stability than the American drug problem (terrible as it is) costs the United States." And it is true: we continue to fumigate crops, destroy laboratories, seize shipments, jail criminals, and extradite nationals, for whom, notwithstanding, we request dignified treatment, at the same time that we insist on the extradition of North Americans who commit the same transnational crimes.

#### 5. Six Proposals

In sum, I have the honor of submitting to you, Honorable Congressmen, the following proposals:

I. To establish an Alliance for Peace, Development and Democracy between the United States and Latin America;

II. In the case of Central America, support the Act of Contadora and the commitments inherent in it for all the countries that have an interest in the area; support plans to generate employment and construction for the physical and social infrastructure that the region requires, using the Interamerican Development Bank as the technical secretaryship and coordinating entity of the Advisory Group for the region, according to the general plan of the Kissinger Report;

III. Perfect the International Coffee Agreement, as a program of cooperation;

IV. Seek a better adjustment between fiscal politics and monetary politics of the United States and other industrialized countries, which is reflected in lower interest rates for the developing countries; and to facilitate the exports of these countries, eliminating protectionist barriers;

V. Strengthen multilateral credit organizations: without long-term credit directed to well-structured projects, it will not be possible to stimulate the growth of developing countries.

VI. Intensify the battle against drugs declared, by the United Nations, a crime against mankind; eradicate drug-producing crops in Latin America and in the United States, destroy drug processing laboratories, dismantle the international organization that controls drugs, strengthen the educational campaigns against their use, institute more severe punishments for drug users, and provide stimuli for the substitution of other crops;

#### 7. A Driving Force

The opportunity to converse with the representatives of this great democracy, could not pass without a new appeal to the spirit that has endured throughout the history of this nation: the same spirit that once permitted Jefferson to say that "every man, and every group of men on earth, possesses the right to self-government."

These groups of men and all humanity, will be more secure if we give them peace; if we give them dignity, if we give them courage. We wish to give them that courage, that dignity and that peace. We would feel very well accompanied if you—free citizens of this free and great nation—persist in that courage which has illuminated its great men since the time of Washington and that has been the glory of your people.

I wished to come to you to speak frankly, as a friend: no euphemism can you expect, for that reason, from the President of Columbia. Our Liberator, Simon Bolivar, used to say that the good friend of he who governs is he who speaks the truth.

Permit me, in the manner of Niels Bohr, one of the fathers of contemporary physics, to close this unforgettable encounter with

his words: "Every phrase that I utter should be considered not as an affirmation, but as a question."<sup>1</sup>

That is what we are: leaders who seek the ways of liberty to bring our people happiness through progress and justice. It says in the Bible: "And the Lord appeared to Solomon in a dream by night saying: Ask what thou wilt that I should give thee. And Solomon said: Give to thy servant an understanding heart, to judge thy people and discern between good and evil. And it was pleasing to the Lord that Solomon has asked such a thing. And the Lord said to Solomon: Because thou hast asked this thing, and hast not asked for thyself long life or riches, nor the lives of thy enemies, but hast asked for thyself wisdom to discern judgment, behold I have done for thee according to thy words, and have given thee a wise and understanding heart, inasmuch that there hath been no one like thee before thee, nor shall arise after thee." (3 Kings, 5-13).

With a wise and just heart, we should feel the moral duty to offer responses through democracy and liberty, to the anguished questions of America and the world.

#### NOTES

<sup>1</sup> Lee H. Hamilton, "Covert Action is not in Our National Interest," *The Washington Post*, May 1984.

<sup>2</sup> William Alexander, "Schizoid Latin Policy," *The New York Times*, July 1983.

<sup>3</sup> Cited by Jacob Bronowsky, "El Ascenso del Hombre," *Fondo Educativo Interamericano*, Bogota, 1979.

### LESSONS FROM VIETNAM

#### HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1985

● Mr. RITTER. Mr. Speaker, a recent article in *Stars and Stripes* describes the experiences and ideas of Vietnam war veteran Al Santoli. I would like to share these insights with my colleagues as we continue to judge our foreign policy in the shadow of the Vietnam war.

#### AL SANTOLI'S BURDENS

(By Joan M. Maiman)

In 1983 Al Santoli was helping to evacuate Cambodian refugees who were being shelled in a camp near the border of Thailand. "There were women and children and old people dying around me as the Vietnamese mortars and artillery fell on the defenseless people," recalls Santoli.

He goes on to note that the unit doing the shelling was the 9th Div. of the Vietnamese army, a unit he had fought as a young infantry man serving near the Vietnam Cambodian border with the U.S. 25th Inf. Div. 15 years earlier.

Santoli believes that the incident of the refugee camp shelling brings home a point the American public, especially those who served in Vietnam, must be aware of—the Vietnam War is not over in Southeast Asia.

As did many young Americans during the Vietnam years, Santoli went into the service right out of high school and served in Vietnam from 1968-1969 as an infantry man. He also spent time serving with a joint U.S. Vietnamese force and this enabled him to spend time away from the Americans seeing how the war was affecting the people of Vietnam.

When Santoli returned to the States in 1969, he noted that there was: "A kind of guilt by association." That is says Santoli, "you were stigmatized by having been in Vietnam." Santoli credits the media with much of this stigma because of "their constant negative press accounts of Vietnam."

Also, he believes that the American people were confused about what was really happening in Southeast Asia.

When he got out of the service Santoli returned to school originally intending to get a degree in physical therapy, a skill in which the military had trained him.

However, opting for "the reality of non-fiction writing," Santoli began working on his bestselling book "Everything We Had," an account of the Vietnam War from the viewpoint of ordinary soldiers who had fought there.

"We were kind of sleepwalking in the 1970's, says Santoli of the Vietnam vets. "It was only at the end of that decade that those who were the ordinary people in that war began to be heard."

Noting that the men who had been in the field were not the policy makers of the war and not "those who made careers off of Vietnam," Santoli believes it is important that their voices be heard. Following the success of his book, Santoli became increasingly involved with refugees from Southeast Asia who told him of what had happened in that part of the world since the Americans left in 1975.

From their accounts of life under the Communists, Santoli says he began to realize that: "we were right in being involved in Southeast Asia." He is quick to point out however, that this "does not mean that we always made the right policy decisions in that war."

Also, based on what he saw of the activities of the Viet Cong during the time he spent with the Vietnamese units, Santoli realized that the accounts of life under the repressive Hanoi regime, were in line with what he had observed.

Santoli has made four trips to Southeast Asia in recent years including one he made with members of the non-Communist resistance forces of Cambodia.

"The numbers tell the story of what has happened in Southeast Asia," notes Santoli. In 1984, 25,000 Cambodians and 20,000 Laotians fled the communist occupation of their nations according to Santoli.

Under the "orderly departure" program of the United Nations operating in Vietnam, 2,000 persons per month may obtain exit visas to leave the country. To date, over one million have applied, knowing that they face severe action from the government when they do so.

An estimated 500,000 people have fled Vietnam as boat people and relief workers estimate that an equal number may have perished on the high seas in their quest for freedom.

In 1984 some 2,000 people per month continued to flee as boat people.

"Clearly," notes Santoli, "the government of Vietnam does not have the support of its own people."

Santoli goes on to say that the economy of that nation is a "disaster" as 50% of their GNP goes for defense.

While working on his new book "To Bear Any Burden" due for release this spring, Santoli spoke with individuals who had been former members of the Viet Cong as well as members of the post 1975 Communist government of Vietnam. One of these men stated: "I wish we had understood you

Americans better and had not fallen for the communist leaders lies. You were right." These former communist officials have joined those who have fled Southeast Asia.

Looking back, Santoli believes that the lesson we must learn from Vietnam is that of realizing that we were right in trying to preserve freedom for the people of that region. "There is no reason for Americans, especially veterans, to feel guilty about our involvement. We must realize that we lost the war in Paris and Washington not on the battlefield," he says.

For Al Santoli getting the word out about what has happened in Southeast Asia is a duty and a way of making sure that "history understands that we were right in being there, that those who died did not do so in vain."

The recent focus on the Vietnam veterans, the monuments and recognition for those who served "has a place" Santoli says. But to focus on this constantly, to be fixated in the past denies the present," he concludes.

"The struggle for freedom which we were a part of in Vietnam goes on there and in other parts of the world," he says.

(Al Santoli served in Vietnam with the 25th Infantry Division and received three Purple Hearts and a Bronze Star for valor. His first book, "Everything We Had", was nominated for the American Book Award in 1983, and was selected for the American Library Association All Time Best Books List. He now lives in New York with his wife, Phuong, and regularly contributes to Parade Magazine. His articles have also appeared in Atlantic Monthly, New Republic, and Reader's Digest.)

(His new books "To Bear Any Burden the Vietnam War" and its aftermath in the words of Americans and Southeast Asians will be released by E. P. Dutton in April 1985.)

### IMPOSE A 10-PERCENT SURCHARGE ON JAPANESE GOODS

**HON. ELWOOD HILLIS**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1985

● Mr. HILLIS. Mr. Speaker, today I am introducing a bill which I hope will bring about a fundamental change in the current Japanese-American trading relationship.

On two occasions within the last 10 days the Japanese have demonstrated their reluctance to treat the American worker and farmer with equality. Last week the Japanese announced that they were increasing shipments of their cars by 25 percent to the United States. This week the Japanese Government asked for still more time to complete their technical standards for telecommunications equipment which would allow American manufacturers access to the Japanese market.

The objective of this bill is straightforward and unambiguous. A 10-percent surcharge would be imposed on all Japanese goods imported into the United States until the President certified to the Congress that "substantial progress" has been made in the removal of Japanese nontariff trade bar-

riers to the importation of American goods. This would be imposed on an across-the-board basis.

For too long the Japanese have refused to afford the American worker and farmer the same fair treatment which we have given his counterpart. This has manifested itself in a \$37 million trade deficit for 1984 alone.

This measure sends a resounding signal to the Japanese that the rules of the game are changing. It is a responsive and responsible measure. I urge my colleagues to cosponsor this bill.

The text of the bill follows:

H.R. 1944

A bill to impose a surcharge on the importation of Japanese products until such time as the President determines that Japan has made significant progress in eliminating its non-tariff barriers to American products

*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 "Fair Trade Act of 1985".

#### SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds that—

(1) the current United States trade deficit with Japan of \$37,000,000,000 is unacceptable to the American people;

(2) the continued refusal of Japan to make significant reductions in non-tariff trade barriers to United States products will further increase this trade deficit; and

(3) Japanese non-tariff trade barriers pose a significant threat to the stability of the economic, political, and strategic relationship between the United States and Japan.

(b) PURPOSE.—The purpose of this Act is to reduce Japanese non-tariff trade barriers to United States products and services.

#### SEC. 3. IMPOSITION OF SURCHARGES ON IMPORTS FROM JAPAN.

(a) IMPOSITION OF IMPORT SURCHARGES.—There is imposed on the entry, or withdrawal from warehouse for consumption, in the customs territory of the United States of each article that is the growth, product, or manufacture of Japan an import surcharge in the form of a duty of 10 percent ad valorem.

(b) TREATMENT OF IMPORT SURCHARGES.—Each import surcharge imposed under subsection (a)—

(1) shall be treated as a regular customs duty for purposes of the administration of the customs laws; and

(2) is in addition to any other duty imposed by statute as proclamation on the article.

(c) APPLICATION.—The surcharge imposed under subsection (a) applies with respect to articles entered, or withdrawn from warehouse for consumption, on or after the date of the enactment of this Act.

#### SEC. 4. MONITORING OF JAPANESE ACTION.

The Secretary of Commerce shall monitor the actions taken by the Japanese Government to eliminate its non-tariff barriers to the products and services of the United States and estimate the probable monetary impact that those actions will have with respect to United States trade with Japan. The Secretary of Commerce shall report the results of the monitoring and estimates made under this section to Congress on a bi-annual basis.

#### SEC. 5. TERMINATION OF IMPORT SURCHARGE.

At such time as the President decides, based on the monitoring undertaken under section 4, that the Japanese Government has made significant progress in eliminating its non-tariff barriers to the products and services of the United States, the President shall certify that decision to the Congress and proclaim the termination of the import surcharges provided for in section 3 of this Act.●

### HISPANIC CHAMBER DRAFTS BLUEPRINT EXPANDING BUSINESS

**HON. BILL RICHARDSON**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1985

● Mr. RICHARDSON. Mr. Speaker, last week, the Hispanic Chamber of Commerce held their annual meeting in the Nation's Capital. During this conference the Hispanic chamber presented a Hispanic business agenda. The purpose of the agenda was to underscore the issues facing the Hispanic business sector and to initiate plan for action in the future. The agenda was developed and drafted by the U.S. Hispanic Chamber of Commerce as a blueprint for collection action, and comprises issues and resolutions gathered from a national survey of Hispanic business leaders at agenda sessions across the country.

The No. 1 issue coming out of this business agenda was the need for capital. The lack of financing is the most critical problem facing new Hispanic businesses and established firms wanting to expand.

Last week, Robert Rodriguez received approval from the Securities and Exchange Commission, and the National Association of Securities Dealers, to establish the Nation's first Hispanic-owned investment banking house. Southwestern Capital Markets, Inc., of San Antonio, TX, is a firm with over 20 years of experience. Robert Rodriguez is a leader with the Hispanic business community and we are encouraged by his leadership. Certainly other Hispanics throughout the United States have achieved great heights, and in a business considered by many to be the world's most exclusive club. Robert Rodriguez will make his mark.

I would like to insert the following article from Hispanic Business magazine for the RECORD.

#### FIRM BIDS TO ENTER BUSINESS WORLD'S MOST EXCLUSIVE CLUB (By Juan Guedella)

At age 41, Robert G. Rodriguez, of San Antonio, Texas, is finally making history. That is to say, the dream Rodriguez has nurtured since age 14—and perhaps a few years before that—is finally taking shape.

Within the next 60 days, Rodriguez expects to have the approval of the Securities

and Exchange Commission and the National Association of Securities Dealers which will make his small San Antonio firm, Southwestern Capital Markets, Inc., (SCMI), the first Hispanic-owned investment banking house in the United States.

Rodriguez is aware that he is breaking into a club, entry to which is not only jealously guarded but to which few, if any, minority firms have ever been admitted—certainly none that were Hispanic-owned.

Participation in underwritings, the bread and butter of the business, is by invitation only; and the lead underwriters—those large investment banking houses whose names appear in the largest type in the top line of participants, or above it, in the "tombstone" ads which appear on the financial pages of the country's largest newspapers—can literally starve a small, young firm to death.

#### NO NEOPHYTE

Still, Rodriguez is no neophyte impudently banging on the door and loudly demanding admission to that exclusive club which is the investment banking business in the U.S. Like most things he has done in his life, Rodriguez put a lot of thought—and a great deal of personal and professional preparation—into his move to establish his own investment banking house.

Texas-born Rodriguez points out that his native state is today probably the largest generator of tax-exempt issues in the entire country. He puts the current figure at around \$7 billion a year; and Rodriguez, who formed Southwestern Capital Markets, Inc., in 1983, has been acting a financial advisor to a handful of municipal and public entities whose issues have been part of that huge and profitable financial pie.

Then there is the rapidly expanding world of Hispanic-owned businesses to which Rodriguez will surely be drawn by bilingual and bicultural affinities. He says that he has seen considerable evidence of the reticence of many Hispanic entrepreneurs to go into the capital market in the U.S. for urgently needed funds for expansion.

"Most of them do not understand the market's complexities. They see it as a sort of jungle; a place where they are alone, and without friends; and they fear it," he says.

He hopes that his own educational and low-key persuasive approach will encourage more Hispanic businessmen to seek an understanding of the market and how it can help meet their capital needs.

But it is a mark of the sophistication which Rodriguez has acquired in his 20 or so years in financial education and practice that his view of Southwestern Capital Markets, Inc., is not an exclusively Hispanic one.

"We want to serve clients across the business spectrum," he says. "I want the image of SCMI in the marketplace to be that of an investment banker whose principal just happens to be a Hispanic."

Rodriguez's corporation currently has three partners: Rodriguez, Raul Villasenor and Timothy Arms. As the firm grows, and its capital requirements increase, other investors may be invited in. Rodriguez expects the firm's initial capitalization to be around the \$1 million mark.

Villasenor, who holds a degree in computer science, was for some years a senior computer analyst with a leading San Antonio utility company. He will head the firm's "back office" operations—keeping track of clients' accounts, reporting, settlements, etc.

Arms is a CPA, a former executive of Ernst & Whinney, one of the accounting world's "Big Eight." His immediate area of responsibility will be financial planning, and, eventually, portfolio management.

#### ADVISORY ASSIGNMENTS

While awaiting SEC and NASD approval to make its formal debut as the first Hispanic-owned investment banking house in the U.S., SCMI has been acting as financial adviser to a number of municipalities and public bodies floating bond issues. It advised on the Alamo Community College District's \$20 million issue to finance a new campus; and on Bexar County's (and its Housing Finance Corporation's) four issues totalling \$150 million. More recently, SCMI was retained by the San Antonio School District to advise on a capital improvement issue of some \$25 million; and Maverick County, Texas, asked SCMI to advise on an \$8 million issue to finance construction of a new jail.

Born in the military hospital of Fort Bliss, Texas, the son of a Signal Corps soldier who was to die in World War II, Rodriguez set his sights on a career in finance early in his boyhood. His mother, who supported him through high school by working as a sales clerk at J.C. Penney and Co., encouraged his early financial aspirations. His first job out of high school was that of a Collections Clerk for Montgomery Ward, "telephoning people at home in the evenings to try to persuade them to pay their overdue accounts. It was not a pleasant job, and it was not one that I liked," he says.

From high school, in Eagle Pass, Texas, Rodriguez entered the University of Houston where he majored in finance and graduated with a Master's Degree in Business Administration. From Houston, he went on to Northwestern University, in Chicago, for further studies in mortgage banking and real estate financing. His credentials from Northwestern show him to be a Certified Mortgage Banker.

On his return to Texas, Rodriguez entered the public sector, serving as executive director of the Houston Economic Center where he worked with the Small Business Administration, and the capital markets at large to gain business loans for small entrepreneurs. He was later appointed to the board of the Houston Housing Authority, and he also served on the city's planning commission.

In 1979, Rodriguez joined the Houston office of Boettcher and Company, a highly respected regional investment banking house with a head office in Denver, Colorado. At Boettcher, Rodriguez was soon invited to become a partner, and in 1981 he was chosen to expand the firm's Texas operations to the city of San Antonio. He moved his family to San Antonio, and opened Boettcher and Company's first office in that city. He left Boettcher and Company in 1983 to establish SCMI.

With his wife, Rose Mary, a teacher in bilingual education in the San Antonio School District; his twin daughters, aged 14; and his son, aged seven years; Rodriguez now counts San Antonio home—a home upon which he would like to confer the honor of being the first city in the United States to accommodate the first Hispanic-owned investment banking house to be established in the United States.●

#### LETTER FROM OPTOMETRISTS FOR SOCIAL RESPONSIBILITY

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1985

● Mr. ADDABBO. Mr. Speaker, I would like to bring to the attention of my colleagues, a letter written by the Optometrists for Social Responsibility.

Their recognition of the senselessness and danger of the arms race is something we all need to take note of. Their message is one that I hope we will all heed so that we may begin using our resources for the betterment of mankind rather than its annihilation.

I submit the letter of the Optometrists for Social Responsibility for the RECORD:

#### OPTOMETRISTS FOR SOCIAL RESPONSIBILITY,

Burlington, NJ, March 27, 1985.

DEAR MEMBER OF CONGRESS: In 1959, former President/General Eisenhower said, "I like to believe that people in the long run are going to do more to promote peace than are governments. Indeed, I think that people want peace so much that one of these days governments had better get out of their way and let them have it."

In 1953 he had stated, "Every gun that is made, every warship launched, every rocket fired, signifies in a final sense a theft from those who hunger and are not fed—those who are cold and not clothed. This world in arms is not spending money alone—it is spending the sweat of its laborers, the genius of its scientists, the hopes of its children."

Eisenhower's views in one way or another have been repeated not only by the majority of the American people and millions outside of our own country, but by experts in the field of weaponry, health, education, the arts, science, labor, religion—in every field of endeavor.

All recognize the delusion that, "more and bigger is safer." The Administration is out of step. Your role is historic. We hope that you will be your own man and vote against the MX missile and the "Star War" adventure. Both are a step backward from the forward move toward security from nuclear war.

The MX missile has been shown to be inefficient and unworkable as a defensive weapon. And if the idea of Star Wars is to keep us safe from a nuclear weapons attack, it is cheaper and safer to negotiate nuclear weapons out of existence.

We are at a technological point where we can use the billions either for food, education, health, a clean environment, a virtual Heavenly earth, or prepare for blowing up the world even as we finance it, by demeaning our people and their quality of life.

The decision of the issue is in your hands—history looks to you! We urge, hope, and expect to hear that you will vote for a peaceful, healthy future—against the MX missile and the "Star Wars" adventure.

Most sincerely,

DR. GEORGE L. BROWN, Director.●

## CONTRACTING CONDUCTED OVER GOLDEN SAFETY NET

HON. GERRY SIKORSKI

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1985

● Mr. SIKORSKI. Mr. Speaker, on Sunday, the Washington Post published the first in a series of in-depth articles on defense contracting. This series underscores the cost overruns, improprieties, and abuses we've been uncovering in the Oversight and Investigations Subcommittee on Energy and Commerce.

### CONTRACTING CONDUCTED OVER GOLDEN SAFETY NET

(By Rick Atkinson and Fred Hiatt)

When a small defense contractor in Florida was going broke two years ago, the Defense Department did what has been done in the name of national security more than 6,000 times since 1958: It bailed out the company.

The \$1.8 million grant to the Wayne H. Coloney Co. of Tallahassee, a maker of ammunition cases for the A10 warplane, was pocket change by Pentagon standards.

But it provided a perfect symbol of the golden safety net the United States has woven beneath the nation's most controversial industry—the defense business.

The bailout was bestowed under an act of Congress that has been used to pump out hundreds of millions of dollars over the last 27 years, while remaining nearly hidden from public view: the Extraordinary Contractual Relief Act.

The relief to Coloney, moreover, was not from an act of God or natural disaster or fickle shift of governmental policy.

The Air Force rescued Coloney despite concluding that the company had deliberately underbid on arms contracts.

What Coloney illuminates is how throughly Congress and the Pentagon insulate the defense industry from the normal rough-and-tumble risks of doing business.

From cradle to grave in the life of a weapon the nation's defense giants are coddled in ways only dreamed about by most commercial companies, ensuring that few defense contractors fail and adding a hidden surcharge to every military budget.

The Pentagon soothes its contractors through the birth pangs of a new weapon by picking up the tab for even unsolicited and unsuccessful proposals.

It consoles the bereaved arms maker at the death of a weapon with hefty "termination" fees.

And along the way, the government again and again trusts the defense industry to tell it what to buy and how much to pay.

Again and again, the government pays for contractor mistakes.

Again and again government underwrites industry's costs with what amount to interest-free loans.

Somebody said that the Pentagon runs the world's second-largest planned economy after the Kremlin," said defense analyst Wolfgang Demisch. "I think that's a little harsh, but there's something to it."

This article is the first in an occasional series that will look at this and other aspects of the peculiar institution that President Dwight D. Eisenhower darkly dubbed the military-industrial complex" and that

President Reagan prefers to call "the arsenal of democracy."

Among the features of that American arsenal:

At the midpoint of Reagan's eight-year, \$2.3 trillion defense buildup, the Pentagon is spending an average \$28 million every hour—24 hours a day, seven days a week.

In the time it takes to read this paragraph aloud, the United States will spend \$160,000 for defense.

The defense industry is racking up record profits, with many multinational corporations finding their military business two or three times more rewarding than commercial sales.

The top 13 contractors last year had combined sales, military and commercial, of more than \$122 billion.

Few of the country's defense giants have paid any federal income taxes in the past three years.

General Dynamics Corp., the nation's largest defense contractor, has paid no federal taxes since 1972. The Grumman Corp. is paying federal taxes this year for the first time since 1976.

Because profits paradoxically increase as costs rise, in many cases there is no incentive for contractors to save taxpayers' money.

As Sen. William Proxmire (D-Wis.) put it. "The higher the cost, the higher the profit. It's all perfectly legal in the topsy-turvy world of defense contracting."

The industry has more than its share of patriots who have performed technological wonders in advancing the state of weaponry for American soldiers and sailors.

But persistent revelations of exorbitantly priced coffee pots, shoddy missiles and taxpayer subsidies for executives' high-rolling life styles also provoke questions about whether the industry has exploited—and thus undermined—the national consensus to rearm America.

The arsenal of democracy includes 20,000 prime contractors and 150,000 subcontractors and vendors. They labor under 154 accounting systems used by the Pentagon, as well as purchasing rules that fill more than 7,500 pages—five times the length of Leo Tolstoy's "War and Peace."

Some inkling of the torrent of paper involved can be gleaned from Lockheed Corp.'s recently submitted proposal to build a new military transport jet. One copy of the plan weighed *three tons* and had to be delivered to the Air Force by cargo plane.

This year, the Defense Department will issue 15 million contracts for purchases of everything from socks to submarines, all supervised by 54,000 officials who do the Pentagon's shopping.

"Without question, it's the biggest thing that afflicts us . . . the vastness of this bureaucracy," said Navy Secretary John F. Lehman Jr., one of the most aggressive Pentagon advocates for competition and curbs on costs.

"Nobody really realizes how big this building is and how complex it has become," Lehman said. "It's really like an ant on an elephant's knee trying to describe it."

"The problem just gets worse and worse and worse every year. Unfortunately, what it creates is the ideal environment for monopoly relationships."

Or, as former Deputy Defense Secretary David Packard put it in 1970, "Frankly, gentleman, in defense procurement we have a real mess on our hands."

### THE ARMS BAZAAR

Before World War II, there was no defense industry as we know it today.

Weapons were simple enough that, with few exceptions, government arsenals could mass-produce the requisite rifles, cannons and other tools of battle.

When warfare took to the skies, however, government arms makers were incapable of building the increasingly sophisticated warplanes, and the industry was born.

By 1958, only 10 percent of the nation's munitions were made in U.S. arsenals.

Since then, captains of the defense industry have proclaimed themselves paragons of free enterprise.

But the arms bazaar remains a business like no other, part regulated utility, part national asset, part reaper of subsidized profit.

Under a broad and bipartisan policy, the United States has chosen to nurture an elaborate defense industrial base, ready to respond should the nation again be plunged into global war.

It is that fundamental manifesto that causes the Pentagon to go to extraordinary lengths to nurture the defense industry in peacetime.

"Either overtly or subconsciously, we don't let them go out of business because of concern about the defense industrial base," Maj. Gen. Bernard L. Weiss, chief of Air Force contracting policy, said in an interview. "We can drive the industry to survival of the fittest, but then we'll have even more sole-source contracts and no industrial base."

"Who should say whether that industrial base is worth the cost?" Weiss added. "I think it is."

The Reagan administration took office determined to stop what it viewed as the erosion of the military's industrial underpinnings.

Administration policy, best articulated by former deputy defense Secretary Frank C. Carlucci, called for higher industry profits, lower risk and closer working ties between contractors and the Pentagon.

This attitude of partnership has leached much of the risk from the defense business, turning it into what author and Pentagon critic Gordon Adams calls "a funny form of capitalism."

In fact, industry and government often are so snugly intertwined that defense contractors help define the enemy threat, essentially creating their own market, and then design, build and test the weapons to meet that threat.

The Defense Nuclear Agency, for example, is responsible for doing much of the Pentagon's thinking about nuclear war.

When DNA wanted to think about "hardening" the electronics in U.S. weapons against the electromagnetic effects of an atomic explosion, it appointed a technical advisory group to study the issue.

Eleven of the 15 advisers, including the chairman and executive secretary, were defense contractors, according to a Defense inspector general's audit last fall.

Almost 90 percent of the millions of dollars subsequently spent on the program went to the same contractors who had recommended themselves for the jobs.

In fact, the Defense Department frequently relies on contractors for everything from pricing data to the inspection of the contractors' own construction projects.

Federal law, for example, gives the government the right to review contractors' financial records to verify cost and pricing information.

But Woodrow Murphy, the Pentagon's chief watchdog at Texas Instruments for three years, was so effectively barred from doing his job that "today I don't even know

where the accounting department is" at the company, according to the retired auditor's testimony to a Senate subcommittee last year.

A defense inspector general's audit team last year looked at 216 Pentagon contracts and found evidence of fraud in 10 percent of them, including 11 in which the contractor had refused to let the government look at the pertinent records.

And when the contractor is caught overcharging the Pentagon, cases may drag on for years. During an appeals process that can be glacial, the contractor gets free use of the taxpayers' money. And there are no penalties for the overcharge unless fraud is proved.

In April 1980, for example, Pentagon auditors found that General Dynamics had made a \$2 million error in the company's favor on a contract for F16 warplanes. The contractor quickly agreed that it had made a mistake—but managed to hold onto the money, interest free, for two years.

#### "FISH IN A BARREL"

Lee Iacocca, chairman of Chrysler Corp., likes to ask his suppliers who also peddle to the military whether there's easy money in defense contracting.

"They start chuckling and they look around to see if the office is bugged," Iacocca said in an interview. "And they say, 'It's like shooting fish in a barrel.'"

Defense executives believe they should be compensated for the trials of serving a single customer—the U.S. government—which can be fickle, meddlesome and capricious.

The government has been so sympathetic to that argument that it has assumed many of the companies' ordinary business costs.

In the commercial world, for instance, companies must dip into profits to pay for product development and sales. The Pentagon, on the other hand, last year gave its 100 largest contractors \$3 billion—over and above profits—for independent research and the cost of submitting proposals for new weapons.

In the commercial world, companies usually compete for business, with the losers coming away empty-handed. The Pentagon gives most of its dollars to monopoly or specially chosen producers, despite greater emphasis on competition under Defense Secretary Caspar W. Weinberger.

Even when the Pentagon orchestrates competition, the loser often wins. Two companies dueling for the Army's Hellfire missile business knew before the fight began that each would end up with at least 30 percent of the pot.

"You turn on two of the bull mooses," said Pentagon whistle blower A. Ernest Fitzgerald, "and you pay 'em both."

In the commercial world, a company snaring new business has to gear up with new tools and equipment. In the defense world, the Pentagon often antes up millions of dollars in special tooling that the contractor balks at buying.

In fact, contractors are given rent-free use of more than \$10 billion in factories and equipment bought by the government. M1 tanks, F16 fighters, C5 cargo planes and Stealth bombers all are being built by private companies in publicly owned factories.

Businesses in the commercial world may have to borrow money to buy supplies and pay salaries. But the Reagan administration, as one of its first initiatives, agreed to pay large defense contractors up to 100 percent of their costs every month, compared to 80 percent elsewhere in government.

Consequently, Lockheed was able to boast in its 1984 annual report that it has amassed nearly \$200 million in progress payments above actual costs.

In the commercial world, companies often have to pay expensive insurance premiums. They also may find themselves losing money to inflation. The Pentagon frequently insures its contractors—even against their own negligence—while picking up the tab for inflation, which in the defense business is assumed to run 30 percent higher than in the economy as a whole.

Finally, in the rare event that the Pentagon decides to kill a weapons program earlier than expected, generous "termination clauses" can cushion the contractor against any financial shock.

Thus, when the Army pulled out of a joint plan with the Marine Corps to buy light armored vehicles from General Motors of Canada, the Marines suddenly found themselves buying 758 vehicles instead of 586, paying \$20,000 more for each and, for good measure, tossing in a \$31 million surcharge, according to congressional testimony.

Defenders of the system contend that if eternal vigilance is the price of freedom, then this "funny form of capitalism" is the price of eternal vigilance. Critics responded that the system has bred precisely the military-industrial complex that Eisenhower fretted about a quarter century ago.

#### CONTRACT NOURISHMENT

It was known simply as Change Order No. 173, a bureaucratic sleight-of-hand that demonstrated just how understanding a customer the Pentagon can be.

The Air Force had agreed to pay Hughes Aircraft Co. \$230,000 apiece for 400 Maverick air-to-ground missiles.

But when Hughes ran into trouble developing the new weapon and threatened to bust its budget, the Air Force cut a new deal for only 290 missiles—at about \$500,000 apiece.

That modification, No. 173, was just one small example of a process known in the Pentagon as "contract nourishment."

It is a process that nurtured the Maverick's supposedly "fixed-price" contract from \$90 million to \$360 million in three years, thanks to almost 300 such change orders.

Over the decades, some large defense contractors have lost money. Others have been swallowed in mergers. But for the most part, the Defense Department has cushioned contractors from the impact of their slips and stumbles, at times even rewarding them for their own mistakes.

One emblem of Pentagon indulgence is the Extraordinary Contractual Relief Act, Public Law 85-804, which has allowed the government to bestow \$1.4 billion on troubled contractors since 1958, including the hapless Coloney Co. of Tallahassee.

This law, enacted to protect companies deemed "essential to the national defense," is dormant except in times of national emergency. But because President Harry S. Truman's declaration of emergency at the outbreak of the Korean war in 1950 never has been repealed, the law remains quite alive.

In 1982, for example, Gichner Mobile Systems of Old Forge, Pa., underbid two other firms to win a \$1.3 million contract to build "transportable shelters" for the Army.

Gichner then disclosed that it had bid too low after relying on an obsolete tax schedule. The mistake was "so obvious," the company argued, that the Army contracting officer should have saved the company from its own arithmetic. The Army agreed and handed out \$62,000.

Defenders of PL 85-804, such as Wayne H. Coloney, vice president of the Florida firm, contend that the government would have lost more money had his company been shut down.

"Obviously I'm biased, but it was a hell of a deal for the taxpayers," he said.

One of the law's most enthusiastic cheerleaders is an arcane legal journal called the Extraordinary Contractual Relief Reporter.

"The fact that a mismanaged company may occasionally benefit from its relief," the journal once said, "is insignificant when compared to the statute's ability to ensure that the government promptly obtains products and services essential to the national defense."

And in truth, most large contractors do not need PL 85-804. Instead, they rely on more informal methods of contract nourishment when things go sour.

As a result, some critics allege, companies that perform poorly earn as much or more than companies building first-rate weapons. "It's for a very simple reason," said Michael R. Burns, legislative liaison for Business Executives for National Security. "Industry gets paid to fix its mistakes. It's like consumers paying Ford for fixing exploding gas tanks in their Pintos."

Thus, the Air Force paid Lockheed Corp. \$1.5 billion to put new wings on its giant C5 airplanes after studies showed that the old wings—which Lockheed had built—were in danger of cracking. Lockheed blamed the government's original specifications for shortcomings in the C5 wings, a charge repeated by most contractors when problems emerge.

The government routinely pays for fixes on a smaller scale, too.

Pratt & Whitney built a jet fighter engine that didn't work as well as the Air Force had hoped. As a result, the Air Force paid Pratt & Whitney nearly half a billion dollars in a multiyear Component Improvement Program—aimed at "improving" the engine up to its original durability goal.

In 77 cases of shoddy construction work reviewed by Pentagon auditors in 1982, only once was the contractor forced to pay for his mistakes.

General Dynamics built a rapid-firing shipboard gun for the Navy that worked beautifully, when it worked. Unfortunately, it also leaked—no small setback for a shipboard weapon—and frequently broke down. It cost \$5 million to make the guns water-tight and \$9 million to make them more reliable. Taxpayers paid for both.

A Navy spokesman explained, "It's part of the evolutionary improvement process common to most weapons and weapon systems."

When Deputy Defense Secretary Carlucci took office in 1981, he endorsed the relatively radical idea that past performance should be considered in awarding future jobs as a way to stop rewarding contractors who fail.

Carlucci, who has worked for Sears World Trade Inc. since leaving the Pentagon two years ago, admits that the idea never left the ground.

"There's a lot of feeling in [the Defense Department] that that would turn into a blacklist, and there's something pejorative about that," he mused. "I still think there's something valuable in an institutional memory."

Even Pentagon attempts to hold contractors responsible by offering incentives sometimes beget additional risk-free profit.

A construction contract for a naval base on the tiny Indian Ocean island of Diego

Garcia, for example, allowed the contractor half of the maximum bonus even for work rejected by the Navy, the General Accounting Office found.

Despite a long litany of problems, the contractor pocketed \$4.9 million out of a possible \$6.8 million.

Pentagon officials argued that the \$1.9 million the contractor didn't collect demonstrated "clear, positive actions taken to emphasize to the contractor the need for an efficient, cost-effective construction process."

Similarly, the Army established a \$6 million award fee on a contract to engineer the Pershing II missile. By simply devising what was considered a good plan, the contractor qualified for three-quarters of the fee, while only one-quarter was tied to good performance.

"Breaking into the defense business is one of the most frustrating, time-consuming and difficult operations," Navy Secretary Lehman said. "But once you're in, you stay in."●

### LET'S HEAR IT FOR SMALL COLLEGES

HON. E. THOMAS COLEMAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1985

● Mr. COLEMAN of Missouri. Mr. Speaker, on March 18, 1985, the Washington Post included an editorial by Jonathan Yardley entitled "The Lesson To Be Found in Small Colleges." The editorial highlights some interesting points at a time when many small colleges find themselves at a paradox: A tradition of pride in producing an extraordinary education experience, tempered by rising educational costs that threaten their very existence.

Danger signals point to the strong possibility that many small colleges will be forced to close their doors over the next few years because they are not cost effective. I believe this is a potential disaster for American higher education.

I am the graduate of William Jewell College, a small, liberal art college in Liberty, MO. William Jewell College and other small colleges are important components in our strong, diverse system of higher education. I believe we must work to preserve and strengthen our small colleges.

I hope that my colleagues will take the opportunity to read this interesting viewpoint.

[From the Washington Post, Mar. 18, 1985]

#### THE LESSON TO BE FOUND IN SMALL COLLEGES

(By Jonathan Yardley)

In all the hullabaloo about higher education that of late has stirred up so much emotion, one detail seems to have gone largely unremarked. The principal subjects of discussion have been the country's large colleges and universities, especially those of the publicly supported variety that have expanded so extravagantly in the years since World War II. There has been, by contrast, relatively little discussion of the country's

small colleges, yet they have a good deal to say to us about the matters at hand.

This thought crossed my mind during the past couple of weeks as I spent some time, though hardly as much as I would have liked, at Albion College in Michigan and Mount St. Mary's College in Maryland. Both are private schools with enrollments of about 1,700; both were founded under church affiliation but no longer impose rigid religious requirements on their students; both charge tuition and fees that, though reasonable by comparison with the Ivy League, would be forbidding to many prospective students; both are located in attractive but rather rural and isolated settings.

Both, in other words, are atypical of the colleges and universities in which most American students find themselves, and no attempt will be made here to suggest that they provide, for most students, a realistic alternative to larger and less expensive institutions. But to the visitor who has been immersed in the problems of big-time higher education, they provide a refreshing and instructive contrast. Where the large schools seem more and more preoccupied with perpetuating the professoriate and its various support systems, the small ones actually seem to be concentrating on giving their students something that passes for an education.

In some, of not all, respects, the best thing about small colleges is that they are small. Low enrollments and tight budgets discourage, if not prohibit, the expansion of departments beyond the number of professors needed to teach the required and elective courses. What this means is that professors are expected to devote themselves to the classroom and its inhabitants rather than to the careerist projects through which reputations too often are made in the larger, ostensibly more prestigious institutions. It is neither simplification nor sentimentalization to say that at the small colleges more often than not the students come first.

Not only that, but they are offered an education that is stripped of much of the frivolity so widespread elsewhere. No doubt the small colleges have managed to come up with their full share of courses catering to either the laziness of students or the vanity of professors, but there simply is not room in them for the unchecked proliferation of academic busywork. Thus the English departments actually teach literature, and attempt to imbue in their students some appreciation for and understanding of it; at many of the big schools, by contrast, the English departments are turning into assembly lines for the manufacture of academic "critics" for few of whom, cruelly enough, there will be teaching jobs in academia—the only jobs for which they have been trained—since the professors who taught them have tenured the market all to themselves.

In the liberal arts, at least, the small colleges seem considerably more connected to the world's realities than are the large ones; there is little room in them for departments or programs that do not suit the actual needs of their students. At Mount St. Mary's, for example, there is a writing program, but it is hardly what anyone having an acquaintance with writing programs elsewhere would be led to expect. Yes, it is possible to write short stories and poetry at Mount St. Mary's and have them read by a member of the staff, but "creative writing" is not the program's preoccupation. Rather, it exists to train students in the clear expos-

itory writing that will almost certainly be expected of them in whatever careers they choose to pursue. No major in writing is offered; writing is viewed, as it should be, as a necessary corollary to a major in the arts and sciences, rather than an academic end in and of itself.

The small colleges simply aren't in the business of producing "critics" for whom there are no academic feather beds or "writers" who will go forever unpublished. If nothing else, economic realities force them to design—and constantly to redesign—curricula to which their students will respond positively. In small colleges, if student demand for a specific course or even a specific major withers away, then the course or major will be discontinued. This causes unpleasant disruptions, needless to say, and it has caused some legal action over the right of colleges to dismiss tenured professors, but it keeps the colleges on their toes.

This coming to terms with reality does have its pitfalls, chief among which is the temptation to offer trendy courses of study while abandoning traditional ones. Thus some of the small colleges have rushed eagerly into instruction in the use of computers and other technological marvels, perceiving this as a way to attract students. Such policies may prove, in the long run, penny-wise and pound-foolish. But there is little evidence that many of these schools are abandoning the core arts-and-sciences curriculum in order to suit the passing fancy; they seem committed to offering strong education, both basic and rounded, as their primary attraction.

They are not perfect, of course, and the admission had best be made: The principal trouble with small colleges is that, well, they are small. In the specific instances of Albion and Mount St. Mary's, campus life may well be full and free; but it is often the case that small colleges turn so obsessively inward that the atmosphere becomes positively incestuous. A small college is a very small world, and the tendency for it to become utterly preoccupied with itself is exceedingly difficult to resist. The results can be most disagreeable: bitter rivalries among the faculty that invariably descend from the professional to the personal, divisions within the student body among cliques and coteries of various persuasions, fierce resentment against administrators who must make the hard decisions the aforementioned economic realities dictate. Small may be beautiful, but it can be ugly as well.

That, though, is not the point; responsible people at small colleges are fully aware of their potential shortcomings, which is why, among other things, many teachers and administrators live a healthy distance from the campuses where they work. The point, rather, is that in some important respects the small colleges seem more connected with the real business of education than the larger ones, too many of which have gotten too big for their own—not to mention their students'—good. As the country tries to figure out what has gone wrong with higher education and how it can be fixed, the example these colleges set deserves closer attention than it has thus far gotten.●

#### SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate

committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Thursday, April 4, 1985, may be found in the Daily Digest of today's RECORD.

## MEETINGS SCHEDULED

## APRIL 5

9:30 a.m.

## Joint Economic

To hold hearings on the employment/unemployment situation for March.

SD-538

## APRIL 15

9:30 a.m.

## Agriculture, Nutrition, and Forestry

To resume hearings on S. 501 and S. 616, bills to expand export markets for U.S. agricultural commodities, provide price and income protection for farmers, assure consumers an abundance of food and fiber at reasonable prices, and continue low-income food assistance programs, focusing on commodity assistance for conservation programs.

SR-328A

1:30 p.m.

## Banking, Housing, and Urban Affairs

Housing and Urban Affairs Subcommittee  
To resume hearings on S. 667, authorizing funds for certain programs of the Department of Housing and Urban Development.

SD-538

2:00 p.m.

## Agriculture, Nutrition, and Forestry

To continue hearings on S. 501 and S. 616, bills to expand export markets for U.S. agricultural commodities, provide price and income protection for farmers, assure consumers an abundance of food and fiber at reasonable prices, and continue low-income food assistance programs, focusing on commodity assistance for research and extension programs.

SR-328A

## APRIL 16

9:30 a.m.

## Appropriations

Labor, Health and Human Services, Education, and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1986 for the Office of the Secretary of Education, Departmental Management (salaries and expenses), Office for Civil Rights,

## EXTENSIONS OF REMARKS

and Office of Inspector General, all of the Department of Education.

SD-116

Commerce, Science, and Transportation  
Science, Technology, and Space Subcommittee

To hold hearings on the effect of new technologies in industrial competitiveness.

SR-253

Rules and Administration

To hold hearings on Senate committee resolutions requesting funds for operating expenses for 1985.

SR-301

10:00 a.m.

## Appropriations

Defense Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1986 for certain defense programs, focusing on Navy shipbuilding and conversion.

SD-192

Appropriations

Transportation and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1986 for the Urban Mass Transportation Administration, Department of Transportation.

SD-138

Environment and Public Works

Environmental Pollution Subcommittee

To hold hearings on S. 725, authorizing funds for fiscal years 1986 through 1990 for programs of the Endangered Species Act.

SD-406

Governmental Affairs

Permanent Subcommittee on Investigations

To hold hearings on the status of the U.S. Government personnel security system.

SD-342

2:00 p.m.

## Appropriations

Interior and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1986 for the Bureau of Mines, Department of the Interior.

SD-138

## APRIL 17

9:30 a.m.

## Appropriations

Labor, Health and Human Services, Education, and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1986 for the Department of Education, including education for the handicapped, rehabilitation services and handicapped research, special institutions, including Howard University, bilingual education, and adult and vocational education programs.

SD-116

Appropriations

Commerce, Justice, State, the Judiciary, and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1986 for the Department of Justice, and the Equal Employment Opportunity Commission.

S-146, Capitol

April 3, 1985

Commerce, Science, and Transportation  
Science, Technology, and Space Subcommittee

To continue hearings on the effect of new technologies in industrial competitiveness.

SR-253

Finance

To hold hearings to review an administration report on prospective payment for skilled nursing facilities under the Medicare Program.

SD-215

Labor and Human Resources

To hold hearings on activities of the International Labor Organization.

SD-430

10:00 a.m.

## Appropriations

Treasury, Postal Service, and General Government Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1986 for the U.S. Customs Service, Department of the Treasury.

SD-124

Banking, Housing, and Urban Affairs

Securities Subcommittee

To hold hearings on proposed legislation authorizing funds for the Securities and Exchange Commission.

SD-538

Governmental Affairs

Permanent Subcommittee on Investigations

To continue hearings on the status of the U.S. Government personnel security system.

SD-342

1:00 p.m.

## Judiciary

Security and Terrorism Subcommittee

To resume hearings in closed session on proposed legislation authorizing funds for the Federal Bureau of Investigation, Department of Justice.

S-407, Capitol

## APRIL 18

9:30 a.m.

## Agriculture, Nutrition, and Forestry

To resume hearings on S. 501 and S. 616, bills to expand export markets for U.S. agricultural commodities, provide price and income protection for farmers, assure consumers an abundance of food and fiber at reasonable prices, and continue low-income food assistance programs, focusing on agribusiness.

SR-328A

Commerce, Science, and Transportation

Business meeting, to consider pending calendar business.

SR-253

10:00 a.m.

Environment and Public Works

Environmental Pollution Subcommittee

To resume hearings on S. 725, authorizing funds for fiscal years 1986 through 1990 for programs of the Endangered Species Act.

SD-406

Governmental Affairs

Permanent Subcommittee on Investigations

To continue hearings on the status of the U.S. Government personnel security system.

SD-342

2:00 p.m.  
 Appropriations  
 Interior and Related Agencies Subcommittee  
 To hold hearings on proposed budget estimates for fiscal year 1986 for the National Endowment for the Humanities, and the National Endowment for the Arts.

SD-138

APRIL 19

10:30 a.m.  
 Finance  
 Health Subcommittee  
 To hold oversight hearings of the Peer Review organizations.

SD-215

APRIL 23

9:30 a.m.  
 Appropriations  
 Labor, Health and Human Services, Education, and Related Agencies Subcommittee  
 To hold hearings on proposed budget estimates for fiscal year 1986 for the Department of Education, including elementary and secondary education, education block grants, impact aid, research and statistics, and libraries.

SD-116

Rules and Administration  
 To resume hearings on Senate committee resolutions requesting funds for operating expenses for 1985.

SR-301

10:00 a.m.  
 Appropriations  
 Interior and Related Agencies Subcommittee  
 To hold hearings on proposed budget estimates for fiscal year 1986 for the Forest Service, Department of Agriculture.

SD-138

2:00 a.m.  
 Appropriations  
 Treasury, Postal Service, and General Government Subcommittee  
 To hold hearings on proposed budget estimates for fiscal year 1986 for the Department of the Treasury, U.S. Postal Service, and General Government programs.

SD-138

Rules and Administration  
 To continue hearings on Senate committee resolutions requesting funds for operating expenses for 1985.

SR-301

APRIL 24

9:30 a.m.  
 Agriculture, Nutrition, and Forestry  
 To resume hearings on S. 501 and S. 616, bills to expand export markets for United States agricultural commodities, provide price and income protection for farmers, assure consumers an abundance of food and fiber at reasonable prices, and continue low-income food assistance programs, focusing on commodity assistance for rural credit programs.

SR-328A

Appropriations  
 Labor, Health and Human Services, Education, and Related Agencies Subcommittee  
 To hold hearings on proposed budget estimates for fiscal year 1986 for the Department of Education, including stu-

dent financial assistance, guaranteed student loans, higher and continuing education, higher education facilities loans and insurance, college housing loans, educational research and training.

SD-116

Appropriations  
 Commerce, Justice, State, the Judiciary, and Related Agencies Subcommittee  
 To hold hearings on proposed budget estimates for fiscal year 1986 for the Federal Bureau of Investigation, Department of Justice, the Legal Services Corporation, and the Securities and Exchange Commission.

S-146, Capitol

Commerce, Science, and Transportation  
 Consumer Subcommittee  
 To hold hearings on proposed legislation authorizing funds for the Federal Trade Commission.

SR-253

10:00 a.m.  
 Appropriations  
 HUD-Independent Agencies Subcommittee  
 To hold hearings on proposed budget estimates for fiscal year 1986 for the Federal Emergency Management Agency, and the Environmental Protection Agency.

SD-124

Appropriations  
 Transportation and Related Agencies Subcommittee  
 To hold hearings on proposed budget estimates for fiscal year 1986 for the U.S. Coast Guard, Department of Transportation.

SD-138

Commerce, Science, and Transportation  
 Merchant Marine Subcommittee  
 To hold hearings on the consolidation of certain trade routes.

SR-232

APRIL 25

9:30 a.m.  
 Agriculture, Nutrition, and Forestry  
 To continue hearings on S. 501 and S. 616, bills to expand export markets for United States agricultural commodities, provide price and income protection for farmers, assure consumers an abundance of food and fiber at reasonable prices, and continue low-income food assistance programs.

SR-328A

Appropriations  
 Labor, Health and Human Services, Education, and Related Agencies Subcommittee  
 To hold hearings on proposed budget estimates for fiscal year 1986 for ACTION (domestic programs), Corporation for Public Broadcasting, Mine Safety and Health Review Commission, National Commission on Libraries and Information Science, and National Council on the Handicapped.

SD-116

Commerce, Science, and Transportation  
 To hold hearings in conjunction with the National Ocean Policy Study on proposed legislation authorizing funds for the Fisheries Conservation and Management Act and fishery programs of the National Oceanic and Atmospheric Administration, Department of Commerce.

SR-253

10:00 a.m.  
 Appropriations  
 HUD-Independent Agencies Subcommittee  
 To hold hearing on proposed budget estimates for fiscal year 1986 for the Department of Housing and Urban Development.

SD-124

Appropriations  
 Energy and Water Development Subcommittee  
 To resume hearings on proposed budget estimates for fiscal year 1986 for energy and water development program, focusing on atomic energy defense activities.

SD-116

Appropriations  
 Treasury, Postal Service, and General Government Subcommittee  
 To hold hearings on proposed budget estimates for fiscal year 1986 for the Office of Management and Budget, including the Office of Federal Procurement Policy.

SD-138

\*Environment and Public Works  
 Environmental Pollution Subcommittee  
 Business meeting, to mark up S. 53 and S. 652, bills authorizing funds for programs of the Clean Water Act.

SD-406

10:30 a.m.  
 Rules and Administration  
 Business meeting, to consider Senate committee resolutions requesting funds for operating expenses for 1985.

SR-301

2:00 p.m.  
 \*Appropriations  
 Interior and Related Agencies Subcommittee  
 To hold hearings on proposed budget estimates for fiscal year 1986 for the National Capital Planning Commission, Office of Indian Education, and the Institute of Museum Services.

SD-138

APRIL 26

9:30 a.m.  
 Governmental Affairs  
 Civil Service, Post Office, and General Services Subcommittee  
 To hold hearings to review options for conducting a pay equity study of the Federal pay and classification systems.

SD-342

APRIL 29

9:30 a.m.  
 Commerce, Science, and Transportation  
 Surface Transportation Subcommittee  
 To hold hearings on proposed legislation authorizing funds for Amtrak.

SR-253

10:00 a.m.  
 Finance  
 Health Subcommittee  
 To hold hearings to review the health prevention/promotion for Medicare beneficiaries.

SD-215

APRIL 30

9:30 a.m.  
 Appropriations  
 Labor, Health and Human Services, Education, and Related Agencies Subcommittee  
 To hold hearings on proposed budget estimates for fiscal year 1986 for the Soldiers' and Airmen's Home, Prospec-

- tive Payment Commission, Railroad Retirement Board, National Labor relations Board, National Mediation Board, OSHA Review Commission, and the Federal Mediation and Conciliation Service.  
 SD-116
- Environment and Public Works**  
 To hold joint hearings with the Committee on Governmental Affairs' Subcommittee on Governmental Efficiency and the District of Columbia on global forecasting capability.  
 SD-342
- Governmental Affairs**  
 Governmental Efficiency and the District of Columbia Subcommittee  
 To hold joint hearings with the Committee on Environment and Public Works on global forecasting capability.  
 SD-342
- 10:00 a.m.**  
**Appropriations**  
**Interior and Related Agencies Subcommittee**  
 To hold hearings on proposed budget estimates for fiscal year 1986 for the Office of the Secretary and the Office of the Solicitor, Department of the Interior.  
 SD-138
- Appropriations**  
**Transportation and Related Agencies Subcommittee**  
 To hold hearings on proposed budget estimates for fiscal year 1986 for the Department of Transportation and related agencies.  
 SD-124
- MAY 1
- 9:00 a.m.**  
**Commerce, Science, and Transportation Communications Subcommittee**  
 To hold hearings on proposed legislation authorizing funds for the National Telecommunications and Information Administration.  
 SR-485
- 9:30 a.m.**  
**Appropriations**  
**Labor, Health and Human Services, Education, and Related Agencies Subcommittee**  
 To hold hearings on proposed budget estimates for fiscal year 1986 for the Departments of Labor, Health and Human Services, Education, and certain related agencies.  
 Room to be announced
- Appropriations**  
**Commerce, Justice, State, the Judiciary, and Related Agencies Subcommittee**  
 To hold hearings on proposed budget estimates for fiscal year 1986 for the Supreme Court of the United States, and the U.S. district courts.  
 S-146, Capitol
- Commerce, Science, and Transportation Consumer Subcommittee**  
 To hold hearings on proposed legislation authorizing funds for the Consumer Product Safety Commission.  
 SR-253
- 10:00 a.m.**  
**Appropriations**  
**HUD-Independent Agencies Subcommittee**  
 To hold hearings on proposed budget estimates for fiscal year 1986 for the Department of Housing and Urban Development and certain independent agencies.  
 SD-124
- Appropriations**  
**Transportation and Related Agencies Subcommittee**  
 To hold hearings on proposed budget estimates for fiscal year 1986 for the Department of Transportation and related agencies.  
 SD-138
- 2:00 p.m.**  
**Appropriations**  
**Treasury, Postal Service, and General Government Subcommittee**  
 To hold hearings on proposed budget estimates for fiscal year 1986 for the General Services Administration.  
 SD-138
- MAY 2
- 9:30 a.m.**  
**Appropriations**  
**Labor, Health and Human Services, Education, and Related Agencies Subcommittee**  
 To hold hearings on proposed budget estimates for fiscal year 1986 for the Departments of Labor, Health and Human Services, Education, and certain related agencies.  
 SD-116
- 10:00 a.m.**  
**Appropriations**  
**HUD-Independent Agencies Subcommittee**  
 To hold hearings on proposed budget estimates for fiscal year 1986 for the Department of Housing and Urban Development and certain independent agencies.  
 SD-124
- Labor and Human Resources**  
**Children, Family, Drugs, and Alcoholism Subcommittee**  
 To hold hearings on S. 140, Children's Justice Act.  
 SD-430
- 2:00 p.m.**  
**Appropriations**  
**Interior and Related Agencies Subcommittee**  
 To hold hearings on proposed budget estimates for fiscal year 1986 for territorial affairs, Department of the Interior.  
 SD-138
- MAY 3
- 10:00 a.m.**  
**Commerce, Science, and Transportation**  
 To hold hearings in conjunction with the National Ocean Policy Study on proposed legislation authorizing funds for the Coastal Zone Management Act and ocean programs of the National Oceanic and Atmospheric Administration, Department of Commerce.  
 SR-253
- MAY 6
- 9:30 a.m.**  
**Commerce, Science, and Transportation Surface Transportation Subcommittee**  
 To hold hearings on proposed legislation authorizing funds for rail safety programs of the Department of Transportation.  
 SR-253
- MAY 7
- 9:30 a.m.**  
**Appropriations**  
**Labor, Health and Human Services, Education, and Related Agencies Subcommittee**  
 To hold hearings on proposed budget estimates for fiscal year 1986 for the De-
- partments of Labor, Health and Human Services, Education, and certain related agencies.  
 SD-116
- 10:00 a.m.**  
**Environment and Public Works**  
 Business meeting, to consider pending calendar business.  
 SD-406
- 2:00 p.m.**  
**\*Appropriations**  
**Interior and Related Agencies Subcommittee**  
 To hold hearings on proposed budget estimates for fiscal year 1986 for the Indian Health Service, Department of Health and Human Services.  
 SD-138
- MAY 8
- 9:30 a.m.**  
**Appropriations**  
**Labor, Health and Human Services, Education, and Related Agencies Subcommittee**  
 To hold hearings on proposed budget estimates for fiscal year 1986 for the Departments of Labor, Health and Human Services, Education, and certain related agencies.  
 SD-116
- MAY 9
- 9:30 a.m.**  
**Appropriations**  
**Labor, Health and Human Services, Education, and Related Agencies Subcommittee**  
 To hold hearings on proposed budget estimates for fiscal year 1986 for the Departments of Labor, Health and Human Services, Education, and certain related agencies.  
 SD-116
- 10:00 a.m.**  
**Environment and Public Works**  
 Business meeting, to consider pending calendar business.  
 SD-406
- 2:00 p.m.**  
**Appropriations**  
**Interior and Related Agencies Subcommittee**  
 To hold hearings on proposed budget estimates for fiscal year 1986 for the Bureau of Land Management (including the land and water conservation fund), Department of the Interior.  
 SD-138
- MAY 14
- 9:30 a.m.**  
**Appropriations**  
**Labor, Health and Human Services, Education, and Related Agencies Subcommittee**  
 To hold hearings on proposed budget estimates for fiscal year 1986 for the Departments of Labor, Health and Human Services, Education, and certain related agencies.  
 SD-116
- 10:00 a.m.**  
**Appropriations**  
**Interior and Related Agencies Subcommittee**  
 To hold hearings on proposed budget estimates for fiscal year 1986 for the Energy Information Administration, and the Economic Regulatory Administration, Department of Energy.  
 SD-138

April 3, 1985

Governmental Affairs  
Intergovernmental Relations Subcommittee  
To resume hearings on S. 483, to ensure that the Federal Government assume the full cost of legislating and regulating Federal purposes and mandates.  
SD-342

MAY 15

9:30 a.m.  
Appropriations  
Labor, Health and Human Services, Education, and Related Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1986 for the Departments of Labor, Health and Human Services, Education, and related agencies.  
SD-116

MAY 16

9:30 a.m.  
Commerce, Science, and Transportation  
Business meeting, to consider pending calendar business.  
SR-253

## EXTENSIONS OF REMARKS

10:00 a.m.  
Appropriations  
Interior and Related Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1986 for fossil energy.  
SD-138

MAY 21

10:00 a.m.  
Appropriations  
Interior and Related Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1986 for the Holocaust Memorial Council, Minerals Management Service, Department of the Interior.  
SD-138

MAY 22  
2:00 p.m.  
\*Appropriations  
Interior and Related Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1986 for Naval Petroleum Reserves, and fossil energy.  
SD-138

OCTOBER 1

11:00 a.m.  
Veterans' Affairs  
To hold hearings to review the legislative priorities of the American Legion.  
SD-106

## CANCELLATIONS

APRIL 4

9:30 a.m.  
Veterans' Affairs  
To hold hearings on S. 6, to clarify and improve certain health-care programs and services provided and administered by the Veterans' Administration, and related proposals.  
SR-418

7573