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CANCER-BASED EMPLOYMENT DISCRIMINATION: THE FIGHT CONTINUES

KOSTMAYER, Mr. LIGHTFOOT, Mr. LEACH

#### HON. MARIO BIAGGI

OF NEW YORK IN THE HOUSE OF REPRESENTATIVES Tuesday, October 7, 1986

Mr. BIAGGI. Mr. Speaker, both the House and Senate recently passed a resolution I authored condemning employment discrimination against persons on the basis of cancer history and urging that these Americans receive fair and equal treatment in our Nation's workplace. For the first time in Congress, the rights of this very special constituency were addressed. I wish to commend my colleagues for recognizing that this terrible injustice exists, but even more importantly, for stating that this violation of rights just not be allowed to continue.

This resolution was an important first step in the fight to outlaw this employment discrimination. I urge my colleagues to grant equal rights, privileges, and opportunities to all cancer survivors—both in the workplace and society as well. These courageous conquerors deserve equal protection under the law.

For the benefit of my colleagues, I am submitting an article for the RECORD regarding this employment discrimination. The article recently appeared in the Herald Statesman. It is just one of hundreds of such articles published around the country on this issue. It is my hope that this media attention, coupled with the passage of the cancer rights resolution, will help increase public awareness and understanding of cancer, and ultimately, the employability of cancer survivors.

CANCER PATIENTS: MANY BATTLE JOB DISCRIMINATION, TOO (By Matthew J. Doherty)

Willis Walker lost his right leg to cancer at age 16. The 32-year-old Riverdale resident eventually went on to a successful career in publishing and is now director of the Technical Books Club division of Simon & Schuster. He is lucky.

Unlike Walker, many people survive cancer only to face job discrimination be-cause of their illness, according to experts who met in Tarrytown on Thursday to discuss employability and cancer. The conference was sponsored by the Westchester Division of the American Cancer Society.

Some people get passed up for promotions because their employers fear cancer will recur, several speakers said. Others lose their jobs after becoming sick. And in fewer cases, healthy job applicants with a cancer history are not hired because of their prior illness.

About 25 percent of all cancer survivors experience some kind of job discrimination, said Barbara Hoffman, a lawyer with the Foundation for Dignity, a nonprofit organization based in Philadelphia that represents the disabled in discrimination and civil rights cases.

"Employers have to be educated about cancer so they don't fall prey to the myths, or they're going to lose good people," she said during a luncheon address to about 40 people.

Hoffman listed the most common myths about cancer.

Cancer is a "death sentence."

Cancer is "contagious."
Workers afflicted with cancer are "unproductive.

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As the number of people recovering from cancer grows because of medical advances, the number of discrimination cases will surge too, she predicted.

Earlier, several panelists agreed that hiring or firing based on an employee's cancer history is illegal and not smart busi-

"If the person is able to do the job, they ought to be given a fair opportunity to be hired, employed and treated like anybody else," said Dr. Robert McKenna, past president of the American Cancer Society and clinical professor of surgery at the University of Southern California.

McKenna, who recounted several cases where employees lost their jobs after winning their personal battles with cancer, said other workers are "pigeonholed" and passed over for promotion because employers fear cancer will return.

"I could go on and on with cases," he said, noting that the government-and Armed Services in particular, are the biggest offenders. People in the military who have had cancer are "discharged routinely," he claimed.

Douglas White, New York State Commissioner of Human Rights, said cancer victims who suffer employment discrimination have recourse under a state law protecting the rights of the disabled. "The burden is on the employer to prove that the disability will prevent them from doing the job," he said.

He urged people who feel they have been discriminated against to contact the state. "The New York state Division of Human Rights is committed to making sure cancer patients \* \* \* are given a fair chance," he said.

He cited the case of a woman who had been fired from her job after going through extended chemotherapy. After a complaint brought against her employer, she was awarded \$5,000 and restored to her job.

Hoffman helped draft an unsuccessful proposal by Rep. Mario Biaggi which would have amended the Civil Rights Act of 1964 to prohibit job discrimination against people with a history of cancer. She said people are protected to some degree in 47 states under laws designed to safeguard the rights of the disabled.

The downside of that, she noted is that cancer patients come under the umbrella of the disabled. "Is cancer a handicap?" she asked. Most of the panelists made it clear they believe it is not.

Walker certainly doesn't think cancer has held him back. If anything, he said, it has made him appreciate life-and his job-a lot more. "If you've gone through chemotherapy, a common cold doesn't keep you out of work," he said AMARINA THE APPLICATION OF THE AMERICA AMERICA

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RAMIFICATION OF AN IRANIAN SUCCESS IN SOUTHERN IRAQ

### HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 7, 1986

Mr. RICHARDSON. Mr. Speaker, I want to take this opportunity to bring to the attention of my colleagues an article appraising the current phase of the Iran-Iraq war. The article was written by David Mangan, Jr., and Charles Waterman, international business consultants. associated with Casey & Co., a Washingtonbased consulting firm. Mangan is a former Foreign Service officer specializing in the Mideast and Southeast Asia. Waterman is a former U.S. Government official specializing in the Mideast. I believe that this article is of great interest and would like to share it with my colleagues.

Since the Lebanon debacle, American foreign policy in the Middle East has supported a "back-burner" low-key approach to the area. This fall's widely predicted Iranian offensive on the Iraq trenches might change all that by forcing the United States to confront the potential for serious dislocations regarding its largest national interest in the area-control of the Gulf and its vital oil supplies.

The Iran-Iraq war's six years of carnage appears headed for a crescendo as the Iranians prepare for a gigantic push, which could conceivably result in the partial collapse of an exhausted Iraqi army. The success this spring of the Iranian offensive which took and held Iraq's Fao Peninsula, despite re-peated Iraqi counterattacks, signaled to many observers that the Iranians had finally succeeded in integrating their religious militia (Pasdaran) with the reformed remnants of the Shah's regular armed forces. If this integration is complete, some experts predict that populous Iran (40-million) will in time overwhelm the well-equipped, technologically superior, but lackluster Iraqi army. Iraq has a population of 14-million, and its 1-million-man army is a great strain on its resources

The object of this analysis is not to predict the likelihood of Iranian military success-a hotly debated issue on which no expert consensus exists-but rather to examine the political ramifications of an Iranian breakthrough in southern Iraq, including the ultimate capture of Basrah.

#### BLOW TO UNITED STATES

Barring the unlikely event of outside intervention on behalf of Iraq, a successful Iranian offensive in this sector would immediately produce a number of regional repercussions, none of which would advance America's overall foreign policy interests.

Within days of such an event, several preliminary tactical and strategic changes

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor. Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor. would be likely to ensue. First of all, the underpinnings of the increasingly pragmatic Iraqi regime of President Saddam Hüssein would be shaken. Inside the Ba'ath Party, splits would occur and pressure mount from various stripes of dissident party officials and army elements for Saddam's removal. If the President were ousted by a pro-Soviet clique—the most likely initial political repercussion—Iraq would halt its flirtation with the U.S. Greater Soviet military involvement and political influence would predictably follow.

An Iranian victory of this scope would summon up strong regional military support to Baghdad from Jordan and Egypt, which have more than half-a-million expatriates in Iraq. More ambivalent would be the Saudi response, whose military participation, if any, would be in the form of air support. Egypt has already signaled its intention to weigh in militarily in the face of an Iranian breakthrough. If Iranian forces maul the contingents of these various states, political discontent could be a collateral result in those countries. Grosso mode, the effect of a successful assault by Iran would be to intensify confrontation between secular Pan-Arab forces and Islamic militants throughout the area.

The first tremors of a successful Iranian onslaught would shake the oil-rich Arab sheikkdoms of the Gulf, inciting Shi'ite and ethnic Iranian minorities to assert their political rights and perhaps forcing the Gulf Cooperation Council (GCC), now dominated by Saudi Arabia, to accommodate to Iranian policies. Most immediately affected would be Kuwait and those portions of the UAE with large Shi'ite populations.

The GCC would predictably split further over whether to call for Western naval intervention against shipping to and from Iran. A compromise might be reached by requesting convoying and protection of petroleum traffic to and from the Arab states of the Gulf, excluding Iraq. More remote, but still conceivable, would be discreet Arab urging of a Western blockade of Iranian-bound oil traffic at the Strait of Hormuz.

Arab pressures for Western military aid to Iraq would intensify as long as Saddam remained in power—perhaps in the form of intelligence and sales of sophisticated military equipment. Less likely, but possible, would be Arab requests for collaborative logistical assistance from the United States and France. Geopolitics makes strange bedfellows: the United States, French and Soviets incline toward the Iraqis, at least for military assistance, whereas the British, Germans, China and Israel have at various times maintained supply relationships with Iran. How all this would sort out in a showdown is what keeps foreign policy analysts in business. Suffice it to say that military sales to either Iran or Iraq more often represent cash-and-carry business than ideological commitment.

Up to now, we have only considered the first phase of an Iranian breakthrough, and hypothesized how the various players would react if Iran's advance were tentative and its reversal still remotely possible. We will now examine the impact of a more robust Iranian success, and consolidation of an irreversible grip on southern Iraq.

In this case, the loyalty of southern Iraqi Shi'ites, comprising the bulk of the population as well as Iraq's lower-level army echelons, would become questionable. Despite strenous efforts at proselytization, the subversive Da'wa Shi'ite movement in southern Iraq has not been able to overcome the Iraqi

Arab identification of the south Iraq population. Iraqi Shi'ite troops have, almost without exception, proven loyal. There have been few incidents of subversion in Iraqi Shi'ite areas. However, if Iranian troops overrun the southern territories, the Shi'ite population would for the first time have an option for defection without retaliation, and their latent religious loyalty might overcome their Arab Iraqi identification.

If the Iranian breakthrough solidifies into a long-term occupation, the likelihood of Saddam Hussein's ouster would increase geometrically. We would estimate the probable initial political complexion of such an upheaval would be pro-Soviet, as neither pro-Western moderates nor pro-Iranian. Shi'ites would be likely to have the highly placed clandestine organization in Baghdad to mount a coup at the stage under consideration.

Fundamental incompatibilities between Iran's religious extremists and a more ideologically dogmatic leftist government than that of Saddam Hussein, would almost certainly ensure continued bloody conflict, fissures developing in the Iraqi military, and heightened Iranian insistence on up to \$40-billion in war reparations from Iraq and its backers. The prospect of civil discord in Iraq would increase dramatically in a pro-Soviet junta scenario, with Iraq's Shi'ites and perhaps even some Sunni religious groups resisting secular political control.

Indeed, an Iranian military occupation of the south would result in a small, hard-pressed Sunni secular state in the north, deprived of Iraq's major southern oilfields. Access to the new oil pipeline through Saudi Arabia terminating at the Red Sea port of Yanbu would also be lost. Its only outlets to the sea would be through the friendly neighboring states of Jordan, Turkey, and northeast extremities of Saudi Arabia. The shelf-life of such a regime, wracked as it would be by internal dissension, may well be short.

As the long-term nature of Iran's stranglehold on Iraq's south became increasingly obvious, a new set of consequences ensue. The Iranians would doubtless impose a Rhineland-style occupation on Iraq's southern petroleum-producing areas until reparations were paid. Unless the American and Soviet superpowers decided to cooperate on intervention-a most unlikely scenario indeed-Iran would assert increasing political and military hegemony over the Gulf and the Arabian peninsula. The Saudis would be forced to comply with Iranian de-mands for reparations, with the threat of outside military invasion and domestic subversion both looming. Washington's "special" relationship" with Saudi Arabia would diminish almost to the vanishing point, due to Riyadh's adoption of neutralist policies less susceptible to Iranian populist exploitation.

In the event of such a convincing Iranian military ascendancy, inevitably inspiring the political turmoil in Baghdad described previously, the position of Syria would become pivotal. As a matter of balance-of-power politics, Syria's President Hafoz al-Assad would have an interesting strategic choice. He could attempt to cut a deal with Iran, perhaps suggesting partition of Iraq into a Syrian-influenced Sunni northern area, and a southern Shi'ite region under continued Iranian control. Bear in mind that the Syrian Ba'athist constitution calls for Syrian incorporation of Iraq, along with other territorial ambitions. Also included in a deal might be Syrian economic domination of the Kirkuk-Mosul oilfields, with their

pipeline through Syria to Latakia already in place. (This pipeline has been shut down since the war broke out.)

Another very real option would be active Syrian opposition to a powerful Iran ensconced on its eastern borders—which could end up a serious military threat to Damascus. The continued cooperation of a leftist secular Syrian regime with an extreme nationalist Iranian theocracy appears highly unlikely under the conditions hypothesized herein, unless both Khomeini and Assad show uncharacteristic willingness to compromise over division of the spoils. Indeed, Assad might attempt to preempt any prospect of Iranian hegemony over the Fertile Crescent by embracing a pro-Soviet successor leftist regime to Saddam Hussein in Baghdad, should it appear.

The consequences of an Iranian military takeover of southern Iraq would not be confined to Mesopotamia. Flushed with success, Ayatollah Khomeini would be encouraged to pursue fundamentalist revolutionary activities in other susceptible areas. Even a sound partial defeat of Iraq—at one time the leading secular Arab government—would vindicate radical Islamic policies. Not only revolutionary Shi'ite enclaves in the Persian Gulf and Lebanon, but Sunni fundamentalists in Egypt, Tunisia, and elsewhere would be buoyed. Indeed, the victory of an Islamic regime would have ripple effects not only in the Arab world, but throughout the Muslim world as far afield as Africa and Soviet Asia. The failure of modern secular movements would stand in stark contrast.

### DOMINATION OF OPEC

Perhaps more immediately unsettling to the West than a reinvigorated Islamic resurgence would be Iran's economic gains. With its troops perched on the borders of Saudi Arabia and Kuwait, Tehran would have the power to influence petroleum policies in most Arab oil-producing states decisively. Iranian bullying in matters of pricing and production would become the order of the day, with political agitation or even naked military threats the punishment for non-compliance. Iran and its radical allies would dominate OPEC, gradually forcing prices higher, and Iran's own production would soar relative to the weakened oil-rich peninsular Arab states-particularly Saudi Arabia. And the Iranian appetite for repara-tions would siphon off a large portion of peninsular Arab revenues, elevating the Iranian economy and military machine to a status of regional domination.

Another little-noticed side effect would be to agitate the Kurdish independence movement. Over 10-million Kurds, whose Pesh Merga insurgency has been active for decades in Turkey, Iran, and Iraq, would predictably increase their activity in the wake of a convincing Iranian advance in southern Iraq (ON 9/11). They would initially be inclined to seize upon Iraq's weakness and reassert their autonomy within that country's borders. At a later stage, perhaps supported by Moscow and Damascus, they could also make life difficult for a victorious Iran as well as Turkey. Although such efforts would almost certainly be doomed, the Kurds are another wild card in the deck of imponderables affected by the Iran-Iraq situation.

The foregoing analysis indicates that an Iranian military breakthrough in Iraq's South would likely end the current World War I style stalemate between Iran and Iraq and, at the very least, force Iraq and its

#### EXTENSIONS OF REMARKS

allies to react rapidly to the new situation. What is apparent is that an Iraq loss of its southern areas would have drastic regional repercussions. The realignments of power accompanying such an event could be profound-and intensify as Iranian influence

increasingly affects Baghdad itself.

From a viewpont of American interests, the United States pledge by both Presidents Carter and Reagan to defend Saudi Arabia and the Gulf oil jugular would be sorely tested. Neutralization of Saudi Arabia, hostile control of oil policies, and estrangement of other Arab states as outlined above would diminish further American influence in the area. Concomitantly, Soviet political influence and military presence could well increase in certain specific areas. In the final analysis, unless Western intervention pulls a deus ex machina, an Iranian military success in Iraq would result in a major foreign policy setback for the Unites States graver than the Lebanon debacle by far.

Mr. Speaker, I thank my colleagues for their attention to this fine appraisal of the Iran-Iraq war, and hope that they found it to be informative and through provoking.

WILLARD SCOTT: HONORARY CONGRESSIONAL AWARD

### HON. FRANK R. WOLF

YOUTH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 7, 1986

Mr. WOLF. Mr. Speaker, I rise today to recognize a true example of a volunteer who spends many hours of his time helping people-this time, the young people of our country. On September 26, Willard Scott volunteered his time to be the master of ceremonies for the Congressional Award Program and the premiere of the movie, "Dreams of Gold," at the Kennedy Center, in an effort to enhance recognition of the Congressional Award.

Established by Public Law 96-114 in 1979, the Congressional Award is the only award the U.S. Congress bestows on America's young people in recognition of personal achievement and commitment to public serv-

Normally, under the award program, young people ages 14 through 23 have an opportunity to earn special recognition. But for his unselfish service to this program and to the youth of our Nation, it was a great honor to present an Honorary Congressional Youth Award Gold Medal to Willard Scott, longtime Washington media personality and now NBC "Today Show" weatherman and roving ambassador of good will. He set an example for our young people by sharing his time and talents through volunteer activities.

We all thank Willard Scott for his continued support and encouragement to our young people to pursue their "Dreams of Gold." INSIST ON SOVIET COMPLIANCE WITH GRAIN AGREEMENT

### HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 7, 1986

Mr. OBERSTAR. Mr. Speaker, last Friday I sent a letter to the President, signed by 27 of our colleagues and 10 Senators, urging him to press the Soviet Union to live up to its agreement to buy American grain, when he meets with General Secretary Gorbachev in Reykjavik, Iceland. Today I am introducing a resolution carrying out the intent of our letter. The text of our letter to President Reagan on Soviet grain purchases follows:

> CONGRESS OF THE UNITED STATES, Washington, DC, October 3, 1986.

The PRESIDENT, The White House,

Washington, DC.

DEAR MR. PRESIDENT: We are writing to urge that at your meeting with General Secretary Gorbachev in Reykjavik, Iceland, you press the Soviet Union to live up to its agreement to buy U.S. grain. For the past two years, the Soviet Union has reneged on its promise to purchase between 9 to 12 million metric tons of grain from the United States annually, including a mimimum of four million metric tons of wheat. In FY 1986, they purchased less than 4% of the wheat they promised to buy. Your recent effort to subsidize Soviet

grain purchases was inadequate, and therefore was a complete failure. Instead of purchasing American grain, the Soviets last week bought a million metric tons of wheat from the French, and vesterday they signed a new agreement to purchase a minimum of five million tons of grain annually from Canada-beginning this year. Meanwhile, the American farm economy is in shambles as millions of tons of grain that the Soviets promised to buy under terms of the agree-ment you negotiated in 1983 rots in our

Mr. President, we believe it is time for you to exhibit the same degree of concern over the Soviets' clear failure to live up to the terms of your grain agreement with them as you do over alleged violations of arms control agreements.

During your administration, American farmers—the most efficient and productive in the world-have watched farm exports drop 40 percent, from \$44 billion in FY 1981 to \$27 billion in FY 1986. Moreover, in May, June, and July of this year, the United States—for the first time in 27 years—imported more farm products than it exported. Pressing the Soviets to live up to their promise to buy American grain can be an important first step in restoring our farm exports, and will provide a much needed boost for hard-pressed American farmers.

Respectfully,

Representatives Bill Alexander (Ark.), Tony Coelho (Calif.), Richard H. Stallings (Idaho), Terry L. Bruce (Ill.), Richard J. Durbin (Ill.), Kenneth J. Gray (Ill.), Lane Evans (Ill.), Frank McCloskey (Ind.), Berkley Bedell (Iowa), Dan Glickman (Kans.), Jim Slattery (Kans.), John Breaux (La.), James L. Oberstar (Minn.), and Timothy J. Penny (Minn.).

Ike Skelton (Mo.), Harold L. Volkmer (Mo.), Pat Williams (Mont.), Byron L. Dorgan (N.D.), Glenn English (Okla.),

James R. Jones (Okla.), Wes Watkins (Okla.), Mike Synar (Okla.), Dave McCurdy (Okla.), Thomas A. Daschle (Okla.), E de la Garza (Texas), Charles W. Stenholm (Texas), Thomas S. Foley (Wash.), and David R. Obey (Wisc.).

Senators David Pryor (Ark.), Paul (Ill.), Tom Harkin (Iowa), s F. Eagleton (Mo.), Max Simon Thomas F. Baucus (Mont.), John Melcher (Mont.), Quentin N. Burdick (N.D.), J. James Exon (Nebr.), Edward Zorinsky (Nebr.), and David L. Boren (Okla.).

#### INTRODUCING STATE NUCLEAR SAFETY PARTICIPATION ACT

### HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 7, 1986

Mr. MARKEY. Mr. Speaker, I am today introducing legislation that will extend to the Governors of the States certain stipulated authority regarding the regulation of the safety of nuclear powerplants. This bill will permit Gov-ernors to veto the licensing of new nuclear powerplants when they find that the operation of such plants is contrary to the interests of their State. The bill also would prohibit licensing unless a Governor certifies that State and local emergency plans have been tested, approved, and are ready for implementation.

The American people elect their Governors, who are regularly accountable to them. It's time we let those Governors participate in the regulation of nuclear safety, instead of leaving it all up to the five appointees at the Nuclear Regulatory Commission [NRC] in Washington. The NRC has never permanently denied a license to any nuclear plant regardless of how serious the problems may be. The Governors should have some recourse from this excessively laissez faire attitude toward the regula-

tion of nuclear safety.

The Nation's Governors have the traditional responsibility for protecting the health and safety of their citizens. There's no reason why they should be excluded from participating in the regulation of nuclear safety, especially in light of the threat of nuclear accidents like Chernobyl. Governors should be permitted to veto a plant's operation if they judge the dangers too great.

Under the bill, the NRC would have to notify a Governor of its intent to license a nuclear plant 60 days before issuing a license. Governors could veto the plant's license if they found that "the operation of any such facility would be contrary to the best interests of

such State."

Similarly, the NRC couldn't issue an operating license unless the Governor of every State within 10 miles of the facility certifies to the Commission in writing that emergency plans have been approved, tested, and are ready to be implemented.

The bill would also permit States to set and enforce radiation protection standards for nuclear facilities as long as those standards ere at least as stringent as those set by the Federal Government.

#### EXTENSIONS OF REMARKS

It's time for the so-called new federalism to include the regulation of nuclear safety. If a Governor finds that emergency planning for a nuclear accident is impossible or impracticable, as Governor Cuomo has found for the Shoreham Nuclear Plant in New York and Governor Dukakis has found in Massachusetts for the nearby Seabrook Plant, then the Nuclear Regulatory Commission could not license such a plant.

This legislation reflects the concerns of many of the Nation's Governors, as reflected in a recent resolution put forth within the National Governor's Association. That resolution explicitly advocated extending to the Governor's certain rights and responsibilities regarding the regulation of the safety of nuclear facilities within their States. This bill addresses those concerns directly by providing an initial vehicle to accomplish those objectives.

We are building a congressional consensus around this legislation now so that it will gain momentum for passage next year. I intend to focus attention on this legislation during upcoming hearings.

#### JAZZ IS AN AMERICAN TREASURE

### HON. JAMES M. JEFFORDS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES Tuesday, October 7, 1986

Mr. JEFFORDS. Mr. Speaker, as vice chairman of the Congressional Arts Caucus, I am pleased to join today as a cosponsor of House Concurrent Resolution 396, designating jazz as an American national treasure.

As is noted in the preamble of the resolution, jazz is indeed a uniquely American art form. Though ultimately its origins lie in the tribal chants and rhythms of Africa, the first manifestations of jazz appeared in ragtime at the turn of the century and Dixieland in the early 20 century. As a serious art form, jazz really began with the Louis Armstrong groups in the late twenties. Since that time, virtually every major influence in the music has been provided by native Americans (Duke Ellington, Count Basie, Charlie Parker, Miles Davis, The-Ionious Monk, John Coltrane, Ornette Coleman, and so forth). Moreover, with some European and South American exceptions, the vast majority of notable jazz musicians and composers have been Americans.

But jazz is an American treasure for reasons quite apart from its illustrious personnel. If there is one factor which has contributed most to America's greatness, it is the confluence of many different nationalities and cultures. In coming together, these resulted in the combustion of creativity and innovation which has characterized our unique history. Quite literally, jazz symbolizes this combustion in a most dramatic fashion.

As I mentioned before, the foundation of jazz was established with the tragic slavery era in this country. Thousands of Africans were separated from their families and heritage during that era, but the rhythms and harmonies of their homelands survived in the field hollers and gospel music of the slaves. With ragtime, a direct linkage between the European classical and African rhythmic traditions was made by Scott Joplin and others. To this synthesis was added the uniquely American element of jazz-improvisation. Louis Armstrong and Earl Hines proved that, in a collective setting, the individual could still have a unique and spontaneous voice, thus enhancing that of the group as a whole.

Since its beginnings jazz has continued to grow-as has or country-as a fusion of cultures throughout the world. Today, there are few musical traditions which have escaped blend. Meanwhile, the more traditional iazz forms-dixieland, swing, bop, and so forth-continue to flourish.

If jazz is indeed such an American fixture, is a bill such as House Concurrent Resolution 396 redundant? Unfortunately not. The reason is that, while jazz is recognized throughout most the world as one of America's greatest contributions to the arts, the only place it apparently fails to receive such widespread recognition is in America itself. While a great deal of lip service is paid to this great national treasure, how many American students can identify the names of Duke Ellington, Louis Armstrong or John Coltrane? You surely wouldn't stump these kids with Wolfgang Amadeus Mozart or Ludwig von Beethoven, great composers in the European tradition. How many culturally educated adults could identify Bix Biederbecke, Sonny Rollins, or McCoy Tyner? Surely, if you asked them about Casals or Segovia, they wouldn't bat an evelash.

Ironically, the same observations could not be made about such countries as France or Sweden where so many American jazz greats have expatriated in order to live where their work is appreciated. Even behind the Iron Curtain, the audience for jazz is widespread, perhaps due to its obvious appeal to yearnings for freedom and individuality.

Obviously, this anomaly cannot be turned around overnight. Nor can it be accomplished solely with an act of Congress. But we surely can play a role by at least highlighting this great accomplishment of our Nation and hope that the schools, the media and other institutions shaping our cultural awareness will not be far behind.

#### STATES SUPPORT HOUSE RISK RETENTION BILL

### HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 7, 1986

Mr. FLORIO. Mr. Speaker, as many Members are aware, final action on the Liability Risk Retention Act amendments is expected soon, similar bills having passed both Houses. I expect the final legislation to be a consensus

I believe Members will be interested to know that provisions from the House version of the bill are favored by the National Association of Insurance Commissioners [NAIC]. I am inserting a copy of the NAIC letter on this matter in the RECORD for the information of all Members.

Kansas City, MO, September 26, 1986. Re: Risk Retention Act.

Hon. JAMES J. FLORIO.

House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR REPRESENTATIVE FLORIO: The National Association of Insurance Commissioners [NAIC] has been involved in the debate surrounding the expansion of the Risk Reten-tion Act since the introduction of S. 2129. Due to the progress of negotiations in the Senate, the NAIC is obliged not to oppose S.

However, we believe that H.R. 5225 is the better bill because it enhances the ability of regulators to protect consumers. H.R. 5225 will not unduly burden any legitimate risk retention group or purchasing group but it will restrict those which are not. We, therefore, prefer H.R. 5225 over S. 2129 and urge you to consider our views.

Very truly yours,

JOSEPHINE M. DRISCOLL President, NAIC. EDWARD MUHL, Vice President, NAIC.

### TRIBUTE TO "BUD" HILLIS

SPEECH OF

#### HON, MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES Wednesday, October 1, 1986

Mr. BIAGGI. Mr. Speaker, when the 99th Congress adjourns, this body will be losing one of its most respected Members. After 16 years of distinguished service, ELWOOD "BUD" HILLIS is retiring.

Through quiet, yet very effective leadership, Bup has helped to shape national policy on such vital issues as military preparedness, veterans affairs, and the domestic auto and steel industries, which are so important to his own congressional district.

In fact, Bub was a founder of the Congressional Automotive Task Force. He was a leader in the successful Chrysler loan guarantee effort, which prevented one of his district's largest employers from going out of business. He was also instrumental in extending the voluntary restraint agreement with Japan, which restricted the number of Japanese auto imports coming into the United States at a time when the United States auto industry depended on that relief for its survival.

He has similarly been a leader on issues affecting the steel industry, which also comprises a very large portion of his district's economic base. He was a founder of the congressional steel caucus and has been an outspoken advocate of trade legislation aimed at protecting our domestic steel industry from unfair foreign competition.

Central to Bub's congressional career has been his devotion to the needs of his constituents. He has won impressive election victories year in and year out because he takes care of the needs back home, a hallmark of any good legislator. The greatest tribute any of us can receive is a satisfied and supportive constituent. Bub has that, and deservedly so.

BUD HILLIS is never flashy, but always effective. BUD HILLIS is never loud, but his voice is always heard. Bub HILLIs is never pretentious, but he will always be remembered by those of us fortunate to have served with him.

I wish Bub, his wife Carol, and his family a rich and fulfilling future.

## CITATION FOR DISTINGUISHED SERVICE TO GUY W. WILLEY

### HON. ROY DYSON

OF MARYLAND AM out stame

Tuesday, October 7, 1986

Mr. DYSON. Mr. Speaker, I rise today to honor the distinguished career of a dedicated public servant, Mr. Guy W. Willey. The U.S. Department of Interior recently bestowed its highest honor, the Distinguished Service Award, on Mr. Willey for his many contributions in the field of wildlife conservation with the U.S. Fish and Wildlife Service.

Interior Secretary Donald P. Hodel, stated in his citation:

Throughout his eminent career at the Blackwater National Wildlife Refuge [NWR], Mr. Willey's sincere dedication to wildlife conservation has significantly contributed towards gaining national recognition for the Refuge as a unique wildlife management area. He has an exceptional alent for communicating his concerns and knowledge of the marsh and wildlife with everyone from local residents to students to professors to ambassadors. As a result, Mr. Willey has gained the support of many with very positive tangible benefits. During the period when Blackwater NWR was experiencing rapid marsh losses, Mr. Willey was the moving force is a study program proposed by the University of Maryland and provided invaluable assistance in implementing recovery programs for the Delmarva fox squirrel and the southern bald eagle.

Mr. Willey's list of achievements go on to include the reestablishment of new colonies for the fox squirrel, and development of a protected area for the bald eagle. In addition, he served on the State of Maryland's Trapping Advisory Commission and helped to write new trapping statutes for the State.

I join the Department of the Interior on behalf of the residents of Maryland's First Congressional District and salute Mr. Guy Willey for his outstanding dedication to the preservation of the Chesapeake Bay and the natural environment of the wildlife in and around the State of Maryland.

## FOR A PEACEFUL RESOLUTION OF THE CONFLICT IN PUNJAB

### HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 7, 1986

Ms. OAKAR. Mr. Speaker, my district in Greater Cleveland includes many constitutents who came to America from the subcontinent of India. Those who trace their origins to Punjab are predominantly Sikh. They worship at the Sikh Temple on West 25th Street in the heart of my district. In the past week, my office has been contacted by many Sikh-Americans who share a deep concern and

anxiety for the safety and well-being of their fellow-Sikhs in Punjab, which is currently torn by violence and political differences. My constitutents are particularly concerned over the lack of independent press coverage of events in Punjab, a situation that allows excesses and results in distortions.

India, the second-most populous country in the world, was once a British colony. Many peoples from a great variety of cultures, speaking dozens of languages, were united under the British crown. The independence struggle in India was characterized by sectarian strife. Ultimately, the independence movement resulted in two new countries: Muslim Pakistan and predominantly Hindu India. The Sikh homeland of Punjab, bordering on Pakistan, became part of India. Over the last several decades, many distinguished Sikhs have served in the Indian Government and in the military. Punjab has also been very important economically to India. The vast majority of Sikhs are hardworking, enterprising people. Although Sikhs constitute only 2 percent of India's population, Punjab accounts for about a quarter of India's gross national product, including more than half of India's total grain production.

Over the years, issues involving Sikh rights and autonomy for Punjab have led to unacceptable acts of political violence, characterized by an Indian Army attack on the holiest place of Sikh worship, the Golden Temple, assassinations, reprisals and mass disturbances. There have been shocking accounts of mass murder based on blind hatred of a sectarian nature. It should be noted, that my constituents have condemned terrorism and rule it out as an uncivilized and unholy activity. Tragically, however, a spiral of violence appears to have been established, making a resolution of the political conflict increasingly difficult to achieve. In such an environment of violence, human rights violations become ever more prevalent.

The situation in Punjab is increasingly serious. Bloodshed and intolerance are growing. The concerns of my Sikh constituents are legitimate and understandable. I call upon a peaceful resolution of the conflict in Punjab in manner that recognizes the rights of the Sikh people and one that restores harmony and mutual respect and tolerance.

#### THE 40TH ANNIVERSARY OF DEATH OF DRAZA MIHAILOVICH

# HON, BARBARA F. VUCANOVICH

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES
Wednesday, October 1, 1986

Mrs. VUCANOVICH. Mr. Speaker, as we commemorate the 40th anniversary of the death of Yugoslavian Gen. Draza Mihailovich, I want to take this opportunity to point out to you and my colleagues the remarkable heroism of this man during World War II.

Mr. Speaker, the general was truly a hero with a special tie to our country, for not only was he a leader of his country's resistance to the Nazi occupation, but he was also a special savior to over 500 United States airmen fighting in Europe.

General Mihailovich spearheaded an operation designed to rescue American airmen who had been shot down in Yugoslavia behind the Nazi line. This operation sheltered and cared for at least 500 U.S. flyers until they were rescued, and in the end was responsible for saving their lives. Many of these people have family ties in my district. In 1948, President Harry Truman awarded the Legion of Merit to the general in recognition of his heroism and in gratitude for his help to the hundreds of U.S. airmen saved through his rescue operation.

It is unfortunate that a high-level Communist mole, by the name of James Klugman, got away for so long with trying to damage General Mihailovich by altering British intelligence coming out of Yugoslavia. It seems that Klugman also drafted bogus reports to make Mihailovich look like a Nazi collaborator.

Mr. Speaker, the National Committee of American Airmen rescued by General Mihailovich want to establish a memorial to him, at their own expense. They need the permission of Congress to do so, however, because they want to erect it on public land.

My Colleague, Representative Phil Crane, has introduced a bill to permit this, Mr. Speaker, and I am one of its 66 cosponsors. I do hope that nothing will stand in the way of this simple request so that the men saved by general Mihailovich might honor him and his heroism.

## TRIBUTE TO HON. ELWOOD M

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## HON. FLOYD SPENCE

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IN THE HOUSE OF REPRESENTATIVES
Wednesday, October 1, 1986

Mr. SPENCE. Mr. Speaker, it is with profound sadness that we bid our distinguished colleague. Bud HILLIS, farewell as the 99th Congress draws to a close. Bud HILLIS has been a force for good in his 16 years of outstanding service in the House, and he is certainly deserving of a long and happy retirement.

Bub Hills and myself were members of the same freshman class. We were both elected in November 1970, and we took the oath of office as Members of the 92d Congress in January 1971. Since those initial days of service we have been close friends, and we enjoyed parallel service on the House Armed Services Committee

I know of no one who does not consider BUD HILLIS a gentleman of the first order. His quiet demeanor and wonderful "Hoosier" sense of humor and fair play are characteristics that should be emulated by everyone who aspires to public office.

The Fifth District of Indiana will miss Buo very much. He is a Member of Congress par excellence, and he has fought hard for his constituents as a member of the Armed Services Committee, Veterans' Affairs Committee, and the Congressional Steel Caucus, I know how hard he works for his constituency and the Nation because we have had numerous

opportunities to join together on various defense projects of mutual concern to Indiana and South Carolina.

As most of us know, Bub Hillis wrote a courageous and inspiring chapter in World War Two. He enlisted in the Army right out of high school and served for 27 months in the European theater. His service on the Armed Services Committee was a natural, and untold men and women in uniform have benefited from his dedication to their welfare and best interests, in fact, as a strong leader on the House Veterans' Affairs Committee, he has ably assisted and worked with that great chairman, SONNY MONTGOMERY, on monumental legislation affecting the well-being of our veterans.

When we think about BUD HILLIS there are many accolades that can be advanced, but maybe the example of Sir Thomas More would be best, as exemplified in the great play and film, "A Man For All Seasons." Bud HILLIS is such a man. He is true to his word and his convictions. He can be relied upon. He is a patriot and a defender of freedom and the rights of the individual. Such people made America the bastion of democracy, and we will forever need them to keep us free and

Bub, my best wishes go with you. While we hate to see you and your dear wife, Carol, leave the congressional environment, we can take solace in the fact that both of you will continue to be involved prominently in matters that affect the welfare of Indiana and the entire Nation. God bless you.

ERLENE TOFANI

#### manaChas HON. GENE SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 7, 1986

Mr. SNYDER. Mr. Speaker, it is with great regret and profound sadness that I bring to my colleagues' attention the passing yesterday of Erlene Tofani, wife of Joe Tofani, a greatly admired and respected Corps of Engineers official and former president of the Water Resources Congress.

Many of us in this body have enjoyed a long and pleasant association personally and professionally with Joe during his 33 years with the corps, his years of service as president of the Water Resources Congress, and his various corps-related activities thereafter.

Our association with Joe gave us the special opportunity to know Erlene, who was at his side during a long and distinguished career in Government and the private sector, and finally during a well-deserved Florida retire-

Erlene was a sweet lady and a remarkable person, totally devoted to Joe and their lovely daughters, Jody and Peggy. As a wonderful wife, mother, and grandmother, Erlene will be missed terribly. Her sudden passing in Florida is a shock to all of us.

I know that Joe and Erlene's many friends in the House join me in extending our deepest and most heartfelt sympathy to her lovely family on this great loss. a as beamed and dead

A TRIBUTE TO CUNY'S SEEK At age 57, Robert Pyles was looking for-COLLEGE DISCOVERY AND PROGRAM-20 YEARS OF EX-CELLENCE

### HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 7, 1986

Mr. BIAGGI. Mr. Speaker, I rise today in support of legislation which I cosponsored, National SEEK and College Discovery Day:

As New York's senior member of the House Education and Labor Committee, I think it is fitting that we set aside a day to recognize the Search for Elevation, Education and Knowledge [SEEK] and College Discovery Program, originated by the City University of New York. This program targets the economically disadvantaged and educationally underprepared students, often minorities, who do not consider the option of postsecondary education and often do not meet the admissions requirements. By offering a unique, specialized and concentrated program of counseling, remedial instruction, tutorial services and financial aid. this program, which originated at a segment of CUNY's community colleges and 4-year institutions, served as a model and a forerunner for other remedial programs targeted at the educationally disadvantaged, including the TRIO programs, which have proved highly successful.

For 20 years, this program has focused on providing equal educational opportunities for all-especially those who are educationally disadvantaged. I commend CUNY's SEEK and College Discovery Program and urge other universities and postsecondary institutions to use this as a model for developing similar program focused on serving our most needy students.

> IN MEMORY OF OFFICER ROBERT F. PYLES

## HON. ROY DYSON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 7, 1986

Mr. DYSON. Mr. Speaker, I rise today with great regrets to offer a memorial tribute to Officer Robert F. Pyles of the Maryland Toll Facilities Police. Officer Pyles was fatally wounded while attempting to arrest a wanted fugitive. He was one of four police officers gunned down in a night of terror in Havre de Grace, MD, on September 18, 1986.

Officer Pyles was a 19-year veteran of the Toll Facilities Police Department. During his career he received several commendations from other agencies and citizens as well as from his own department. He was well respected and highly regarded by his fellow officers and supervisors and was a charter member of the F.O.P. Lodge in Cecil County.

Robert Pyles was an avid outdoorsman who loved to fish and hunt. He enjoyed life to the fullest. However, when he wasn't fishing or hunting he was serving his community as a member of the Water Witch Volunteer Fire Department in Port Deposit so entire notanage

ward to an active retirement and teaching his grandchildren about the great outdoors. Instead however, in a moment of senseless violence, this dedicated servant of the people was struck down and taken from us.

His fellow officers will miss his presence, yet I know that they are dedicated professionals who will continue to perform their duties as they have always done in the past. I salute their dedication to duty.

To his widow, Clare, and the other members of his family, I offer my heartfelt condolences. We all owe Robert Pyles a great debt of grati-

### RETIREMENT OF PHILIP F. JEHLE.

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### HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 7, 1986

Mr. MICHEL. Mr. Speaker, Philip F. Jehle, the Washington vice president of SmithKline Beckman Corp., is retiring. I thought this would be a good time to bring attention to his fine career

Philip Jehle did his undergraduate work at both Joliet Junior College, in Joliet, IL, and Stanford University and graduated from Catholic University Law School in 1951. In 1950 and 1951, he served in the private sector as special counsel for the Globe Oil and Refining Co. of Lemont, IL, and practiced civil and criminal law here in Washington in 1951 and 1952. He then came to Capitol Hill and served for 7 years as chief counsel of the Senate Small Business Committee under two chairmen: Senator John Sparkman of Alabama and Senator Edward J. Thye of Minne-

Mr. Jehle held the position of Washington representative and associate general counsel of the National Association of Retail Druggists (NARD) from 1959 to 1965, under executive secretaries John W. Dargavel and Willard B. Simmons

Phil Jehle is now retiring after more than 20 years of service as Washington vice president of SmithKline Beckman Corp., a worldwide health-care company, where his responsibilities included maintaining liaison between SmithKline Beckman and Members of Congress and other Government agencies and departments in Washington.

Philip F. Jehle married Marcelle Auclair of Lawrence, MA, in 1949. They have 5 children: Philip, Patricia Ann, Kathleen, Christopher, and Lawrence.

We wish him well after a fine career in public and private life. Intry bas bettermoob

### HOMEWORK

### HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 7, 1986

Ms. OAKAR. Mr. Speaker, during my 10 years in Congress, I have spoken often and

forcefully about the need to provide more flexible employment opportunities for women, especially as many of them try to combine motherhood and work outside the home. I believe that this is one of the most important challenges facing employers in the 1980's.

I am, however, deeply dismayed by the recent action of the Reagan administration in legalizing industrial work in the home. This could lead to exploitation of women and not

increased flexibility for women.

I urge my colleagues to think about this important issue and to read a recent New York Times article by Jay Mazur, president of the International Ladies' Garment Workers' Union.

Mr. Speaker, I submit this article to the

RECORD.

### BACK TO THE SWEATSHOP

(By Jay Mazur)

The Reagan Administration has decided to legalize industrial work at home in industries in which the Labor Department banned it almost a half century ago. The Administration would have us believe that restrictions on such work are a relic, but sweatshop conditions that Federal regulations seek to prevent have returned—with a vengeance.

The new sweatshop resembles the old low wages, long hours, work taken home sometimes after a day in the factory, sometimes instead of factory work. To legalize such work is to return to the industrial dark

ages.

During the first four decades of the 20th century, state after state and then the Federal Government tried to regulate industrial homework by licensing it—the very experiment the Reagan Administration now proposes.

In 1942, the administrator of the Labor Department's wage and hour division responsible for enforcing the Fair Labor Standards Act, concluded that in certain industries the Government could not enforce the act, which prescribes minimum wages, maximum hours and other standards, if work at home was permitted.

Industries selected for the ban—women's apparel, jewelry, gloves and mittens, knitted outerwear, buttons and buckles, handkerchiefs, embroidery—were those most vulner-

able to sweatshop conditions.

Sweatshops and homework have almost always gone hand in hand in the apparel industry. In a factory, no matter how exploitative, workers still may join in collective action, seek a union organizer and call in a Government inspector. But when work is sent home it is impossible for them to join in their own defense and for the Government to inspect for minimum-wage, child labor, health and safety conditions.

By the late 1970's, the sweatshop had reappeared in an industry that had barely changed in structure and technology in 50 years. Many factors, including large numbers of new immigrants, many of them undocumented and vulnerable to exploitation, growing competition from low-wage imports and cuts in labor standards enforcement because of Government budget cutting, contributed to the rise of the sweatshop. Labor departments across the United States found illegal industrial work at home for wages as low as \$1 to \$1.50 an hour.

The enforcement ability of many state governments is inadequate to the challenge of the new sweatshop. California in 1981, New York in 1981 and in 1986, passed new laws improving enforcement of labor stand-

ards in the apparel industry and strengthening bans on industrial homework.

Yet just as the states with the most apparel employment were strengthening labor laws, the Administration attempted in 1981 to legalize all industrial homework.

Despite strong opposition, not only from the International Ladies' Garment Workers' Union but also from employers, state departments of labor and five Secretaries of Labor, the Labor Department in 1984 substituted a more limited proposal: a system of homework certification in the knitted outerwear industry only.

The department has not fully revealed the results of its experiment, yet it is clear it has not been successful even in this one relatively small industry in which the certified home workers are mostly rural women.

Few employers in the knitted outerwear industry have registered. Even those who voluntarily did, knowing their operations would be scrutinized, have been found with numerous violations of the Fair Labor Standards Act. Moreover, little effort has been made to crack down on homework operations that did not register.

Despite the poor results of this legalization of homework, despite the long history of failure of any attempt to control industrial homework by licensing and despite growing sweatshop conditions in the apparel industry, the department has decided to legalize homework in the remaining six industries, including the large, sweatshop-prone women's apparel industry.

Why? The Reagan Administration feels compelled to pursue its ideological convictions regardless of suffering inflicted on the growing numbers of the poor, unemployed, homeless and exploited. It believes social protections built up over decades are merely a restraint on personal freedom. These ideological fantasies must be resisted.

To license industrial homework is to license exploitation.

A CALL FOR UNDERSTANDING NEW ZEALAND'S NUCLEAR POLICY

#### HON, TONY P. HALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 7, 1986

Mr. HALL of Ohio. Mr. Speaker, I rise to call attention to the ongoing tension between the United States and New Zealand resulting from the 1984 decision by newly elected Prime Minister David Lange's Labour Party to prohibit nuclear armed and powered warships from entering New Zealand's ports. Negotiations since that time have failed to reverse this policy, resulting in the June 1986 statement by Secretary of State George Shultz that the United States will no longer "extend its security responsibility to New Zealand." I am moved by a concern for the continued friendship between our two nations, a friendship that has now been put on a precarious footing.

New Zealand has long been one of our closest friends in the South Pacific region. Her markets are important to American trade. Together with the Australian people, New Zealanders constitute a strong Western presence in a region dominated by small nonaligned states. As such, New Zealand provides a social and economic deterrent to Soviet expansion in the South Pacific. Important, too, to

deterrence is the support—support given without opposition—New Zealand provides to the conventional Armed Forces of the United States

The tradition of mutual military cooperation between the United States and New Zealand is over 40 years old. The ties and reciprocal benefits of this relationship are many. Intelligence provided by the New Zealand Defense Force about the island regions and peoples of the South Pacific, for example, is acknowledged by the U.S. military as being the best available. New Zealanders benefit for their part by receiving American technology and weapons systems. A combined triad of defense consisting of the Australian, New Zealand, and United States Armed Forces is a solid guarantee that Western interests in the South Pacific will be protected.

I find the prospect of the permanent dismantlement of our potent defense triad—the ANZUS alliance—an unfortunate one. It is a possible end that can and ought to be avoided. To assure that an indefinite disruption of ANZUS does not occur, it is important to understand the position of the residents of the New Zealand people and their government.

Understanding does not come from an out of hand rejection of the New Zealand position. Our first step is dealing with the current impasse should be to fully appreciate the stance of the New Zealand people and to see the nuclear dilemma the way they see it. From understanding comes the increased likelihood that a solution favorable to both sides will be reached.

Therefore, I call to my colleagues' attention an article by political science professor Richard N. Kennaway of the University of Canterbury, and published in the November/December 1984 issue of the New Zealand International Review. In the interest of understanding the attitudes of a majority of New Zealanders, the text of Professor Kennaway's article follows:

[From the New Zealand International Review, November/December 1984]

CHANGING VIEWS OF ANZUS

(By Richard N. Kennaway)

We are currently experiencing the most significant reassessment of the fundamental assumptions of New Zealand foreign policy for many years. Since the early 1970s, there have been three main views of ANZUS and its role in New Zealand's security. There has been the traditional view, most clearly rep-resented by successive National governments which have regarded ANZUS as the essential foundation for New Zealand's security. There has been the alternative view, which considers ANZUS rather as a hindrance to security. Over the last twelve years this view has been most clearly and consistently formulated in the political area by the Values Party but in recent years it has, with some variations, gained wider acceptance and support from other sources including Social Credit, the New Zealand Party, Manu Motuhake and some sections of the Labour Party. This wider acceptance has also owed a great deal to the backing it has received from the Nuclear Free Zone Committee and other sections of the peace movement.

There has also been the official Labour Party view which has followed what may best be termed as a combined strategy, including elements of both the other views. It has wished to maintain ANZUS but to broaden it and place greater emphasis on economic and development aspects. It has wished to ban nuclear ship visits and to promote actively the concept of the South Pacific Nuclear-Weapons-Free Zone-to which the National Party has also paid lip serv--but it has also wished to continue to rely in the last instance on the United States for protection against conventional attack

Before we consider the assumptions, there is one preliminary point that needs to be made. In order to understand some of the difficulties and possible ways of resolving them, it is necessary to distinguish clearly between two aspects of ANZUS-as a treaty and as a political relationship. A good many discussions of ANZUS are confused because of the failure to make this distinction.

The ANZUS Treaty, or Tripartite Security Agreement, was a formal treaty signed by the three parties at San Francisco in September 1951. Unchanged to the present day, it consists of eleven short articles and a preamble. The commitments contained in the treaty are in very broad general terms. The most important commitments are that:

The Parties separately and jointly by means of continuous and effective self-help and mutual aid will maintain and develop their individual and collective capacity to resist armed attack. (Art II)

The Parties will consult together whenever in the opinion of any of them the territorial integrity, political independence or se-curity of any of the Parties is threatened in the Pacific. (Art III)

Each Party recognizes that an armed attack in the Pacific area on any of the Parties would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional processes . . . (Art

#### BROADER RELATIONSHIP

The ANZUS alliance, however, may be taken to refer to the broader political relationship between the three countries, which goes much wider than the formal treaty commitments as such, and covers the broader political, economic, social and cultural aspects as well as the more specific security commitment. It is worth noting that formal treaties and broader political relationships do not necessarily coincide. New Zealand, for example, for a long time had a very close political relationship with Britain which was never embodied in a formal security treaty, despite the constitutional links. Similarly, it is equally possible to have a formal treaty which has ceased to symbolise a real political relationship. The South-East Asia Collective Defence Treaty, which was the foundation of SEATO, continues in existence; but the political relationship it represents has become quite tenuous.

There are many contrasts between ANZUS as a treaty relationship and as a broader political relationship. For example, in the terms of the treaty, no distinction is made between the rights and obligations of the United States, on the one hand, and of New Zealand and Australia, on the other. A situation of formal equality exists. In practical terms, however, there are many obvious and inevitable differences politically in the power and potential of the three member countries. The treaty relationship has so far been an unchanging one-and there is no provision for formal amendment in the treaty. In practical terms, however, the porelationship experiences many

changes with its highs and its lows as new issues arise and new points of agreement and disagreement emerge among the three member countries. As a treaty relationship, each party has both the freedom and the responsibility to interpret its obligations in its own way, unaffected by the attitudes and policies of the other treaty partners. In practical terms, however, there is inevitably some element of reciprocity. Each country's view of the relationship is bound to be affected to a greater or lesser extent by the attitudes and policies of the other member countries. In my view it is the broader alliance relationship which reflects the more significant reality. The treaty commitments are, however, a significant symbol of the relationship as it has existed within the past thirty years, as well as having their own validity in formal and legal terms.

#### TRADITIONAL STRATEGY

What then have been the main assumptions on which the various strategies have been based? The traditional view of ANZUS seems to have embodied six main assump-

Perception of Threat. It is assumed that we need to be concerned about a range of possible threats to New Zealand's security. These would include the kind of direct threat with conventional forces that the Japanese posed during the Second World War. In recent years, increasing stress has also been placed on a possible direct nuclear threat, with discussion of the possibility of Soviet missiles being targeted against New Zealand.

Of course it is admitted by many proponents of the traditional view that there has been no immediate direct threat to New Zealand security in recent years. The assumption remains, however, that we live in an unpredictable world where unexpected threats may emerge, and that in any case defence planning is a long-term affair with an ever increasing lead time required to maintain and develop effective defence capabilities. As the 1983 Defense Review stated, 'It has been well said that when you can see the steel glinting in the morning it is too late to look to your defences.' need, therefore, to be concerned with this area of foreign policy.

Conflict Prevention: armed deterrence through the alliance system. It is assumed that the best means of avoiding conflict which might threaten New Zealand's security is through the maintenance of strong armed forces; that New Zealand is unable on its own to develop armed forces large enough to fulfill this role; and it is therefore only by associating with larger allies that the role can be effectively fulfilled. On these assumptions potential aggressors will be deterred from launching an attack for two reasons. They will appreciate that it is useless since significant armed force will be available to repel an attack. They will also feel that it is dangerous because of the posthat these forces may retaliate against the potential aggressor. It is worth noting that effective deterrence, especially in the nuclear age, does not depend on the certainty of effective protection and retaliation. Even a very small possibility of retaliation, especially by a nuclear power, can still on the traditional assumptions be a very effective deterrent. The existence of the alliance therefore makes it more likely that se-

curity will be preserved.

Conflict Management: armed defence through the alliance system. If the means of preventing the onset of conflict should not be effective, the traditional view is that se-

curity can best be maintained by means of armed protection or defence. Again it is assumed that New Zealand is unable to provide this defence effectively on its own. It is therefore assumed, as in the 1983 Defence Review, that the alliance permits New Zealand to integrate its own efforts into a larger and more comprehensive response should that be required, and that 'ANZUS thus remains fundamental to our defence interests'.

Policy Implications: The fourth assumption of the traditional view is that New Zealand cannot realistically expect its allies to make sacrifices to protect New Zealand security unless we are prepared to make some reciprocal contributions to the security goals of our allies. This was a view which received its classic expression in the 1966 Defence Review when it was stated that our aim of securing military assistance and protection in case of need 'requires New Zealand to demonstrate its willingness to make an appropriate degree of national defensive effort, and willingness and ability to assist our allies in matters affecting their national interests', even when New Zealand's own interests were not directly involved.

There has been less emphasis on this aspect in recent years. The 1983 Defence Review still, however, rejects the view that defence capacity should be limited to the defence of New Zealand itself. While the alternatives are not clearly spelt out, there is still reference to 'our obligation to help others in peace as in war', and an implica-tion that such help would now be mainly confined to the more immediate regional environment of the South Pacific.

Identity Goals: influence and participation. That fifth assumption is that the alliance gives New Zealand the opportunity to further is identity goals, that is, to make a positive contribution to the kind of world that we wish to promote, and to fulfill a positive role in making this contribution. It is assumed that the alliance gives New Zealand as a small ally the regular opportunity for privileged consultation with a friendly super-power and thereby gives greater opportunity for influence and participation than would othewise exist. The 1978 Defence Review, for example, referred to 'giving New Zealand access to top decisionmakers and thereby enabling us to exercise influence on a wide range of global problems' and the 1983 Review continues to refer to the 'maintenance of active linkage with major centers of influence'.

Economic Goals. The sixth assumption is that the alliance also assists New Zealand in furthering its economic goals; that the major economic partners in investment and trade are either alliance partners or also themselves major allies of the United States; that because of our dependence on temperate agricultural exports, we are particularly vulnerable to political constraints and that the alliance has played a useful part in helping to overcome those constraints.

#### FACTORS FOR CHANGE

The six assumptions outlined above have formed a relatively constant base for the traditional view that ANZUS is vital to New Zealand's security. This base had, however, been gradually eroded by various developments in recent years.

First, there have been no direct conventional threats of the type principally envisaged when the treaty was signed. This factor does not necessarily vitiate the logic of the traditional assumptions, and indeed

could be taken by some as evidence for the strategy's success. The impression has gained ground that no threats would arise whether or not the alliance existed, and therefore that the need for the alliance has become less urgent and less appropriate.

Second, there has been increasing concern over new dangers to which the traditional strategy is less clearly relevant. Probably the dangers of direct nuclear threat against New Zealand, whether it remains part of ANZUS or not, are very remote. But if such a threat should arise, it is no good 'acting to meet the common danger' once the missile is on its way; and it is neither very plausible nor very comforting to threaten nuclear retailation against the nuclear aggressor.

Third, there has been increasing concern that New Zealand's security is put at risk not so much by direct attack but rather by the proliferation of nuclear weapons as such and the possibility of nuclear holocaust between the superpowers. Increasing scientific evidence appears to support the view that the ecological consequences of nuclear war in the Northern Hemisphere would be truly global and not, as many previously thought, confined to that hemisphere. Again, this is a very different kind of danger from those traditionally envisaged within the ANZUS alliance, and one to which the traditional concepts seem scarcely relevant.

There have also been growing doubts whether or how far the alliance serves New Zealand's identity and economic objectives.

#### ALTERNATIVE STRATEGY

Over the past fifteen years, therefore, we have seen the development of an alternative view which was perhaps first clearly formulated at the political level in the Values Party election manifesto of 1972, but which has recently received much wider support. The main assumptions of this view can be summarised as follows.

Threat Perception. There is little chance of direct conventional threat. We need, therefore, to be much more concerned about possible nuclear threats, both direct and indirect, and the consequences of nuclear war.

Conflict Prevention: peaceful persuasion or national deterrence. On this view, the best means to prevent the possibility of threats arising lie not in armed forces or defence pacts, but rather in friendship and cooperation with all. If New Zealand can persuade other countries that we will never threaten them, then they will not threaten us. In this perspective, the existence of the alliance acts rather as an incentive than as a deterrent to attack.

In the Social Credit variant, threats are best averted by maintaining a national defence force, so as to persuade any potential aggressor that the cost of attacking New Zealand will be too high. In either case, however, alliance membership creates more problems than it resolves.

Conflict Management: non-violent resistance or national defence. Similarly, if the means of preventing a threat fail, then the most appropriate response of this view is either non-violent resistance (Values, New Zealand Party variant) or New Zealand national defence (Social Credit). In either case, being defended by a super-power is likely to involve more costs than benefits.

Policy Implications. There is therefore no need for New Zealand to accept reciprocal obligations to assist in its allies' objectives. On the contrary, we need simply to develop our own resources for non-violent action or New Zealand national defence, and we can best make our contribution to wider goals

by independent action and the example of developing a non-nuclear policy.

Identity Goals. New Zealand can make its most effective contribution towards the kind of world that we wish to promote, and play our most appropriate role, not by seeking to exercise influence within the alliance but rather by independent action and example.

Economic Goals. On these assumptions, trade with our allies depends more on mutual economic self interest than on political factors. There are unlikely therefore to be substantial adverse reactions to a change of policy. Even if such a reaction should occur, it could be counter-balanced by increased trade with new partners in other areas, such as the Middle East and Southeast Asia, where our trade has in any case been developing rapidly in recent years.

#### LABOUR POLICY

Labour policy, as explained above, has sought to combine elements of both the other strategies. Current policy is that the Government wishes to maintain a non-nuclear ANZUS alliance, but to renegotiate the ANZUS treaty so as to eliminate its nuclear aspects. Such a policy is seen by its proponents as combining the best elements of both the other strategies. There are many critics however from widely varying perspectives who believe that the strategies are basically incompatible, and that even the attempt to combine elements of both means that neither strategy can be effective. To what extent is it possible to find a middle ground?

It is of course true that the ANZUS Treaty commitments are very flexible. There is no specific provision in the Treaty which rules out a ban on nuclear ship visits—whether nuclear-powered or nuclear-armed—or the active promotion of a South Pacific Nuclear-Weapons-Free Zone. This is not surprising, since after all nuclear ship technology had scarcely been developed and the nuclear-weapons-free zone concept had not been devised when the Treaty was signed in 1951.

Furthermore, there are many precedents for flexible interpretation of the Treaty commitments. There are countries in the Latin American Nuclear-Weapon-Free-Zone which continue to maintain alliance ties with the United States in the Rio Pact, although the question of nuclear ship visits is up to the individual state. There are other United States allies, such as Norway and Japan, which theoretically anyway, ban visits by ships carrying nuclear weapons. It may well be possible in the short to medium term to combine at least some of these various policy elements.

#### DOMESTIC STANDPOINT

From the domestic standpoint it seems sensible to take some time to evolve an acceptable compromise. Just as more than sixty percent of New Zealanders voted for parties which favoured banning nuclear ship visits, so too eightly per cent of New Zealanders voted for parties which favoured maintaining ANZUS in some form. Polls have shown that public opinion generally favours both the maintenance of ANZUS, and introduction of a nuclear weapons-free zone and banning nuclear ship visits. Even in the longer term, it may well be possible to combine some elements of both strategies which the other countries mentioned have done.

While it is true that the ANZUS Treaty commitments are flexible, that flexibility has its limits. The Treaty commitments do

after all include the obligation 'to develop ... collective capacity for self defence', and one has to ask whether this is really compatible in the longterm with excluding a large and growing proportion of a major ally's fleet. It remains to be seen whether the Treaty can be renegotiated to put more emphasis on economic and non-nuclear issues. It is after all in essence and origin a security treaty, and it seems very doubtful that New Zealand's alliance partners will be interested in a formal renegotiation to turn it into something else.

#### BIDS DILEMMA TODTO O

Even if it were possible to agree on a formula for the Treaty renegotiation, one would still have to ask whether a viable long-term political relationship could be maintained on that basis. It may be logical in theory to ask the Americans to keep their death ships from our ports and also expect to be defended against conventional attack to the death of the last American' if the need should arise. It may well be hard, however, for our alies to understand in the longer term that both demands are compatible and reasonable.

Therefore, we really have to make up our minds. Do we consider the security relationship to be of positive value, and in that case what costs and obligations are we prepared to undertake to ensure that it will continue? Or, do we consider it to be of negative value, and in that case would it not be better to relieve our ANZUS partners of any obligation to maintain our security, just as we would wish to be released from any reciprocal obligation;

Whatever answer we give, we should remember that the global problems of nuclear proliferation and arms expenditure really do not depend on whether or not American warships visit New Zealand ports. However concerned we may justifiably be about the scale and gravity of the problems, there is no action that New Zealand can take which can directly resolve them.

We can, however, make a small but significant contribution in two ways. Through established channels of communication and influence within the alliance, we can use our alliance membership to exercise constructive leverage to help resolve the global problems or we can make our contribution by the influence and example of developing a nuclear-weapons-free zone in the Pacific and banning nuclear ship visits.

In any event, they may well both be directed towards the same end of trying to resolve the global problems. We should not find it necessary, therefore, to seek to create world peace by creating bitter divisions on the issues within New Zealand.

A FREE PRESS SERVES A FREE PEOPLE: RON CICHON AND THE MONTICELLO NEWS

### HON. DON FUQUA

bils boar engor FLORIDA and bound

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 7, 1986

Mr. FUQUA. Mr. Speaker, National Newspaper Week is observed each year to remind the American people just how important a free press is for our individual freedoms. In truth, freedom of the press is for our individual freedoms. In truth, freedom of the press is not so

much the right to publish and to broadcast, as

it is the right of people to know.

In observance of National Newspaper Week, I would like to pay tribute to one of those individuals who make up the proud and honored profession of journalism. He is Ron Cichon, publisher of the twice-weekly Monticello News in Jefferson County, FL.

In honoring a respected friend, I am also paying tribute to the hundreds of thousands persons who are employed in the profession. It seems fitting at a time when Nicholas Daniloff has just been released from the Soviet Union, that we remember and understand that there are nations where freedom of the press and the right of the people to know is a mock-

Let's look at a few statistics for just a moment.

In 1985 there were 1,782 daily newspapers and 7.704 weekly newspapers in the United States. Total circulation for U.S. daily newspapers was 62,756,000. That figure for weeklies was 48,900,000.

Those statistics are impressive. What I want to do today is to relate those statistics to that one American sitting in a home in Jefferson County, FL, reading the Monticello News.

A free press functions as the eyes, ears and voice of the free people it serves by providing acess to news and information not

readily available to the individual.

As part of my tribute, I point to the growth and progress of the Monticello News under the direction of Ron Cichon. When he purchased the paper a decade ago, the staff consisted of two part-time employees and Chicon. Today there are 22 people on the staff.

"I distinctly remember 4 years of 70-hour weeks without a vacation." Cichon says. He wrote stories, took pictures, covered government meetings, wrote editorials and columns. swept out the office and delivered the newspaper to stores and stands.

Now the newspaper is hailed as the fastest growing business in the county.

Why has the Monticello News done so well under the leadership of a former Miamian who managed a group of 12 suburban newspapers prior to moving to north Florida?

"I really think the key is that we've earned the respect of the community. No, everybody does not love us because over the years we've printed many stories that upset people, but we were accurate in our reporting and fair to all concerned. The respect grows out of those standards," Cichon said.

That which has been done has been accomplished because the Monticello News is a part of the community, not apart from the community. That is why I feel the weekly press is so vital to this Nation. It serves local people with local news, views, comments and opinions. It records the births, it laments the deaths, it is a viable part of the life of those who reside in the area.

Like so many in his profession, Ron Cichon has found the time to be a part of the community by serving as an outstanding president of the chamber of commerce, and his peers in Florida honored him in 1984 when he served as president of the Florida Press Association, an organization I might add, that serves both the dailies and the weeklies in our great State.

When Cichon first moved to Monticello he notices several street signs were rusted and

illegible and the town boasted many stop signs partially hidden behind tree limbs and

Week after week a photo appeared in the newspaper documenting an illegible street

sign or shrouded stop sign.

It wasn't very long after an edition hit the streets that city crews were out trimming around the obstructed stop signs. And within a few months the city purchased new street signs replacing the illegible ones.

People began to call the newspaper and ask that the shrouded stop sign or rusted street sign in their neighborhood be featured

in the paper.

Over the years the Monticello News has campaigned for a myriad of community projects with many of them becoming realities. Targeted were industrial development, improved fire protection, a community food bank, restoration of the Historic Monticello Opera House, a memorial for war hero Boots Thomas, one of the marines who raised the American flag on Mount Suribachi on Iwo Jima, an expanded country library, and fund drives for families struggling with staggering medical bills.

Cichon remains convinced a community is best served by a newspaper that mirrors the community.

Under his leadership the newspaper has collected a host of awards for journalistic excellence.

As I stated at the outset, the Monticello News is a vital part of something bigger-a freedom for which many, like Boots Thomas, made the supreme sacrifice.

The theme for National Newspaper Week, October 5-11 this year, is "A Free Press Serves A Free People."

The men and women who make journalism their profession, like Ron Chichon, have reason to be proud of their contributions, but more importantly-that which they are doing to leave this legacy for tomorrow.

A BILL TO BAN SMOKING ON DOMESTIC AIRLINE FLIGHTS

### HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 7, 1986

Mr. SCHEUER. Mr. Speaker, in an effort to improve the environment on board domestic airline flights, and protect the health and safety of the passengers and crew, today I am introducing legislation to ban smoking on all domestic airline flights.

The National Research Council of the National Academy of Sciences recently completed an 18-month study at the request of Congress, on the issue of air quality and safety in airliner cabins. The study calls for a Federal ban on smoking on all domestic commercial airline flights to improve the health and safety of airline passengers and cabin crews.

The scientific panel concluded that both passengers and crew members were harmed by drifting smoke in aircraft cabins and that cigarette smoking posed a significant fire hazard on board as well.

Dr. C. Everett Koop, the Surgeon General of the United States, has repeatedly and forcefully pointed out the health hazards of passive smoking. According to Gallup surveys commissioned by the American Lung Association, the public, by an overwhelming margin, supports smoke-free air in public places. And now, the National Academy of Sciences has

Air quality on board commercial airlines warrants our serious concern. Contaminantsparticularly environmental tobacco smokemake the cabin air quality substandard compared with other closed environments such as trains and subways. In fact, ozone and other air contaminants, coupled with low relative humidity, may act with smoke to increase its harmful effects

This legislation would lessen irritation and discomfort to passengers, reduce potential health hazards to cabin crews, bring cabin air quality into line with standards established for other closed environments, and remove the possibility of fires caused by cigarettes.

With 28 percent of the American public taking at least one trip a year, and with some 70,000 flight attendants working long hours inside planes, the time has come to do away with smoke on board. This bill will do just that.

#### CHESTER WISCH: A LIFE lad squit REMEMBERED

of Chas

#### HON. JIM WRIGHT

OF TEXAS BASHWE STENDE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 7, 1986

Mr. WRIGHT. Mr. Speaker, on September 3, 1986, the brother of a dear and close friend of mine passed away. My friend, Jimmy Wisch of Fort Worth, TX, wrote a moving column in the Texas Jewish Post about his brother's life and of his sadness at his passing.

In that eulogistic column, Jimmy Wisch described with poignant words his tender recollections of his brother, Chester Wisch. From their boyhood together in Brooklyn to Chet's last days, Jimmy Wisch recalled in his article the many years of close friendship and deep mutual affection that characterized his relationship with his older brother.

During most of the 1930's, the Wisch family fell on hard times. Chet, 5 years Jimmy's senior, found various jobs in New York to help the family make ends meet. Jimmy believes that Chet was the first Jew in the United States to obtain and keep a job with the New York Telephone Co., a branch of AT&T.

But in order to get and keep his job, Chet had to lie about being Jewish. On the job application, Chet wrote: "Third Generation American." How sad it is that, not so very long ago. a loyal American had to deny his religious and ethnic background in order to find a job. And while we cannot ignore the fact that discrimination remains an ugly fact of life, we also should acknowledge how very far we have come in the direction of equality of opportuni-

Some years after Chet Wisch landed his job with the telephone company, after he had proved himself as a top salesman, he was fired. When management found out that Chet was Jewish, they gave him notice.

Commonplace then, that kind of blatant, heavyhanded discrimination has since been outlawed through our much stronger civil rights statutes. These statutes need the support of all Americans because not only do they protect the rights of minorities in this country—they also protect all of us against abuse or tyranny.

In remembering the life of Chester Wisch, we should recall his spirit of perseverence and determination. In this, Chet's example should inspire us all to overcome obstacles that may appear in our paths through no fault of our own. And may his experience with discrimination remind us all of the central, compelling truth of our Declaration of Independence that "all men are created equal" and that they, therefore, deserve equal opportunities and equal protection of the law.

For those who knew and loved Chet, especially for his lifelong friend and beloved brother Jimmy, perhaps your burden of sorrow will be lifted somewhat by recalling this larger meaning of Chet's life, this larger context of generosity, commitment, love, and determination that made Chet's life such a quintessentially American life. You can be proud that he was the kind of man he was, that he lived the kind of life he lived, and that he has reminded us—by the hardships he faced—of the many evils of prejudice and discrimination.

For my colleagues in the House, I hope that in our considering the life and times of Chester Wisch, we are made better, more compassionate lawmakers in the process.

HONORING THE 57TH ANNIVER-SARY OF THE LELAND A. CUPP AMERICAN LEGION POST AND AUXILIARY NO. 341

### HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES
Tuesday, October 7, 1986

Mr. TORRES. Mr. Speaker, I ask my colleagues to join with me today in saluting the 57th anniversary of the Leland A. Cupp American Legion Post and Auxiliary No. 341.

On Saturday, October 25, 1986, the club will celebrate its 57th birthday with a special celebration.

It is important to note that the members of the Leland A. Cupp American Legion Post and Auxiliary No. 341 conduct charitable and civic projects for the veterans and residents of Pico Rivera. Annually, this club sponsors students from El Rancho High School in Pico Rivera to travel to Sacramento to attend boys and girls State programs so they can obtain first hand knowledge on how their State government works. In addition, the club raises funds for the Long Beach Veterans Hospital and proceeds from their annual "Poppy" sales are designated for emergency assistance to needy veterans and their families. These efforts, along with many other year-round projects contribute to making Pico Rivera a special place to live and work.

Mr. Speaker, I also ask my colleagues to join me in congratulating Cmdr. Bob Zam-

brano and all of the members of the American Legion Post and Auxiliary No. 341 during their Post's 57th birthday celebration.

AN EXCEPTIONAL BUSINESS-WOMAN, JANICE MEISTER

### HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES
Tuesday, October 7, 1986

Mr. LIPINSKI. Mr. Speaker, I rise before my colleagues today to honor an exceptional woman and business leader in my district, Janice Meister. Mrs. Meister is chairman of the board of Bagcraft Corp. of America, head-quartered in my district of Chicago.

Mrs. Meister, as a nationally influential businesswoman, had the unlikely background of being a classics major at the University of Wisconsin in the 1940's. She maintains, however, that this field of study helped her "... learn to think and make relationships between disparate ideas." After meeting and marrying her husband, Albert, Mrs. Meister's main occupation became that of housewife and mother to their two children. These experiences, though commendable in and of themselves, do not illustrate the abilities which she later put to use in chairing Bagcraft.

A look at the history of Bagcraft shows that Mrs. Meister was a key player from its founding in 1948. Noticing the great waste of food at restaurants from people who did not finish their meals, Albert Meister and his partner, Norman Ressner, thought up the idea of the now commonplace doggy bag. Mrs. Meister used her artistic talent, which she developed in creative work for department stores in New York following graduation from college, to design the artwork and verse which appeared on the bags. The greaseproof bags became an almost instant success.

After about 5 years at their initial modest plant in Cicero, Bagcraft moved to a larger plant nearby. Another 5 years of further expansion and Bagcraft moved to the 100,000-square-foot plant in Chicago that remains their headquarters today. Today, Bagcraft under Mrs. Meister's leadership has doubled their space at that site in addition to having plants in Joplin, MO, Carteret, NJ, and Atlanta, GA. Through the innovation, design, and marketing of additional food packaging products, Bagcraft has become a national leader in the flexible packaging industry. Their sales for 1985 were approximately \$75 million. Particularly noteworthy is that the company has nearly doubled their sales since the untimely death of Albert Meister in 1977.

The company philosophy that Mrs. Meister follows is one where social responsibility and corporate profitability go hand in hand. Bagcraft offers its employees a number of attractive benefits including profit sharing, a scholarship fund for workers' children, and a cash prize for the best suggestion. This combination of the pleasant working environment and generous benefits creates a sense of loyalty among employees not often found in today's corporate world.

The well-known book, "In Search of Excellence" showcases exemplary corporations who combine profitability and service in humane and pleasant working environments. I'm sure my fellow Members of Congress will agree that Bagcraft Corp. of America, as chaired by Janice Meister, is indeed one of the model corporations in the Nation and wish her continued success.

THE 40TH ANNIVERSARY OF BELLEFONTE CHAPTER OF BUSINESS AND PROFESSIONAL WOMEN'S CLUBS

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

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 7, 1986

Mr. CLINGER. Mr. Speaker, the Bellefonte Chapter of the National Federation of Business and Professional Women's Clubs, which is located in my congressional district, celebrates its 40th anniversary October 9.

The purpose of the organization, which held its first meeting on October 8, 1946, is to help elevate the standards of women in business and the profession; to promote the interest of business and professional women; to bring about a spirit of cooperation among business and professional women in the United States; and, to extend opportunities to business and professional women through education along lines of industrial, scientific, and vocational activities.

The organization is also a nonprofit group whose efforts support local charities and local programs and fellow women.

I know I am joined by all my colleagues in congratulating the Bellefonte Chapter of the National Federation of Business and Professional Women's Clubs on the occasion of its 40th anniversary, and in extending to its members best wishes for the future.

#### TRIBUTE TO MATT URBAN

#### HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES
Tuesday, October 7, 1986

Mr. SOLOMON. Mr. Speaker, I had a rare privilege during a recent trip home to the 24th Congressional District of New York, and that was to meet the most decorated soldier in this Nation's history.

His name is Matt Urban, a retired lieutenant colonel in the U.S. Army. The reason he was participating in a bicentenary parade in Chatham, NY, was a long standing friendship with Benjamin Murell, a county supervisor from nearby Hudson, NY.

It's no surprise that a book and perhaps a movie about Matt Urban are being planned. His exploits in World War II are the stuff of which legends are made. I'm particularly proud that my friend Ben Murell played a

major role in the Matt Urban Story.

Urban was wounded seven times. The man the Germans called "The Ghost" was finally out of the war for good when a bullet ripped through his throat. His life was saved only when Murell, a medic, kept Urban's throat

open with a ballpoint pen, and stopped the bleeding by pressing his hands against Urban's neck.

Due to an error in paperwork, Urban didn't get his Congressional Medal of Honor until 1980, 35 years after he was recommended for that highest of awards. He also received two Silver Stars, three Bronze Stars, the Legion of Merit, and the French Croix de Guerre, to go with his seven Purple Hearts and Medal of Honor after 20 months of combat.

Urban and Murell met back in 1941 at Fort Bragg, NC. Urban was coach of his division's boxing team, and Murel, a professional boxer before he joined the service, caught his attention by knocking out another fighter. Murell was instrumental in the European Boxing Championship the division won in 1943 in a competition involving seven corps.

The admiration is certainly mutual between the two men. Ben Murell's son Matt, director of the Youth Bureau in Columbia County, was named after Urban.

Urban now spends much of his time traveling across the country speaking before a variety of groups about his combat experiences, current events, and patriotism.

I think it's gratifying to note that Urban describes young people as the audience most receptive to his speeches on patriotism, with Vietnam vets right up there near the top of the

I also want to add that Urban credits President Reagan with the upsurge of patriotism in this country.

Mr. Speaker, Matt Urban and Ben Murell represent the countless heroes in America who put on uniforms, risked their lives to defend this country, and then put aside those uniforms to become productive citizens in their own quiet ways. I take this opportunity to put on record my salute to both men.

#### NATHAN HALE POST 1469 OF THE VFW

### HON. ROBERT J. MRAZEK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 7, 1986

Mr. MRAZEK. Mr. Speaker, on October 14, the Nathan Hale Post 1469 of the Veterans of Foreign Wars, located in Huntington Station, Long Island, will celebrate its 60th anniversary. I rise today to bring the attention of my colleagues to this milestone.

Post 1469 began in 1926 with 40 members, meeting in an old schoolhouse; 60 years later, the post boasts 935 members, including veterans of World War I, World War II, the Korean war, and the Vietnam war. It stands as the largest VFW post on Long Island and the fifth largest in New York State, and now holds meetings in a larger facility in Huntington Station.

Over the years, Post 1469 has maintained a record of strong, sharing visibility in the Huntington community. Among its current benevolent activities are sponsorship of the Voice of Democracy Program for schoolchildren, with resulting scholarship awards; ward parties for veterans in the nearby VA Hospital in Northport; Thanksgiving food baskets for the needy;

patriotic instruction programs for area schoolchildren; grave decoration on Memorial Day; honor guards for area parades; the Lite-a-Bike Program for children; information programs on veterans' benefits; and other charitable activities

On October 19, Mr. Speaker, Post 1469 will hold a dinner dance to celebrate its 60th year. The first commander of the Post, Edward W. Johnston, will be on hand to receive his 65-year membership pin. I'm sure that my colleagues will join me today in wishing the Nathan Hale Post 1469 of the VFW and its current commander, Harry Bridges, the warmest regards for a proud history on this special occasion.

#### CIVIL RIGHTS RESTORATION ACT OF 1985

#### HON. THOMAS J. TAUKE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 7, 1986

Mr. TAUKE. Mr. Speaker, I note that today—1 year, 4 months, and 16 days after the committee acted—the Education and Labor Committee is filing its report on H.R. 700, the Civil Rights Restoration Act of 1985.

Unfortunately, this 500-day delay in filing this report blocked consideration of important civil rights legislation. The decision by the chairmen of the committees of jurisdiction to not file this report in a timely fashion prevented the House from considering and acting on what was called the most important civil rights legislation of the 99th Congress. I regret that this decision was made.

Much of the controversy that contributed to the decision by the chairmen to not move forward with this legislation is the result of an amendment I offered in the full Education and Labor Committee. This amendment rendered the bill and title IX of the Civil Rights Act neutral on the issue of abortion. The Education and Labor Committee approved this amendment to H.R. 700 by a vote of 18 to 14.

There is clearly bipartisan support for this amendment and for this legislation. The bill was approved by the Education and Labor Committee on a vote of 29 to 2 after the amendment was adopted. It is truly unfortunate that the leadership chose to put their personal opposition to an amendment to this bill ahead of the overall interests and wishes of the full committee.

One must ask, What motivated the leadership of the committees of jurisdiction to block this legislation? The abortion amendment adopted by the Education and Labor Committee does not jeopardize in any way the right of a woman to seek or have an abortion. The amendment simply eliminates any Federal mandates that abortion services be provided on demand and ensures that charges of discrimination cannot be successfully waged against an individual or institution that chooses not to provide abortion services. The amendment does not open the door to discrimination against women who have abortions

One must assume that the proponents of H.R. 700 had a hidden agenda to expand

abortion mandates. When this agenda was thwarted by the abortion-neutral amendment, these proponents of this major civil rights legislation withdrew their support and prevented further action on this bill.

I, for one, am disappointed that the legislative process was disrupted and that the House did not have an opportunity to consider H.R. 700. I suggest that proponents of civil rights legislation reassess their priorities prior to the convening of the next Congress.

#### A JOB WELL DONE

#### HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 7, 1986

Mr. SKELTON. Mr. Speaker, 2 weeks ago the Congress passed the most significant reform legislation dealing with the Department of Defense since the creation of that institution in 1947. Last week, the President signed that legislation into law. Many people in the House, Senate, and elsewhere in the Washington scene were able to take credit for the end result; however, one individual, Arch Barrett, professional staff member of the House Armed Services Committee, merits special recognition for his quiet, persistent, and effective contribution to this milestone legislation.

Mr. Barrett performed yeoman like work on this issue over the past 4 years. The other body employed the talents of three able staffers; we on this side of the Capitol relied on Arch Barrett. And make no mistake about it, Arch Barrett was spread thin. LES ASPIN, BILL NICHOLS, LARRY HOPKINS, JOHN KASICH, and others including myself continually tasked Arch to take care of matters big and small concerning the matter of defense reorganization. This is especially true of the past year when the work of our committee shifted into high gear. His attention to detail can be seen throughout the entire package that finally emerged as legislation.

Arch Barrett performed his duties with intelligence and good humor. We on the Armed Services Committee are fortunate to have the services of such individuals as Arch Barrett. He is the epitome of a public servant in the finest sense of that term.

#### CONCERN FOR THE SIKH COMMUNITY IN INDIA

### HON. EDWARD F. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 7, 1986

Mr. FEIGHAN. Mr. Speaker, I rise today to express my deep concern for the unrest surrounding the Sikh community in India. It is especially appropriate to speak about this pattern of continuing violence following last week's reported assassination attempt against India's Prime Minister Rajiv Gandhi. Sadly, this assassination attempt may be only the latest in a seemingly endless cycle of vengeance between Sikh and Hindu.

In June 1984, Indian Army troops entered the holiest shrine of India's 16 million Sikhs, the Golden Temple in Amritsar, to seize weapons stored there by Sikh radicals and to capture Sikh separatists who had found sanctuary in the temple. Several hundred Sikhs and 50 soldiers died in the battle which followed, and thousands of Sikhs reportedly were massacred during the week that followed. In October of that year, India's leader, India Gandhi, was shot to death by her Sikh bodyguards, apparently in retaliation for the assault on the Golden Temple.

The assassination sparked an immediate assault against India's Sikh community. Thousands of Sikhs were killed and their property destroyed. Independent investigations showed that Congress (I) Party members and local police were involved in the rioting against the Sikhs, as well. No arrests were ever made for the murders of nearly 3,000 Sikhs.

Prime Minister Rajiv Gandhi appears to be increasingly frustrated by his inability to settle Sikh demands and to end the cycle of Sikh-Hindu violence. At the same time, Hindu groups have been forming their own militant groups and threatening retaliation. Punjab, the heartland of the Sikh people, has been closed to all foreigners—including journalists—until January 2, 1987. Prime Minister Gandhi speaks of wiping out all terrorists in the area, and Sikhs report that innocent people are being killed under the guise of fighting terrorism.

I urge Mr. Gandhi to respect the human and civil rights of the Sikh community as he deals with the unrest in his country. When fighting terrorism, the Government should not terrorize the Sikh community in general, but instead arrest its suspects, charge them with their offenses, and give them fair and open trials. At the same time, Mr. Gandhi should allow foreign journalists to return to Punjab to witness the course of events in that troubled area. It is my hope that both sides will begin to work for an end to the violence and not allow extremists to add fuel to the flames.

NUCLEAR WHISTLEBLOWER'S
PROTECTION ACT AMENDMENTS OF 1986

### HON. THOMAS A. LUKEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES
Tuesday, October 7, 1986

Mr. LUKEN. Mr. Speaker, today I am introducing legislation that will close a loophole in our laws that leaves many employees without protection if they blow the whistle against practices at nuclear facilities that endanger either the public or their coworkers. These employees are found at facilities that are owned by the Department of Energy and op-

erated by private contractors.

Although workers at NRC-licensed facilities, such as civilian nuclear reactors, have redress if they are harassed because they have exposed health or safety problems, workers at DOE facilities are left vulnerable to employers' retribution. Two recent cases prove the necessity for offering protection to these workers. In my district, at the Feed Material Pro-

duction Center, an internal auditor who had insisted that the facility comply with procedures established by DOE was pushed into a position in which his job was threatened and he was forced to resign. It has been recently revealed that an employee of a subcontractor at the Savannah River facility in South Carolina was dismissed after he made several attempts to bring accusations of drug abuse onsite to the attention of officials.

In the Fernald case, fortunately the auditor was able to gain the attention of his Congressman and the Subcommittee on Energy Conservation and Power which conducted a thorough investigation. At a hearing last August, DOE and the contractor were unable to respond to the charges made by the auditor. A subsequent investigation by DOE, promised during the hearing, resulted in a complete vindication for the employee. One has to wonder, however, how many other people out there are either remaining silent or are losing their jobs over their decisions to bring health and safety matters to the attention of authorities. This legislation is designed to bring the protections of the Nuclear Whistleblower Protection Act to employees such as the ones at Fernald and Savannah River.

In addition, the legislation would require that employers prominently post the rights of employees under the act and would extend the statute of limitations from the current 30 days to 1 year. The bill also makes it clear that anyone who avails himself or herself of the provisions of the Whistleblower Protection Act and files a complaint with the Department of Labor does not preclude their opportunity to seek other remedies.

We owe it to the employees at federally owned plants to provide the same protections available to private employees. Please join me in that effort.

HONORING THE KENTUCKY MOUNTAIN HOUSING DEVELOPMENT CORP.

### HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES
Tuesday, October 7, 1986

Mr. ROGERS. Mr. Speaker, the Fifth Congressional District of Kentucky can be proud today of the achievements of the Kentucky Mountain Housing Development Corp. of Manchester, KY. Just yesterday, this model organization received international recognition as the winner of 1 of only 16 Special Merit Awards from the U.S. Department of Housing and Urban Development. This high honor is in addition to receiving the International Year of Shelter for the Homeless Award for 1987.

To those of us from Kentucky, and particularly from eastern Kentucky, the work of the Kentucky Mountain Housing Development Corp. is well known. Founded in 1973, Kentucky Mountain Housing has led the effort to provide safe, decent housing for hundreds of low-income families in Clay and Jackson Counties. Its efforts represent one of eastern Kentucky's finest examples of how the successful marriage of Federal, State, local, and charitable support can provide the reality of safe housing for our poorest citizens.

Now, however, this group has gained national and international recognition for its exemplary efforts on behalf of the homeless.

In 1982, the United Nations General Assembly officially designated 1987 as the International Year of Shelter for the Homeless. In connection with U.S. participation in this global project, the U.S. Department of Housing and Urban Development sought out model housing organizations and initiatives from all across this Nation; projects which capture the American spirit by finding innovative solutions to our plaguing housing problems.

Kentucky Mountain Housing Development Corp., under the leadership of Mr. Dwayne Yost, has assembled some of the most innovative methods of financing, constructing, and improving low-cost housing which can be found anywhere. It has, through hard work, leadership, and commitment, played a huge role in improving economic conditions and self-sufficiency in eastern Kentucky.

It is in recognition of these efforts that Kentucky Mountain Housing has received this Special Merit Award. And I can think of no organization which better personifies the underlying philosophies of this international accommitment to the poor, commitment to the homeless, and commitment to the creation of opportunities for the disadvantaged.

Mr. Speaker, I congratulate and thank Kentucky Mountain Housing Development Corp. for its achievements, and its contributions to the welfare of the hopeful and proud people of eastern Kentucky.

A BILL REQUIRING U.S. OWNER-SHIP AND CONSTRUCTION OF VESSELS

## HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES
Tuesday, October 7, 1986

Mr. YOUNG of Alaska. Mr. Speaker, today I have introduced a bill that requires commercial fishing industry vessels to be owned by U.S. citizens and to be built in the United States in order to qualify for U.S. documentation, licensing, or registry. The bill has been developed in response to concerns expressed by certain communities in Alaska and certain representatives of shipyards and the commercial fishing industry.

I want to make clear that I recognize that the bill is controversial and needs careful analysis and hearings before it is enacted. It is my hope that the appropriate committee in the House will conduct such hearings in the next Congress. Only after we have heard from all interested parties should the legislation be considered.

At the same time, I believe that it is appropriate to introduce a bill now for two reasons. First, I think that the topic should be brought forward for discussion so that it can be considered properly when hearings are held. Second, I think that those corporations that are considering purchasing foreign vessels for use in the U.S. fisheries should be aware that new restrictions may be placed on foreign ownership and foreign construction of commercial fishing industry vessels.

Mr. Speaker, I look forward to having this bill proceed through the appropriate legislative process so that we can decide how to handle this important issue.

ANN ESKESEN: THE MASSACHU -SETTS CHAMPION OF SBIR

#### HON. NICHOLAS MAVROULES

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 7, 1986

Mr. MAVROULES. Mr. Speaker, the President just signed into law an extension, until 1993, of the Small Business Innovation Development Act.

The controversies accompanying the initial passage of this landmark program in 1982 have largely subsided and those who opposed this program, with very few exceptions, have

become strong supporters.

The credit, of course, should go to the dedicated individuals who have worked hard to make the program a success. Here, I wish to call attention to the important work of Ann Eskesen, president of Innovation Development Institute in Swampscott, MA. For the majority of our small high-technology firms, Ms. Eskesen's newsletter, InKnowVation, is the primary source of information on the SBIR Program. Also, her small company developed and manages the very popular "SBIR: Crosstalk" seminars which bring together SBIR awardees from across the country to discuss the business development aspects of effective SBIR usage.

Having been involved with the SBIR Program since its inception, Ms. Eskesen has perhaps the most detailed knowledge of how this important small business program works. She has been a principal witness at hearings on the achievements of the SBIR Program that have been held not only by my oversight subcommittee, but also by other committees in both the Senate and House.

It was Ann Eskesen's good counsel and tireless efforts that helped win overwhelming congressional support for the extension of the SBIR Program. I wish to salute her commitment to this very important program as well as her ongoing work to increase small business participation in the technology development of this country.

TRIBUTE TO LOTTIE MASSIE

### HON. CARROLL HUBBARD, JR.

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES
Tuesday, October 7, 1986

Mr. HUBBARD. Mr. Speaker, I would like to pay tribute to Lottie Louise Robinson Massie of Hopkinsville, KY, who died Saturday, September 13, 1986, at the age of 75.

Lottie Massie was a dear friend to many in Hopkinsville and western Kentucky. A native of Hopkinsville, she was the daughter of the late Frank and Addie Merriweather Robinson. She was a retired schoolteacher, having taught for 24 years in the Christian County school system at Booker T. Washington and Indian Hills Elementary Schools at Hopkinsville. In addition, she taught at an elementary school for 5 years in western Tennessee.

Mrs. Massie was a longtime active member of the Virginia Street Baptist Church in Hopkinsville, spending many years teaching Sunday School classes there. She was also very active in her community, having performed volunteer work for the Pennyrile Museum, the Red Cross, and the Medco Center Nursing Home.

Survivors of Lottie Massie include a son, Daniel Frank Massie of Louisville, KY; a daughter, Vivian Hooks of Hopkinsville; a brother, Milton Robinson of Ripley, TN; three sisters; Gladys Bronaugh and Sarah Cruce, both of Indianapolis, IN, and Piccola Bundrent of Louisville; and three grandchildren. Her late husband, John Daniel Massie, predeceased her in 1977

Lottie Massie was a great asset to Hopkinsville and Christian County, and she will be missed for years to come.

My wife, Carol, and I join with the many friends of this outstanding Kentuckian in extending our sympathy to the family of Lottie Massie.

COMMENDING REPRESENTATIVE DON FUQUA FOR HIS YEARS OF SERVICE

### HON. BILL McCOLLUM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 7, 1986

Mr. McCOLLUM. Mr. Speaker, for 24 years, Don Fuqua has served the Second District of Florida and the rest of our great Nation with diligence, honesty and intelligence. Although I have not served on any of his committee assignments, I have always respected his judgment on the difficult issues facing our country today.

As a member of the Science and Technology Committee and chairman of the Committee since 1979, Don channeled his energy into our Space Program. Through his leadership, we witnessed the exploratory Apollo missions on to today's space transport systems. But Don's committee work went far beyond the

Space Program, he helped authorize and oversee research projects, from developing more fuel efficient autos to protecting the environment from hazards as common as water weeds and as advanced as nuclear waste.

In the 98th session of Congress, Don sponsored the Florida Wilderness Act which I cosponsored along with the entire Florida delegation. This act greatly increased the wilderness areas in Florida's three national forests and terminated the prospect of phosphate mining in the Osceola National Forest.

Don's extraordinary record of public service has spanned six Presidencies. From the Kennedy era when he helped guide us through the turbulent 1960's to the Reagan era and the birth of a new manned space transport system. We will certainly miss his knowledge and experience during these days fraught with questions as to the future of NASA, post-Challenger. I am very sorry to see him leave but glad to have had the pleasure of working with him. I wish him the best of luck for his future as president and general manager of Aerospace Industries Association.

#### 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 seal week.

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, October 9, 1986, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

No meetings scheduled.

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